

COMMITTEE AGENDA



TO **Governance Committee**

DATE Monday January 17, 2011

LOCATION Committee Meeting Room (Room 112)

TIME 2 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES – September 13, 2010

PRESENTATIONS (Items with no accompanying report)

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-1 Report of the Returning Officer on the 2010 Municipal Election			
GOV-2 Committee Meeting Evaluation Process and Criteria			
GOV-3 Committee Work Plan and Annual Agenda			
GOV-4) 2010-2014 Strategic Planning – Proposed Revision Process			
GOV-5 Committee Mandate and Charter			
GOV-6) Draft 2011 Council Budget			
GOV-7) Reaction to Council Interest in Ceasing Appointments of	Lois Giles, City Clerk		√

Councillors to Certain Boards			
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Resolution to adopt the balance of the Governance Committee Consent Agenda.

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

OTHER BUSINESS

NEXT MEETING – Monday, April 11, 2011

**The Corporation of the City of Guelph
Governance Committee
Monday September 13, 2010, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday September 13, 2010 in the Council Committee Room at 3:00 p.m.

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

Also Present: Councillors Bell and Hofland

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

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Beard

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

Carried

Consent Agenda

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

- GOV-2010 A.24 Council Strategic Plan Priorities Report – Q3, 2010
- GOV-2010 A.25 Awards and Achievements Report
- GOV-2010 A.27 Standing Committee Structure
- GOV-2010 A.28 Advisory Committees Review of Mandates

2. Moved by Councillor Piper
Seconded by Councillor Beard

THAT the balance of the Governance Committee July 12, 2010 Consent Agenda, as identified below be adopted:

a) 2011 Strategic Plan Process Framework

Ms. B. Boisvert

THAT the Governance Committee receive the proposed 2011 Strategic Plan Process Framework, which includes conducting a Citizens Survey, to assist City Council efforts in relation to Strategic Planning and budgeting for the 2011-214 term of office.

b) Governance Committee Quarterly Report: July – September 2010

Mayor Farbridge

THAT the Governance Committee receive the third quarterly Committee performance report for 2010.

Carried

Council Strategic Plan Priorities Report – Q3, 2010

Ms. B. Boisvert

3. Moved by Councillor Findlay
Seconded by Councillor Beard
THAT the 2010 third quarter report on Council's 2007 Strategic Priorities be received for information.

Carried

Awards and Achievement Report

Ms. B. Boisvert

4. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the Awards and Achievement Report be received for information.

Carried

Standing Committee Structure

REPORT

5. Moved by Councillor Piper
Seconded by Councillor Wettstein
THAT the following standing committee structure be adopted with the commencement of the 2010-2014 term of Council:

- Community & Social Services Committee – 4 Councillors + Mayor
- Corporate Administration , Finance & Emergency Services Committee – 4 Councillors + Mayor
- Planning, Engineering & Environmental Services Committee – 4 Councillors + Mayor
- Operations & Transit Committee – 4 Councillors + Mayor
- Audit Committee – 4 Councillors + Mayor
- Governance Committee –4 Councillors + Mayor (Chairs of CSSC, CAFESC, PEESC, OTC)

AND THAT in order to balance standing committee workload, each ward councillor shall serve on at least two of the standing committees.

Carried

Advisory Committees Review of Mandates

REPORT

6. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the Local Growth Management Strategy Advisory Committee, the Transit Growth Strategy Advisory Committee and the Twinning Committee be formally dissolved and that their members be thanked for their contribution to the City;

AND THAT staff not proceed with recruitment for the Downtown Co-ordinating Committee at this time, and that staff undertake a further review and consultation process with the Downtown stakeholders regarding the Downtown Co-ordinating Committee and report back with recommendations;

AND THAT the Guelph Museums Board of Management continue as an advisory body to be known as the Guelph Museums Advisory Committee, with the composition to consist of 9 citizen appointees and no appointed member of Council;

AND THAT the mandate of the Guelph Economic Development Advisory Committee be expanded to include responsibility for reviewing future twinning opportunities;

AND THAT staff continue to investigate the potential of a City Cultural Advisory Committee in 2011, and that new recruitment to the River Run Board be paused at this time, to allow for further consultation with the current Board, the community and staff, and that in the interim, membership of the River Run Board of Directors consist of 15 citizens and no appointed member of Council;

AND THAT the Guelph Transit Ad Hoc Sub-Committee be formally dissolved, that the membership be thanked for their contributions, and that staff continue to investigate the potential of a future committee that would have a broader mandate relating to transit;

AND THAT the current membership of the Guelph Cycling Transportation Advisory Committee be maintained until completion of its mandate, and that staff report to Council in the new year with recommendations relating to a longer term mandate and composition for the committee.

Carried

- 7. Moved by Councillor Findlay
Seconded by Councillor Piper

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

- 1. **Citizen Appointments to the Municipal Election Compliance Audit Committee**
S. 239 (2) (b) Personal Matters About Identifiable Individuals.

Carried

Closed Meeting

The remainder of the meeting was closed to the public.

- 8. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT staff be given direction with respect to citizen appointments to the Municipal Election Compliance Audit Committee.

Carried

The meeting adjourned at 3:20 p.m.

REPORT TO COUNCIL
IN CLOSED SESSION

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Chairperson

**GOVERNANCE COMMITTEE
CONSENT AGENDA**

January 17, 2011

Members of the Governance Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>GOV-2011 A.1) REPORT OF THE RETURNING OFFICER ON THE 2010 MUNICIPAL ELECTION</p> <p>THAT the report of the Returning Officer for the 2010 Municipal Election be received;</p> <p>AND THAT staff investigate options to improve voter turn-out for the 2014 municipal elections;</p> <p>AND THAT early in 2014, staff work with representatives of the University of Guelph to promote interest in local elections, and look for opportunities that would see more numbers of students vote;</p> <p>AND THAT the boards of education be requested to consider scheduling a professional development day when a school is required for voting purposes in the municipal election;</p> <p>AND THAT the Ontario Government be requested to amend the Municipal Elections Act to clarify the rights of scrutineers with respect to access to the names of persons who voted on election day.</p>	Approve
<p>GOV-2011 A.2) COMMITTEE MEETING EVALUATION PROCESS AND CRITERIA</p> <p>THAT the Governance Committee review and adopt the Committee meeting evaluation process and criteria outlined in this report to help promote effective sessions and continuous improvement.</p>	Approve

GOV-2011 A.3) **COMMITTEE WORK PLAN AND ANNUAL AGENDA**

Receive

THAT the Governance Committee receive and review the attached Committee Work Plan and Annual Agenda.

GOV-2011 A.4) **2010-2014 STRATEGIC PLANNING – PROPOSED REVISION PROCESS**

Approve

THAT the Governance Committee receive the proposed process for revising the Strategic Plan for consideration. The process is designed to enable the development of a renewed direction for the corporation and results that respond to current community needs;

AND THAT the revision process cost of \$58,206.72 be pre-approved by Council as part of the 2011 budget to allow staff to proceed with contracting for identified resource requirements.

GOV-2011 A.5) **COMMITTEE MANDATE AND CHARTER**

GOV-2011 A.6) **COUNCIL BUDGET**

GOV-2011 A.7) **REACTION TO COUNCIL INTEREST IN CEASING APPOINTMENTS OF COUNCILLORS TO CERTAIN BOARDS**

The City Clerk will provide a verbal update.

B Items for Direction of Committee

attach.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Office of the CAO - Information Services
DATE January 17, 2011

SUBJECT Report of the Returning Officer on the 2010 Municipal Election

REPORT NUMBER

RECOMMENDATION

THAT the report of the Returning Officer for the 2010 Municipal Election be received;
AND THAT staff investigate options to improve voter turn-out for the 2014 municipal elections;
AND THAT early in 2014, staff work with representatives of the University of Guelph to promote interest in local elections, and look for opportunities that would see more numbers of students vote;
AND THAT the boards of education be requested to consider scheduling a professional development day when a school is required for voting purposes in the municipal election;
AND THAT the Ontario Government be requested to amend the Municipal Elections Act to clarify the rights of scrutineers with respect to access to the names of persons who voted on election day.

BACKGROUND

This year, over 82,000 eligible voters had the opportunity to vote on one of five different days, for the 58 candidates running for 13 elected offices, at 62 voting places located throughout the City. There were 82,794 eligible voters on our list, and 28,072 of those individuals cast ballots in our election, representing a 33.91% turn-out.

REPORT

Every election has its challenges, and 2010 was no exception. Some of these challenges can be addressed in future years through additional funding to the elections budget. Municipal elections are much more complicated than those at the Provincial and Federal levels where there is only one race, with usually fewer than 10 candidates.

Our elections have multiple races, referendum questions, and matters of school support. The 2010 election had 58 candidates, and required 30 different ballot types to reflect the six wards, and the five distinct school support criteria for each ward. Despite these differences, Provincial and Federal governments spend

considerably more per voter to conduct their elections. A review of recent Elections Ontario and Elections Canada reports revealed that their budgets ranged from \$11 to \$12.5 per voter, while Guelph budgets less than \$5 per voter.

Further on in this report, I will go into greater detail on these challenges, but they can be briefly identified as:

- Recruitment of outside workers
- Quality and accuracy of the voters list
- Voter outreach
- Voter Turn-Out
- University of Guelph on-campus residents
- Voting places
- Programming of vote tabulators
- Scrutineers
- Display of results

In spite of these challenges, we had numerous successes in 2010. One of our early successes, was the active recruitment of City staff to work in our polls, the majority of whom served as vote tabulator officials (VTO's). Being able to hire sufficient numbers of outside workers for our election is becoming more and more difficult. On a strictly voluntary basis, employees from all parts of the corporation enthusiastically signed up to work in our election.

Another success was the use of on-line management of the voters list at our advance polls. By using technology, we were able to cross off the names of persons who voted at the advance polls, and prepare and print the final voters list for use on election day in half the time required in previous elections.

By far our greatest success was the speed with which we produced our final results. Our VTO'S returned the ballot boxes and tabulators to the City Hall parking garage in a drive-through operation. Attendants were positioned in the garage to unload vehicles, and by elevator, transfer the ballot boxes and tabulators to the returning centre. After unloading, the vehicle would exit the parking garage. This saved considerable time, as the VTO's staff did not have to search out parking places, unload and transport ballots and tabulators into City Hall, which in all cases would have required two trips. The Wilson Street parking lot was reserved for our deputy returning officers to bring back their supplies and final statements. This procedure enabled us to total the votes of over 28,000 ballots and publish our final results in less than 90 minutes, which is an incredible achievement considering that all of this occurred in the middle of a major construction zone with limited access and parking.

1. RECRUITING QUALIFIED ELECTION DAY STAFF

Municipal elections are infrequent events as they now happen once every 4 years, and it is becoming increasingly difficult to maintain high levels of staff retention over the 4-year period. Key to the success of any election is the knowledge and skill level of the outside workers hired for our voting places. One of the greatest

challenges in administering an electoral event lies in the need to hire a massive temporary workforce, the bulk of whom only work on Election Day. The ideal worker should:

- have experience in municipal election procedures,
- be able to handle long hours and physical requirements,
- function in a fast-paced high pressure election environment, and
- be comfortable using technology.

While it would be our preference to always have experienced workers to ensure that our voting locations operate efficiently, we recognize that we will have to recruit and train individuals who don't have previous election experience. Training sessions and materials do provide opportunities for the transfer of knowledge from experienced City staff to polling-day staff, however it is simply not possible to guarantee that every inexperienced worker hired for this one-day assignment will be able to meet our expectations.

Often, workers who attend our training sessions will cancel prior to the election. As a result, the City has to over-recruit. This year, 25 workers cancelled in the last few weeks leading up to the election, and replacement workers had to be appointed and trained. Thanks to the City employees who volunteered to work in the 2010 election, we were able to fully staff our advance and election day polls, as well as the returning centre on election night. The following is a breakdown of the number of poll workers required for this year's election:

Position Title	Total Number
Deputy Returning Officers	97
Election Assistants	97
Greeters – Full Time	11
Greeters – Part Time	9
Revision Officers	47
Vote Tabulator Officials	53
TOTAL	314

Early October, staff conducted the following training sessions to ensure the efficient operation of voting places and compliance with legislation, policies and procedures:

Position Title	Training Required	Number of Sessions	Number of Hours
Advance Deputy Returning Officers and Advance Election Assistants	Election Procedures	3	3
Election Day Deputy Returning Officers and Election Assistants	Election Procedures	5	7.5
Advance Deputy Returning Officers	On-Line Voters List Management	3	3

Vote Tabulator Officials	Tabulator Procedures	6	20.5
Mobile Poll Workers	Procedures	7	8
Revision Officers	Procedures	7	7
Greeters	Procedures	5	2.5
Greeters	Procedures	1	1
Ward Runners	Procedures	1	1
TOTAL		27	52.5

2. QUALITY AND ACCURACY OF THE VOTERS LIST

Under the *Municipal Elections Act, 1996*, the voters list for municipal elections is prepared by the Municipal Property Assessment Corporation (MPAC). MPAC uses a variety of sources to produce the list, including its own database on property ownership and tenants, municipal enumeration forms that are mailed to selected Ontario households in the spring of an election year, and the National Registry of Electors (voters list) from Elections Canada. In Ontario, there is no compulsory requirement for residents to provide MPAC with correct information for voting purposes. Approximately 18,000 enumeration forms were mailed out in Guelph, but only 6,586 enumeration completed forms were returned to MPAC.

The preliminary list was received in our office in August of 2010. The number of names on the preliminary list was substantially lower than in 2006, possibly as a result of the removal of the names of persons whose Canadian citizenship was unconfirmed in MPAC's database. The preliminary list also did not include the names of most students who would be attending the University of Guelph starting in September. While home ownership information was fairly accurate, the information on tenants was often dated and incomplete. As part of a data cleansing exercise, the City examined the preliminary list for duplicate names, name anomalies, and other errors. MPAC provided a supplementary update in September, and unfortunately, some of the changes we had corrected through our data cleansing activities in August, were restored to the list by MPAC.

The voters list was then subject to a revision period which began the day after Labour Day and ended on election day. The size of the list with over 80,000 names, makes it impossible for a name by name examination to determine accuracy. As a result, the list still contained many irregularities, including:

- Names of deceased persons,
- Names of children who no longer live with their parents,
- Names of persons who have moved since enumeration in the spring, and
- Names of university students added to the list in 2006.

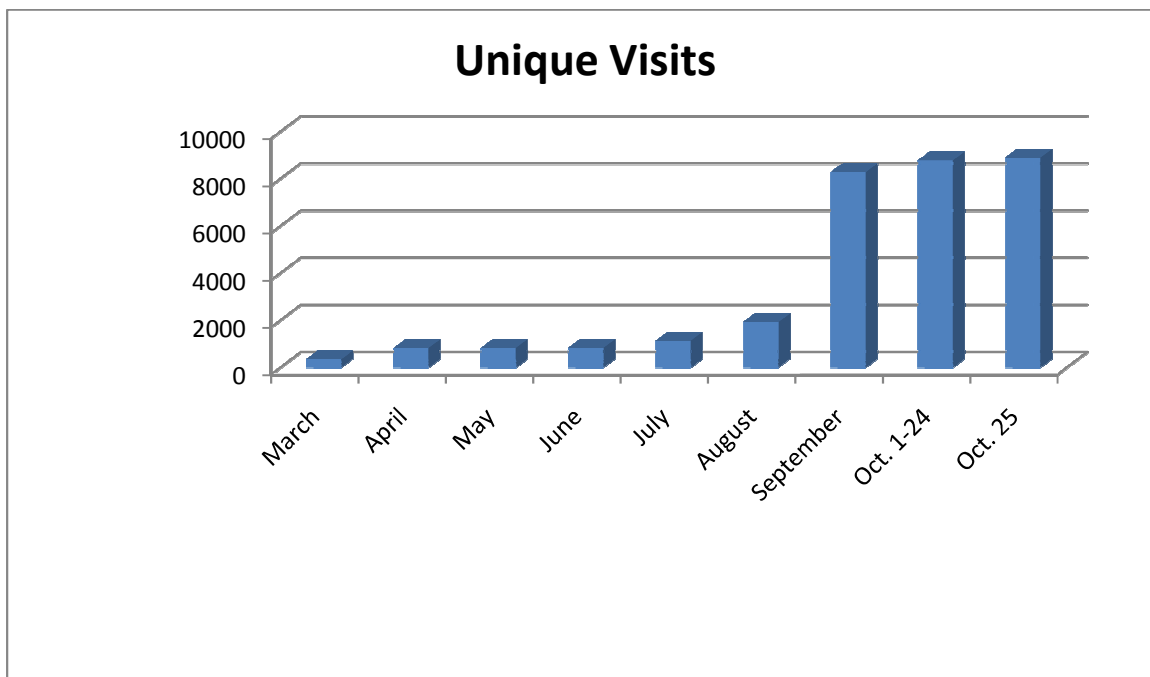
Since September 7, the City processed almost 11,000 revisions to the list for this election.

3. **VOTER OUTREACH**

The City actively encouraged people to vote in this election. Our strategy included print advertisements throughout the months of September and October in both local newspapers, radio ads on CJOY/Magic, two clips which were run on a regular basis on Rogers cable, and providing election information for the University of Guelph student handbook. Key messaging revolved around checking the voters list, watching for voter notification cards, promoting advance voting, and the new requirement for voters to produce identification.

Extensive information was made available on the Guelph Votes web-site, and many people visited this site to access election information. A new feature this year, was the ability for our voters to use the on-line look up to see if they were on the voters list, and then find the location of their voting place. Site visit statistics were impressive:

- Voterview On-line lookup: 13,681 searches
- guelph.ca/vote – March 1 through October 24, 2010
 - Unique visits: 34,881
 - Total page views: 183,859



Top Pages Visited

Page	Unique Visits	Page Views
2010 Candidates	16,164	51,465
guelph.ca/vote homepage	22,242	32,740
Mayorality Candidate Profiles	9,855	11,551
Are you on the voter's list?	4,017	5,323

Where & when to vote	3,033	4,100
What if my name is not on voter's list?	1,790	2,270
Information for Voters	1,797	2,225

By far the busiest day was Election Day itself, which saw the following traffic:

- Unique Visits to guelph.ca/vote: 8,908 (not including results page)
- Page views on guelph.ca/vote: 46,910 (not including results page)
- Unique visits to results page: 7,893
- Pageviews on results page: 78,191 (includes page refreshments)
- Voterview Lookups: 4,616

In early October, 43,089 voter notification cards were mailed out to Guelph households.

On election day, the City Clerk's Office responded to over 500 telephone calls and messages on the published election line. The majority of these calls were from individuals who had not received a voter notification card because they had moved, or because they were not on the list at all.

4. VOTER TURN-OUT

Between 2006 and 2010, the City increased the number of days and locations for advance voting. This included:

- 3-day Advance Voting at City Hall on:
 - October 12th
 - October 13th
 - October 14th
- Advance In-Ward Voting on October 16th :
 - Ward 1: Guelph City Hall
 - Ward 2: Evergreen Seniors Community Centre
 - Ward 3: Our Lady of Lourdes Catholic High school
 - Ward 4: West End Community Centre
 - Ward 5: John McCrae Public School
 - Ward 6: Arkell Road Bible Chapel
- Reduced Hour Advance Voting for Multi-Residential Properties on October 16th:
 - Grange St. Apartments
 - Hadati Apartments
 - Woodlawn Apartments
 - Marlborough Apartments
 - Bayfield Apartments
 - Dublin Apartments
 - Willow Apartments
 - Woolwich Apartments
 - Waterloo Apartments

Despite our efforts, the number of persons who voted in the advance polls dropped 8% from 3,531 in 2006 to 3,247 in 2010. The number of persons who voted in this election dropped by 20% from 35,205 in 2006, to 28,072 in 2010, and overall voter turn-out for this election was the lowest in over 20 years.

- 2010 – 33.91%
- 2006 – 39.76%
- 2003 – 36.75%
- 2000 – 42.56%
- 1997 – 36.63%
- 1994 – 35.52%
- 1991 – 35.05%
- 1988 – 35.33%

Goal 5.5 of the City’s Strategic Plan is to have the highest per capita municipal election voter turnout of any city in Ontario. Surveys by Election Canada on the trend in fewer people taking an interest in elections indicate that there has been a long-term decline in the voting participation of successive generations of Canadians. These surveys also suggest a number of ways in which voter turnout could be improved:

- Developing communications strategies to improve civic engagement in elections
- Developing strategies to target the younger population
- Offering greater use of technology in elections, i.e. Internet voting

It is recommended that staff investigate options to improve voter turn-out for the 2014 municipal elections.

5. UNIVERSITY OF GUELPH

After election law was changed to allow students the right to vote in both their home town and where they attended university, the City provided a poll on campus in a number of elections. Statistics demonstrated that in both 2003 and 2006, over 90% of the eligible on-campus residents did not vote. The voter turn-out was exceptionally low compared to the City-wide average, i.e. 7% vs. 40% in 2006 and 5% vs. 37% in 2003. This may be because many on-campus students are in their first year and are still adjusting to university life. They are new to the City, and quite likely unfamiliar with local issues.

This poll was only provided for the students who resided on campus. Off-campus students, whose numbers exceed those living on-campus, had to vote at locations along with the permanent residents within their voting subdivisions.

This year, in order to make more effective use of our election resources, we established one voting place for all of the residents within the voting subdivision, which included the students on campus. This poll was centrally located within the area at Harcourt United Church and included two revision officers to process

additions to the voters list, whereas other polling locations in the city had only one revision officer. On-campus students, off-campus students, and permanent residents within the voting subdivision voted at this location.

A representative of the student union at the University of Guelph contacted the City in September asking that we reconsider our decision to have students vote off-campus. At that point in time, our election programming activities had advanced to the point where a change could not be accommodated.

It is recommended that early in 2014, staff work with representatives of the University of Guelph to promote interest in local elections, and look for opportunities that would see more numbers of students vote.

6. VOTING PLACES

It is quite a balancing act for us to accommodate the needs of all of our voters, and this election has been exceptionally challenging for us. Many of the places that we have traditionally used over the years could not be used in 2010. Some were just not available on voting days, others had been rendered inaccessible by road construction projects under the infrastructure stimulus program, and finally, changes to the Municipal Elections Act that now require us to use only voting places that are fully accessible to persons with disabilities.

In 2010, City staff conducted a review of potential voting locations. This review consisted of staff physically visiting each location, speaking with an on-site representative, measuring space and making note of anything that could affect accessibility. In determining whether or not a voting place was accessible, the City had to consider the following criteria:

- Grade of the accessibility ramp
- Width of doors
- Unobstructed interior routes
- Lighting
- Presence of stairs
- Availability of accessible parking spaces
- Availability of passenger loading zones
- Parking lot and pedestrian surfaces

Voting locations are mandatory in all nursing homes and retirement homes. In addition, some multi-residential properties were provided with an advance voting location where there was a high percentage of senior tenants.

We continue to rely heavily on churches and schools for voting places. Churches are becoming more difficult to secure for election day. Some churches provide community services such as shelters and daycares and were unable to cancel their regular activities to accommodate the election. In recent years, voters in Ontario have challenged the practice of using churches as voting locations. We ensure that the actual voting takes place in the public areas of the church, such as a meeting room or auditorium, and not within the sanctuary itself. Because of

the multiple advance voting opportunities, persons who did not want to vote in a church did have other options.

With respect to the use of schools, security has also recently been raised as an issue. The Upper Grand District School Board required the City to have an election official positioned outside the voting space in elementary schools to ensure that voters were not wandering through the rest of the school during the hours when students were present. This issue could be avoided in future elections if the boards of education would schedule a professional development day when a school is required for voting purposes.

In the newer areas of Guelph, it is becoming increasingly difficult to find suitable public space for voting locations. Schools and churches are not being built at the same rate as the residential development that is taking place.

In light of the above issues, it is becoming apparent that our current method of neighbourhood voting will not be sustainable in the future. Finding enough suitable public places for people to vote in their neighbourhoods is already a problem. As the population grows, and fewer public facilities are being built, there will continue to be line-ups and long waits particularly during the final hours of voting on election day.

In order to accommodate our existing voters and still meet our objective of increasing voter turn-out, the City will have to look seriously at the possibility of offering new and innovative voting opportunities in the future, such as Internet voting, shop-and-vote centres, mobile polling units, etc.

7. VOTE TABULATORS

Ontario municipalities have multiple offices in their elections. A manual count of all of the candidates for the numerous offices and potential questions, would require a considerable amount of time. Because of this, Guelph like many other Ontario municipalities, uses optical scanning equipment. This technology has been in use for over twenty years, and is renowned for its superiority and accuracy over a manual count. The system uses a composite ballot which has all offices and questions clearly printed on it. The voters cast their ballots by using a special marking pen to mark a box corresponding to the candidate of choice. The ballots are fed into a vote tabulator which reads the ballot as it is deposited into the ballot box and stores the information. At the close of polls, the tabulators print out cumulative totals of all votes cast. In addition, the results are stored on a memory card which is uploaded into the election reporting software at the returning centre. The reporting software totals the votes City wide and publishes the results to the City's website.

In 2010, our vote tabulators were programmed to return ballots that were blank, had fewer votes than were allowed, or had more votes than were allowed. This then allowed voters a second chance to ensure that they were satisfied with how they had marked their ballot. This decision was based on the City of Vaughan recount that took place in 2006. That year, the City of Vaughan used vote

tabulators, but did not program them to return under votes and over votes. An application was made to the Superior Court of Justice and resulted in a court ordered recount. In his decision, the sitting judge found that the computer programming had resulted in a likely disenfranchisement of a significant number of voters.

The sitting judge also quoted a landmark decision with the well known democratic principles promoting enfranchisement of voters in *Haig v. Canada* [1993], that when we make decisions with respect to election procedures, every effort should be made to enfranchise the voter, and conversely every effort should be made to limit the scope of provisions which tend to disenfranchise the voter.

We carefully considered our decision on how to program our vote tabulators. In addition to the principles cited in the case law, we also sought further legal advice which supported the decision we ultimately made. Other municipalities that use vote tabulators, have adopted similar programming procedures.

In the case of an under voted or over voted ballot, the tabulator sounded an electronic beep, and displayed a message that an under or over vote had occurred. The tabulator does not inform the election worker where on the ballot this has occurred, only that it has occurred. When we trained our workers, we stressed to them that the intent is to offer a second chance in the event the voter is not satisfied with how they marked their ballot. If the voter is happy with how they marked their ballot, it was accepted as marked. Our experience showed that in many cases, voters did take advantage of the second opportunity.

8. SCRUTINEERS

Historically, as the name implies, scrutineers are appointed by candidates to observe election procedures at the polls, and in particular, to observe the counting of votes. Since most municipalities have adopted the use of alternative voting methods, the role of scrutineers has changed over time, and the focus of the role now is to track the names of persons who have voted. This allows the candidate's campaign team to contact potential supporters who haven't been to the polls yet, and encourage them to come out to vote. The Municipal Elections Act only permits scrutineers to observe procedures at the polls, and there is no specific provision for them to have direct access to the voters list, or for election officials to provide them with the names of persons who have voted.

The rules for scrutineers differ somewhat in provincial and federal elections. According to the *Canada Elections Act*, every 30 minutes, the election official must provide the identity of electors who have voted on polling day (except for the identity of those electors who registered on the same day they voted) to the candidate's representative.

While there is no similar provision in the provincial Elections Act, their written procedures refer to an elector tracking sheet that tracks electors who voted on Polling Day by using their elector number. Election officials are required to provide

copies of the elector tracking sheet to the scrutineers at regular intervals throughout the day.

This year, the City produced a candidate's handbook in the hope that the difference in rules would be explained and hopefully avoid any misunderstandings at the polls. Unfortunately, the inability to access the voters list and the names of persons voting, continued to be a concern.

It is recommended that the Ontario Government amend the Municipal Elections Act to clarify the rights of scrutineers with respect to access to the names of persons who voted on election day.

9. DISPLAY OF ELECTION RESULTS

Back in the days before cities had websites, we displayed our election results in the Council Chambers in the former City Hall. As the number of attendees grew, it became obvious that the Chambers were too small. The display was relocated to the River Run Centre, which required the City to rent screens and projectors, and set up computers and printers to receive and report election results as they came in from the returning office at City Hall. On occasion over the years, our election results display conflicted with other activities going on at the River Run.

Today, the Council Chambers in new City Hall can accommodate a much larger crowd, and the room is equipped with excellent presentation equipment. When the new building was constructed, significant infrastructure was installed to allow Rogers Cable to broadcast live from the Chambers. Our results were also posted to the City's web-site on election night, and as reported earlier, there were thousands of visits to the results page.

We've heard from several media sources, that on election night, the atmosphere in the Council Chambers was rather subdued compared to previous election nights at the River Run. In addition, the audience seating didn't allow for the social interaction that previously had been experienced at the Centre. In planning for this election, staff were focused on the logistics of the event, and hadn't anticipated the sobering effect that the Chambers might have on attendees. We do recognize that our election is an important event in this City and it should be afforded a venue where participants can feel comfortable cheering for their candidate.

SUMMARY:

I would like to formally recognize the outstanding efforts of my staff for the many months of work it took to plan and carry out the 2010 election. Preparing for an election is a massive undertaking, and it would not have been possible without the capable and dedicated assistance of the following individuals:

Tina Agnello,	Election Event Project Manager
Greg Hahn,	IT Technical Lead
Marilyn Schmidt,	Worker Recruitment & Voting Places
Susan Samuel,	Materials & Supplies

Melissa Biesel,	Vote Tabulating Equipment
Joyce Sweeney,	Election Event Definition
Dolores Black,	Procedures - Homes & Institutions
Markham Wismer,	Election Night Logistics and Support
Jennifer Jacobi,	Election Support
Danielle DeBie,	Election Support
David Aubrey,	Election Support
Kathy Hawkins,	Election Support
Heather Macpherson,	Election Support
Alexandra Marson,	Election Support
Marina Grassi,	Voter Outreach Support

In addition to the staff who were directly involved in the planning and preparation for the election, over three hundred people were recruited to work in the polls and at the returning centre. I extend my appreciation to these individuals for coming forward and helping to deliver this election to our citizens. Special thanks are also extended to:

- Leanne Warren for her guidance on matters of accessibility;
- the staff of Engineering Services and J.G. Goetz Construction for ensuring that we maintained access to City Hall;
- the staff of By-law Compliance & Enforcement for directing all of the traffic through the construction zone on election night, and
- Property maintenance staff for assisting on election day with distribution of tabulators and the receipt of ballot boxes.

CORPORATE STRATEGIC PLAN

This report supports Goal 5.5 of the City’s Strategic Plan to have the highest per capita municipal election voter turnout of any city in Ontario.

FINANCIAL IMPLICATIONS

The City historically budgets a portion of the cost of an election each year. Any additional costs associated with the 2014 election will be identified after staff have investigated and identified potential enhancements to our election procedures.

Original Signed by:

Prepared By:

Lois A. Giles,
 Returning Officer.
 (519) 822-1260 x 2232
 lois.giles@guelph.ca

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE January 17, 2011

SUBJECT Committee Meeting Evaluation Process and Criteria
REPORT NUMBER

RECOMMENDATION

THAT the Governance Committee review and adopt the Committee meeting evaluation process and criteria outlined in this report to help promote effective sessions and continuous improvement.

BACKGROUND

It is widely understood that productive and high quality meetings consistently produce more valued results. Conducting regular meeting evaluations is one practice that contributes to ongoing improvements. To be effective, meeting evaluations should be immediate, brief, encourage thoughtful responses, provide feedback on the meeting content as well as the process, gather information on the Chair and member effectiveness and allow participants to surface areas of concern. Member feedback and any potential new directions should be shared and discussed openly.

REPORT

As a new procedure, the Governance Committee could consider instituting regular meeting evaluations consistent with the process and criteria detailed below.

Process and Criteria

At the conclusion of each Committee meeting, it is recommended that the questions in the following table be circulated by the Committee Chair to members for input. Feedback can be evaluated by the Chair with assistance from staff as requested.

Suggested improvements will be reviewed with Committee members at subsequent meetings for consideration by the group as a whole. Agreed upon ideas will be applied immediately or incorporated as agreed upon by the Committee.

Committee Meeting Evaluation Questions	
1.	Did the meeting start on time?
2.	Was the agenda appropriate and clear? <ul style="list-style-type: none">- Were there too many items or too few to warrant a meeting?- Were any agenda items outside of the Committee's mandate?

Committee Meeting Evaluation Questions	
3.	Was there adequate detail on the agenda items for the Committee to make a well informed decision?
4.	Did the Chair keep the group on topic?
5.	Did the discussion lead to clear and specific action?
6.	Were Committee members well prepared for discussion?
7.	Were members concise in their comments?
8.	Did members participate in a constructive manner?
9.	Did everyone have an equal opportunity to participate?
10.	Did the group adhere to established rules of procedure?
11.	What improvements could be made to future meeting procedures?

CORPORATE STRATEGIC PLAN

5.6 Organizational Excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

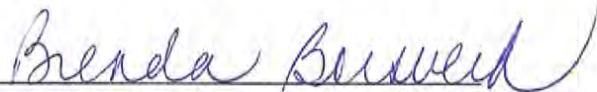
n/a

COMMUNICATIONS

n/a

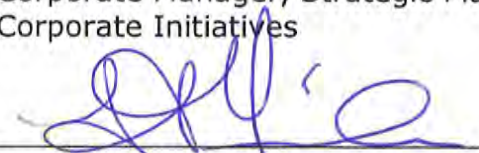
ATTACHMENTS

n/a



Prepared By:

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



Recommended By:

Lois Giles, General Manager, Information Services/City Clerk

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE January 17, 2011

SUBJECT Committee Work Plan and Annual Agenda
REPORT NUMBER

RECOMMENDATION

THAT the Governance Committee receive and review the attached Committee Work Plan and Annual Agenda.

BACKGROUND

Work planning is a standard organizational effectiveness tool that can result in more productive meetings and stronger outcomes. Introduced in the 2006-2010 Council Term of Office, Committee work plans have enabled a clear understanding of items to be addressed and expected timeframes while still allowing for flexibility in terms of additional items to be introduced and included at the discretion of the Committee.

REPORT

A preliminary Committee Work Plan and Annual Agenda have been developed for Committee review. Key items to be addressed in 2011 include the Strategic Plan Proposed Revision Process, Financial Management Communications Strategy, Corporate Performance Measurement Framework, Corporate Succession Planning, Sustainability Measurement and Reporting, the Delegation of Authority Protocols Review and an Enterprise Risk Management Risk Profile. Additional items may be included as required.

CORPORATE STRATEGIC PLAN

5.6 Organizational Excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

Staff responsible for the work plan commitments identified were consulted in the development of this effort.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix A – Governance Committee Work Plan

Appendix B – Governance Committee Annual Agenda



Prepared By:

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



Recommended By:

Lois Giles, General Manager,
Information Services/City Clerk

**Governance Committee
2011-2014 Work Plan - January 2011**

Appendix A

Duties	Frequency				2011	2012	2013	2014	Comments
	Annual	Term	Need						
1. Effective Corporate Governance									
Council Governance Principles Review	•			•	•	•	•	•	Regularly review governance principles, policies and procedures; create an annual plan and budget for Council approval; create policy as required; review of interagency relationships.
Council Code of Conduct Review		•					•		Review of the Council Code of Conduct during new Council orientation; ensure Council signs confirming receipt at the Inaugural Meeting - completed in 2010 .
Council Code of Conduct Implementation	•				•	•	•	•	Annually review effectiveness of the Council Code of Conduct implementation.
Sustainability Measurement and Reporting				•	•	•	•	•	Review the completion of a sustainability audit for the corporation as well as a plan for ongoing assessment and reporting to the community.
2. Accountability and Transparency									
Financial Management Communications Strategy	•				•	•	•	•	Receive and review recommendations for the development of strategic communications material to support community understanding of the city's financial standing and directions.
Delegation of Authority Protocols Review	•				•	•	•	•	Annually review and confirm the delegation of authority protocols.

Review of Discretionary Positions	•			•		•		•		•		•	Assess the need for discretionary positions as defined by the Municipal Act and make appropriate recommendations to Council (e.g. Auditor General, Integrity Commissioner, Auditor General, Lobbyist Registrar and Ombudsman).
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3. Strategic Planning

	Annual	Term	Need	2011	2012	2013	2014	Comments
Strategic Plan Governance Principles, Policies and Guidelines	•			•	•	•	•	Annually review and recommended governance principles, policies, and guidelines related to Strategic Planning for Council approval.
Strategic Planning and Priority Setting Process		•		•				Ensure an effective strategic planning and priority setting process is implemented during each new term of Council and advise on necessary improvements.
Strategic Plan Work Plan	•			•	•	•	•	Review and recommend an annual strategic planning work plan for Council approval.
Priority Initiatives Quarterly Reports	•			•	•	•	•	Receive regular update reports on the status of priority initiatives to ensure appropriate progress.

4. Committee and Council Effectiveness

	Annual	Term	Need	2011	2012	2013	2014	Comments
Council Effectiveness Evaluation	•				•	•	•	Regularly assess Council effectiveness and solicit input on governance concerns to be addressed.
Citizen Advisory Committee Appointment Process.		•		•			•	Provide input on changes to the Citizen Advisory appointment process.
Council Orientation Training Program		•					•	Recommend core elements of an orientation and ongoing training program for learning and knowledge requirements in a timely manner.
Procedural By-law Review		•		•				Review the procedural By-law and recommend any changes to Council.

Standing Committee Mandate and Charter Review																				Review and recommend changes to the Committee Mandate and Charters of each Standing Committee of Council. Include role description for Chairs and Committee members.
5. CAO Performance and Review	Annual	Term	Need	2011	2012	2013	2014	Comments												
CAO Governance Principles, Policies and Procedures			•																	Review and recommend governance principles, policies and procedures with respect to the recruitment, delegation of authority, compensation, succession planning and evaluation of the CAO.
Operational Performance Measurement				•																Direct the development and reporting of operational metrics to Committees for each Department that will enable more informed decision making and strengthen strategic management of the corporation; annually review effectiveness once established.
Succession Planning Model				•																Receive a succession management plan; annually review implementation of the succession management plan.
CAO Recruitment Process																				Oversee the recruitment process for a new CAO consistent with policy guidelines.
CAO Performance Evaluation Process																				Direct and review the performance evaluation process for the CAO consistent with policy guidelines.
CAO Annual Performance Objectives for the CAO																				Oversee the development of annual performance objectives for the CAO consistent with policy guidelines.
CAO Succession Planning																				Direct and discuss CAO succession planning efforts consistent with policy guidelines.
CAO Compensation																				Recommend changes to the CAO compensation for Council approval.

7. Enterprise Risk Management		Annual	Term	Need	2011	2012	2013	2014	Comments
Risk Profile and Assessment			•		•				Understand and address risks that threaten the achievement of the organization's objectives. Assess risks in terms of likelihood and magnitude of impact.
Policy Development			•			•			Oversee the development of policies and appropriate response strategies to identify, prioritize and response to risks. Identify necessary early warning systems required at the Council level.
Policy Approval and Monitoring			•				•		Adopt policies and processes required to ensure effective enterprise risk management practices. Monitor progress on the effectiveness of policies and response strategies.

8. Council Compensation		Annual	Term	Need	2011	2012	2013	2014	Comments
Council Work Requirements			•			•			Regularly review and assess ongoing work requirements of Council.
Council Compensation Principles			•				•		Direct the development of recommendations regarding principles of compensation for Council approval.
Council Compensation Review Process			•				•		Recommend an appropriate compensation review process involving citizens and stakeholders.
Council Compensation Policy Review			•				•		Review and recommend required updates to existing compensation policies.

9. Committee Performance Reporting		Annual	Term	Need	2011	2012	2013	2014	Comments
Quarterly Committee Reports		•			•	•	•	•	Review quarterly information reports for Council on progress achieved by the Committee.
Regular Meeting Evaluations		•			•	•	•	•	Regularly evaluate meeting effectiveness and incorporate improvements as appropriate.

2011 GOVERNANCE COMMITTEE ANNUAL AGENDA

All Meetings (Dates and Standing Agenda Items)

- Review and approve minutes of previous meeting
- Other business

January 17, 2011	
1.	Committee Mandate and Charter
2.	Committee Work Plan and Annual Agenda
3.	Strategic Plan Proposed Revision Process
4.	Standing Committee Mandate and Charter Review/ (incl. role of Chairs)
5.	Professional Development Program for Council
6.	Election Report
7.	Committee Meeting Effectiveness Process and Criteria

April 11, 2011	
1.	Interagency Relationships – Status and Next Steps
2.	Financial Management Communications Strategy
3.	Quarterly Committee Progress Report
4.	CAO Performance Evaluation
5.	CAO Objectives

July 11, 2011	
1.	Strategic Plan Content Approval
2.	Corporate Succession Plan
3.	Corporate Performance Measurement Framework
4.	Quarterly Committee Progress Report
5.	CAO Recruitment Process Report
6.	CAO Succession Planning
7.	CAO Compensation
8.	CAO By-law
9.	Striking Committee

October 11, 2011	
1.	Sustainability Measurement and Reporting
2.	Delegation of Authority Protocols Review
3.	Strategic Plan Priorities Report
4.	Quarterly Committee Progress Report
5.	Enterprise Risk Management - Risk Profile
6.	Review of Procedural By-law

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE January 17, 2011

**SUBJECT 2010-2014 Strategic Planning – Proposed Revision
Process**

REPORT NUMBER

RECOMMENDATION

THAT the Governance Committee receive the proposed process for revising the Strategic Plan for consideration. The process is designed to enable the development of a renewed direction for the corporation and results that respond to current community needs.

THAT the revision process cost of \$58,206.72 be pre-approved by Council as part of the 2011 budget to allow staff to proceed with contracting for identified resource requirements.

SUMMARY

Purpose To ensure an effective process for reviewing and revising the existing City of Guelph Strategic Plan.

Committee Action Receive the report, advise on suggested improvements and forward for Council consideration.

Next Steps Staff will initiate the agreed upon direction of Council.

BACKGROUND

On September 13, 2010 the Governance Committee received a staff report that outlined preliminary options to assist City Council with strategic planning and budgeting efforts for the 2011-2014 term of office. A central component included conducting a December 2010 Citizen Survey to provide insight into community aspirations for the next four years. Approved by Council on September 27th, staff issued a Request for Proposals (RFP) to undertake the survey work.

At the November, 2010 Council orientation session, it was suggested by Mayor Farbridge that the Citizen Survey option be integrated into a recommended Strategic Plan refinement process, complete with timelines and costs, for debate, discussion and approval by the new Council in January.

REPORT

At the November 2010 Council orientation session, it was suggested that strategic planning work for the term ahead should be cost effective, focus on reviewing the existing mission statement, goals and objectives, include a thorough environmental scan and an examination of financial constraints.

To further explore approach options, the Executive Team (ET) was consulted on November 25th, 2010 and raised a number of critical elements for a successful Strategic Plan review effort including:

- ✓ a sound understanding of and agreement to the process by all parties;
- ✓ identification of the right tools and meeting processes for each phase of the process;
- ✓ purposeful inclusion of Council, the ET, staff and stakeholders;
- ✓ a dynamic and creative facilitator; and
- ✓ dialogue to ensure realistic and achievable goals and objectives.

All feedback received helped to inform the 2010-2014 proposed revision process. It has been designed to be respectful of tax dollars, collaborative and inclusive. The process uses existing resources and leverages specialized assistance only where necessary.

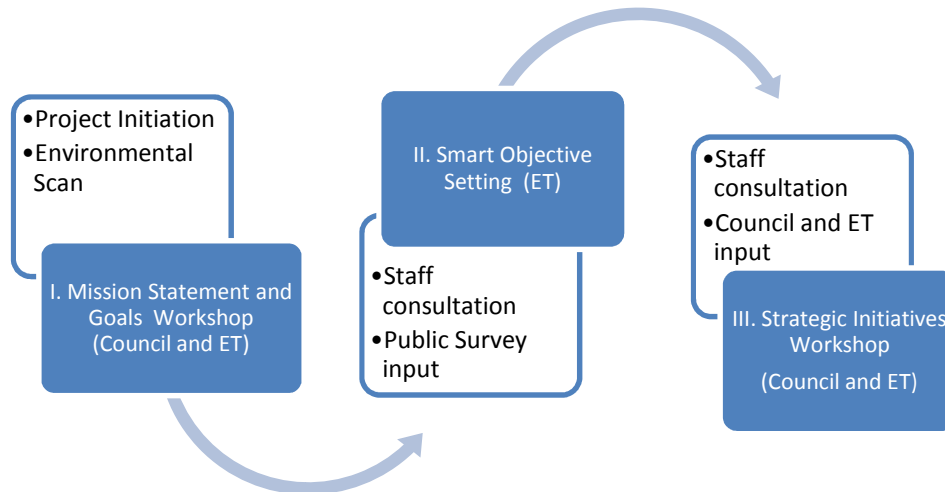
Revision Process Overview

The suggested process will take place over a five month period, starting in February, 2011 and ending in June, 2011 in advance of the 2012 budget preparations. It will consist of:

- one joint project initiation meeting with Council and the Executive Team to ensure a common understanding of the overall process and to review an environmental scan with insights into current political, economic, social, technological, environmental and legislative realities facing the City;
- a ten minute telephone survey of 600 City of Guelph residents (aged 18 and older) conducted in English and three other languages to gain a representative understanding of current attitudes and expectations;
- a Council and Executive Team professionally facilitated workshop to collaboratively revise the mission statement and clarify goals;
- one Executive Team objective setting meeting which will include discussion on financial feasibility;
- a second Council and Executive Team workshop to jointly confirm proposed objectives and agree upon strategic initiatives for the term; and
- five staff information sessions and workshops throughout the process that will both inform and engage employees while providing the opportunity for information sharing and gathering.

Enlisting the facilitation assistance of Dr. Chris Bart (resume attached as Appendix A) at critical junctures only, the process will incorporate current theoretical thinking in the area of mission statement development and ensure with the creation of measureable and actionable goals and objectives well aligned with the identified strategic direction.

PROJECT PROCESS



PROJECT WORKPLAN

		Jan. 17- 31	Feb. 1 - 25	Mar. 1 - 31	Apr. 4 - 25	May 2 - 13	May 16- 27	Jun 1- 10	Jun 13- 27
1.	Governance Committee Review								
2.	Council Direction								
3.	Survey Contract Awarded – Content planning initiated								
4.	Strategic Plan Process Start-Up Meeting (Environmental Scan)								
5.	Staff Information Session								
6.	Public Opinion Survey Initiated, Analyzed and Presented to Council								
7.	Workshop #1 Pre-work survey								
8.	Workshop #1: Mission Statement Development and Goal Identification Council and ET Generated and Confirmed								
9.	Council Report – approval of mission statement and draft goals								
10.	Staff Information Session								
11.	SMART Objectives Pre-work survey								
12.	S.M.A.R.T* Objective Setting – ET Generated and Council confirmed								
13.	Staff Information Session and workshop								
14.	Workshop #2 Pre-work survey								
15.	Staff Information Session and workshop								
16.	Workshop 2: Strategic Initiatives – Council and ET Generated and Confirmed								
17.	Council report – approval of SMART Objectives and Strategic Initiatives								
18.	Staff Information Session								
19.	Process Evaluation (July)								

*S.M.A.R.T Objectives – Specific, Measureable, Attainable, Realistic, Timely

PROJECT TEAM

Hans Loewig will function as the project sponsor for this process, ensuring that it is completed effectively. Brenda Boisvert, Corporate Manager, Strategic Planning and Corporate Initiatives, will act as the Project Manager. Tara Sprigg, Manager, Corporate Communications will lead the development of a communications strategy so that internal and external stakeholders are well informed. Dr. Chris Bart will be the project facilitator. The team will provide regular progress reports to the Executive Team. The process will be evaluated upon completion for overall success.

POTENTIAL RISKS & MITIGATION PLANS

- Additional assistance may be required with the development of objectives. Dr. Bart has offered to review and revise identified objectives as part of his fees and is also available to facilitate the development process for an additional cost.
- Not all Councillors may be able to participate in the initial start-up meeting and joint workshops. If this is the case, action will be taken to ensure that individuals not in attendance are fully apprised.
- Not all staff will be able to attend each of the workshops and information sessions, instead cross sectional groups of staff will be invited to participate and those unable to attend will be kept well informed through a variety of communication channels identified in the communications strategy to be developed.

CORPORATE STRATEGIC PLAN

5.6 Organizational Excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

The current budget for strategic planning work in 2011 is \$15,000. Proposed consulting fees including HST amount to \$22,132.80. The public survey work recommended by staff including HST totals \$36,073.92. The difference between the currently budgeted amount and total cost is \$43,206.72.

Element	Estimated Cost (incl. HST)
Project Initiation – Public Survey - HST 1.76% (\$623.92)	\$36,073.92
Consulting fees: - Mission statement development – Council and ET (\$12,500) - Objectives – ET Generated and Council Confirmed (\$3,250) - Strategic Initiatives – Council and ET Generated and Confirmed (\$6,000) - HST 1.76% (\$382.80)	\$22,132.80
Total Cost	\$58,206.72
Current Budget	(\$15,000)
Variance	\$43,206.72

DEPARTMENTAL CONSULTATION

The Executive Team was fully consulted in the development of this report.

COMMUNICATIONS

A communications plan to support the revision process and the Strategic Plan will be undertaken by staff.

ATTACHMENTS

Appendix A – Resume: Dr. Chris Bart, Principal, Lead Professor & Founder, The Director’s College & Professor of Strategy & Governance, DeGroote School of Business, McMaster University.

Original Signed by:

Prepared By:

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

GOVERNANCE COMMITTEE MANDATE AND CHARTER

MANDATE:

1. Mandate

The Committee's mandate defines its core areas of management and responsibility. Established by Procedural Bylaw (1996) 15200 for Standing Committees, it is the mandate of the Governance Committee to ensure that appropriate policies, principles, procedures and roles are established to guide and enhance:

- the effective governance of the organization;
- accountability and transparency measures;
- strategic planning, priority setting and performance reporting processes;
- Committee and Council effectiveness;
- CAO performance and review;
- enterprise risk management;
- Council compensation; and
- Committee performance reporting.

2. Composition of the Committee

- The Committee will be comprised of four members of Guelph City Council who act as the Standing Committee Chairs and the Mayor with the exception of the Audit Committee Chair.
- The Mayor is the Chair of the Governance Committee.
- The Chair and members shall be appointed by Council for a one year term.
- The Chief Administrative Officer, Executive Directors and other specialists may be called upon to conduct research, communications or any other Committee identified requirements.

CHARTER:

1. Operating Principles

All Committee work will be carried out in accordance with provisions of the Municipal Act and other governing legislation and the Committee will fulfill its responsibilities within the context of the following principles:

- Committee Values - The Council's Code of Conduct, transparency and accountability will guide Committee efforts and promote interaction with the highest ethical standards and professionalism while ensuring that the best interests of the community are met. The Council endorsed corporate values of wellness, integrity and excellence will also be observed.
- Communications - The Committee Chair will act as the primary spokesperson for any related inquiries.
- Meeting Agenda - Committee meeting agendas shall be the responsibility of the Chair of the Committee in consultation with Committee members and staff.
- Notice of Meetings - Public notice of all committee meetings will be provided on the City's electronic general calendar at least 72 hours prior to a meeting; by posting a notice in City Hall at least 72 hours prior to the meeting; and by publication in a local paper at least 72 hours prior to the meeting. It is recognized that some items consistent with Section 239 in the Municipal Act may permit a meeting to be closed to the public. The holding of any closed meetings and the general nature of the matter to be considered will be made public to ensure full transparency.
- Committee Expectations and Information Needs - Meeting minutes will be recorded and distributed to Committee members with each meeting agenda. All decisions that lead to the formulation of recommendations for Council consideration will take place at the Committee meetings only and not through electronic or other outside exchanges. All pertinent information will be shared with all Committee members in advance of meetings. This can include but not be limited to meeting minutes, any supplemental information, public input, media requests etc.
- Reporting to Council - The Committee will report to Council with recommendations for approval.

2. Responsibilities and Duties

Specific roles and responsibilities for the Committee as a whole include making recommendations and offering advice for the consideration of Guelph City Council with respect to:

Effective Corporate Governance –

- Regularly review Council's governance principles, policies and procedures and make recommendations for necessary improvements to further organizational effectiveness efforts.
- Review of the Council Code of Conduct during new Council orientation; ensure Council signs confirming receipt at the Inaugural Meeting.
- Annually review the effectiveness of the implementation of the Code of Conduct.
- Review the completion of a sustainability audit for the corporation as well as a plan for ongoing assessment and reporting to the community.

Accountability and Transparency –

- Receive and review recommendations for the development of strategic communications material to support community understanding of the city's financial standing and directions.
- Review and confirm the delegation of authority protocols.
- Assess the need for discretionary positions as defined by the Municipal Act and make appropriate recommendations to Council (e.g. Auditor General, Integrity Commissioner, Auditor General, Lobbyist Registrar and Ombudsman).

Strategic Planning –

- Review and recommend governance principles, policies and guidelines with respect to strategic planning for Council approval.
- Ensure an effective strategic planning and priority setting process is implemented during each new term of Council and advise on necessary improvements.
- Review and recommend an annual strategic planning work plan for Council approval.
- Receive regular update reports on the status of priority initiatives to ensure appropriate progress.

Committee and Council Effectiveness –

- Regularly assess Council effectiveness and solicit input on governance concerns to be addressed.
- Provide input on changes to the Citizen Advisory Committee appointment process.
- Recommend core elements of an orientation and ongoing training program for the following term of Council to address learning and knowledge requirements in a timely manner.
- Review the Procedural By-law and recommend any changes to Council.
- Review and recommend changes to the Committee Mandate and Charter of each Standing Committee of Council.

CAO Performance and Review –

- Review and recommend governance principles, policies and procedures with respect to the recruitment, delegation of authority, compensation, succession planning and evaluation of the CAO.
- Direct the development and reporting of operational metrics to Committees for each Department that will enable more informed decision making and strengthen strategic management of the corporation; annually review effectiveness once established.
- Receive a succession management plan; annually review implementation of succession management plan.
- Oversee the recruitment process for a new CAO consistent with policy guidelines.
- Direct and review the performance evaluation process for the CAO consistent with policy guidelines.
- Oversee the development of annual performance objectives for the CAO consistent with policy guidelines.
- Direct and discuss CAO succession planning efforts consistent with policy guidelines.
- Recommend changes to the CAO compensation for Council approval.

Enterprise Risk Management –

- Understand and address risks that threaten the achievement of the organization's objectives.
- Assessing risks in terms of likelihood and magnitude of impact.
- Oversee the development of policies and appropriate response strategies to identify, prioritize, and respond to the risks (or opportunities)
- Monitoring progress on the effectiveness of policies and response strategies.
- Identification of the necessary early warning systems required at the Council level.

Council Compensation –

- Regularly review and assess ongoing work requirements of Council.
- Direct the development of recommendations regarding principles of compensation for Council approval.
- Recommend an appropriate compensation review process involving citizens and stakeholders.
- Review and recommend required updates to existing compensation policies.

Committee Performance Reporting –

- Review quarterly information reports for Council on progress achieved by the Committee.
- Regularly evaluate meeting effectiveness and incorporate improvements as appropriate.

It is recognized that from time to time, other issues will be referred to the Committee for review and input. These items will be addressed on an as needed basis.

An annual work plan will be developed for the Committee that identifies priorities, objectives and timelines for key deliverables.

Specific roles and responsibilities for the Committee Chair include:

- Calling the meetings.
- Maintaining order and decorum during meetings, deciding questions of procedure, and generally ensuring that the Committee work proceeds smoothly according to the Committee's work plan.
- Ensuring adequate and appropriate opportunities are provided for input by the public and other key stakeholders at meetings.
- Framing the issues and setting the tone for the committee's discussions.
- Engaging all members in the decision making process.
- Fostering a constructive culture/tone of meetings.
- Guarding responsibilities and boundaries.
- Defining discussion parameters.
- Building consensus.
- Focusing discussion.
- Ensuring the will of the Council prevails.
- Quickly handling new business.
- Speaking on behalf of the committee at the Council level.
- Working closely with senior management.
- Modeling the behavior expected of members.

Specific roles and responsibilities for the Committee Members include:

- Reading all agenda material, and seeking clarification on any matters prior to meetings in order to make the most effective use of the Committee's time.
- Attending meetings and participating fully in all Committee work.
- Debating the issues in an open, honest and informed manner to assist the decision-making process;
- Actively contributing to reaching Committee recommendations and directions.

- Representing and advocating on behalf of constituents, keeping in mind the entire municipality when considering and addressing issues.
- Having a broad awareness of the interrelationship of the City's strategic initiatives and its operations.
- Understanding the difference between the role of the Committee and the role of management.
- Having a willingness to challenge management when necessary.

3. **Operating Procedures**

Specific operating procedures for the Governance Committee shall include:

- The Committee shall meet monthly, with the authority to convene additional meetings as may be necessary to exercise its responsibilities.
- A quorum shall be a majority of the whole committee (3).
- Meeting minutes will be provided to each member of the committee as part of the agenda for the meetings.
- In the event, consensus cannot be achieved on recommendations to be made to Council, the normal voting process will occur consistent with approved by-laws.
- The Chair shall vote on any motion.
- Any rule not stated herein is deemed to be provided in By-law 1996-15200 Consolidate Procedural By-law.

City of Guelph
2011 Operating Budget
CITY COUNCIL



	December 2010 YTD Actuals	2010 Budget	2011 Base Budget Adjustments	2011 Base Budget	2011 Total Base Budget	2011 Base Budget Change %	2011 Eff/New/Growth Budget	2011 Requested	2011 Budget Change \$	2011 Budget Change %
CAO										
11 Mayor & Council										
Revenue										
Total Revenue	0	\$0	0	0	0	#DIV/0!	\$0	\$0	\$0	#DIV/0!
Expenditure										
Salary, Wage & Benefits										
Salary & Wages	340,772	\$224,800		237,600	237,600	5.7%		\$237,600	\$12,800	5.7%
Employee Benefits	57,135	161,200		199,600	199,600	23.8%		199,600	38,400	23.8%
Total Salary, Wage & Benefits	397,907	386,000		437,200	437,200	13.3%		437,200	51,200	13.3%
Purchased Goods	897	4,100	0	4,100	4,100	0.0%	500	4,600	0	0.0%
Purchased Services	41,336	68,200	0	93,800	93,800	37.5%	6,300	100,100	25,600	37.5%
Total Expenditure	440,140	458,300	0	535,100	535,100	16.8%	6,800	541,900	76,800	16.8%
Net Before Internal Charges & Recoveries	440,140	458,300	0	535,100	535,100	16.8%	6,800	541,900	76,800	16.8%
Internal Charges & Recoveries										
Internal Charges	24,414	34,000	0	16,200	16,200	(52.4%)	0	16,200	(17,800)	(52.4%)
Total Internal Charges & Recoveries	24,414	34,000	0	16,200	16,200	(52.4%)	0	16,200	(17,800)	(52.4%)
Net Budget	464,554	492,300	0	551,300	551,300	12.0%	6,800	558,100	59,000	12.0%

BOARD/COMMITTEE	APPOINTMENT	RESPONSE OF BOARD/COMMITTEE
Family & Children's Services Board	One Councillor	Daniel Moore - The Governance Committee met and while there is acknowledgment that there is no statutory requirement for an appointment to our Board there is a recognition of the value added to have a City Councillor on our Board. The committee recommended that this discussion continue at the meeting of our Board executive who are scheduled to meet next week and who will take responsibility in responding to the letter received from the City.
Guelph General Hospital Board	Mayor or Mayor's Designate	After meeting with the Richard Ernst, President/CEO and Peter Ferraro, Board Chair of the GGH, it is recommended that a Council appointment to the Board be deferred at this time, in order to allow the Board an opportunity to further consider a composition more reflective of recent legislative changes and best practices in board governance.
Guelph Non-Profit Housing Corporation	One Councillor	Timothy McGurrian - Guelph Non-Profit Housing Corporation owns and operates 545 units in the city. The building of all our properties, including our newest property - Paisley Place, was commenced under the leadership of the Board of Directors when then included two Councillors and the Mayor. It is our view that affordable housing and the furtherance of our mandate is currently no less important to our community and taxpayers, and the contribution made by our Councillor member no less valuable. It is the view of the Guelph Non-Profit Housing that the nomination of a City Councillor for appointment to its Board of Directors remains desirable and important.
Guelph Public Library Board	School Board Appointees	Pending

Guelph Youth Council	Two Councillors	<p>Barb Powell - Communication to City Council regarding Guelph Youth Council progress has been through quarterly updates to Council's Leads on Children and Youth (previously Councilors Findlay and Hofland). I can appreciate that Councilors have heavy workloads and are focusing Councilor appointments on statutory requirements. However, I think there is much to be gained with expending modest effort in continuing to have Council leads for Children and Youth. I am part of council of senior leaders in the community, the Council for Opportunities for Children who are actively working to achieve a child friendly designation for Guelph Wellington. Their work has been endorsed by the County of Wellington. The group met with Mayor Farbridge in November who pledged her support to their efforts and in her speech during Child Abuse Prevention week publically announced her endorsement for this effort. The Mayor directed the group to bring their request to pursue a child friendly designation to the Community and Social Services Committee in February, which they are planning to do. In light of this work, the lack of an appointment of Council Leads for Children and Youth may generate negative community response.</p>
St. Joseph's Health Centre Board	One Councillor	<p>In a conference call with Marianne Walker, President/CEO and Bill Koornstra, Board Chair, we were advised that the Board greatly values the input of Council appointees, and in light of future development of their facility, would welcome the continued representation of Council on their Board. Their Board has developed a desired "skill set" for members, and they will be providing Council with a copy of same. If Council determines that they will continue to appoint a member to the Board, they can have regard to the desired skill sets in making such an appointment.</p>

**The Corporation of the City of Guelph
Governance Committee
Monday, January 17, 2011, 2:00 p.m.**

A meeting of the Governance Committee was held on Monday, January 17, 2011 in the Council Committee Room 112 at 2:00 p.m.

Present: Mayor Farbridge and Councillors, Findlay, Hofland, and Piper

Absent: Councillor Laidlaw

Also Present: Councillors Bell, Dennis, Furfaro, Van Hellemond and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director, Human Resources and Legal Services; Ms. A. Pappert, Executive Director, Community & Social Services; Mr. D. McCaughan, Executive Director, Operations & Transit; Ms. B. Boisvert, Corporate Manager, Strategic Planning and Corporate Initiatives; Ms. S. Aram, Deputy Treasurer; , Mrs. L.A. Giles, General Manager of Information Services/City Clerk and Ms. D. Black, Assistant Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on September 13, 2010 be confirmed as recorded and without being read.

Carried

Consent Agenda

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

- GOV-2011 A.1 Report of the Returning Officer on the 2010 Municipal Election
- GOV-2011 A.2 Committee Meeting Evaluation Process and Criteria
- GOV-2011 A.3 Committee Work Plan and Annual Agenda
- GOV-2011 A.4 2010-2014 Strategic Planning – Proposed Revision Process
- GOV-2011 A.5 Committee Mandate and Charter
- GOV-2011 A.6 2011 Draft Council Budget
- GOV-2011 A.7 Reaction to Council Interest in Ceasing Appointments of Councillors to Certain Boards

Report of the Returning Officer on the 2010 Municipal Election

REPORT

The City Clerk provided a brief overview of the report. She advised that the financial requirements will be budgeted over a four year period.

2. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the report of the Returning Officer for the 2010 Municipal Election be received;

AND THAT staff investigate options to improve voter turn-out for the 2014 municipal elections;

AND THAT early in 2014, staff work with representatives of the University of Guelph to promote interest in local elections, and look for opportunities that would see more numbers of students vote;

AND THAT the boards of education be requested to consider scheduling a professional development day when a school is required for voting purposes in the municipal election;

AND THAT the Ontario Government be requested to amend the Municipal Elections Act to clarify the rights of scrutineers with respect to access to the names of persons who voted on election day.

Carried

Committee Meeting Evaluation Process and Criteria

Mayor Farbridge

3. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the Governance Committee review and adopt the Committee meeting evaluation process and criteria outlined in this report to help promote effective sessions and continuous improvement

AND THAT the committee report back on the results in a year.

Carried

Committee Work Plan and Annual Agenda

The Work Plan and Annual Agenda will be amended to include a presentation regarding a media and social media communications guideline for Council, and a preliminary presentation on enterprise risk management to the April 7th, 2011 Governance Committee agenda.

Ms. B. Boisvert
Mrs. L.A. Giles

4. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the Governance Committee receive and review the attached
Committee Work Plan and Annual Agenda;

AND THAT the Financial Management Communications Strategy,
Corporate Performance Measurement Framework and Enterprise Risk
Management work plan items also be referred to the Strategic
Planning Process.

Carried

2010-2014 Strategic Planning – Proposed Revision Process

Ms. B. Boisvert, Corporate Manager, Strategic Planning and Corporate
Initiatives, provided a brief synopsis of the process. She advised she
will review options to establish a quantitative quality analysis for the
February 2nd meeting. She will also provide the methodology to
support how statistically valid the surveys will be.

REPORT

5. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT the 2010-2014 Strategic Planning – Proposed Revision Process
be received;

AND THAT the revision process cost of \$58,206.72 be pre-approved
by Council as part of the 2011 budget to allow staff to proceed with
contracting for identified resource requirements.

Carried

Committee Mandate and Charter

REPORT

6. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the 2011 Governance Committee Mandate and Charter be
amended by:

- deleting "in the event consensus cannot be achieved on
recommendations to be made to Council, the normal voting
process will occur consistent with approved by-laws";
- changing "the Chair shall vote on any motion" to "the Chair
shall vote on all motions";
- adding "members of Council who are not committee members
are encouraged to attend meetings and participate in debate,
but may not vote on motions";

AND THAT the Governance Committee Mandate and Charter be approved as amended."

Carried

2011 Draft Council Budget

Ms. M. Neubauer
Mrs. L. A. Giles

7. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the 2011 Council Budget as presented at the January 17, 2011 Governance Committee be brought forward as part of the 2011 budget deliberations;

AND THAT further detail on the highlights of this budget be included with the package presented to Council.

Carried

Reaction to Council Interest in Ceasing Appointments of Councillors to Certain Boards

The City Clerk provided an overview of the feedback received to date regarding the appointment of councillors to certain boards.

Ms. A. Pappert
Mrs. L.A. Giles

8. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the Director of Community and Social Services be directed to provide the Committee with information regarding other non-profit housing corporations within the City and clarifying whether there is a role for City Council to have a voice on such boards.

Carried

Councillor Laidlaw
Ms. A. Pappert

9. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the matter of a councillor appointment/liaison to the Guelph Youth Council be referred to the Community and Social Services Committee.

Carried

The meeting adjourned at 3:50 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance Committee**

DATE April 11, 2011

LOCATION Council Chambers

TIME 3 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES – January 17, 2011

PRESENTATIONS (Items will no accompanying report)

a)

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-8 Financial Management Communications: Proposed Approach			
GOV-9 Approval of Full time Equivalent (Full Time and Regular Part-Time)			
GOV-10 CAO Recruitment Process			
GOV-11 CAO Remuneration			
GOV-12 Standing Committee Appointment Process			
GOV-13 2010 Delegations of Authority			
GOV-14 Delegation of Authority – Special Occasion Permits			

GOV-15 Delegation of Authority – Tax Write-Offs and Increases			
GOV-16 Electronic Agendas			
GOV-17 Governance Quarterly Report			
GOV-18 Guelph Municipal Holding Company (GMHC) Implementation Strategy			
GOV-19 Appointment Of An Integrity Commissioner			
GOV-B1 Family & Children’s Services – Appointment of City Councillor to Board of Directors			
GOV-B2 Guelph General Hospital – Application For Letters Patent Of Continuation			

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

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

OTHER BUSINESS

NEXT MEETING – July 11, 2011

**The Corporation of the City of Guelph
Governance Committee
Monday, January 17, 2011, 2:00 p.m.**

A meeting of the Governance Committee was held on Monday, January 17, 2011 in the Council Committee Room 112 at 2:00 p.m.

Present: Mayor Farbridge and Councillors, Findlay, Hofland, and Piper

Absent: Councillor Laidlaw

Also Present: Councillors Bell, Dennis, Furfaro, Van Hellemond and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director, Human Resources and Legal Services; Ms. A. Pappert, Executive Director, Community & Social Services; Mr. D. McCaughan, Executive Director, Operations & Transit; Ms. B. Boisvert, Corporate Manager, Strategic Planning and Corporate Initiatives; Ms. S. Aram, Deputy Treasurer; Mrs. L.A. Giles, General Manager of Information Services/City Clerk and Ms. D. Black, Assistant Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on September 13, 2010 be confirmed as recorded and without being read.

Carried

Consent Agenda

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

- GOV-2011 A.1 Report of the Returning Officer on the 2010 Municipal Election
- GOV-2011 A.2 Committee Meeting Evaluation Process and Criteria
- GOV-2011 A.3 Committee Work Plan and Annual Agenda
- GOV-2011 A.4 2010-2014 Strategic Planning – Proposed Revision Process
- GOV-2011 A.5 Committee Mandate and Charter
- GOV-2011 A.6 2011 Draft Council Budget
- GOV-2011 A.7 Reaction to Council Interest in Ceasing Appointments of Councillors to Certain Boards

Report of the Returning Officer on the 2010 Municipal Election

The City Clerk provided a brief overview of the report. She advised that the financial requirements will be budgeted over a four year period.

REPORT

2. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the report of the Returning Officer for the 2010 Municipal Election be received;

AND THAT staff investigate options to improve voter turn-out for the 2014 municipal elections;

AND THAT early in 2014, staff work with representatives of the University of Guelph to promote interest in local elections, and look for opportunities that would see more numbers of students vote;

AND THAT the boards of education be requested to consider scheduling a professional development day when a school is required for voting purposes in the municipal election;

AND THAT the Ontario Government be requested to amend the Municipal Elections Act to clarify the rights of scrutineers with respect to access to the names of persons who voted on election day.

Carried

Committee Meeting Evaluation Process and Criteria

Mayor Farbridge

3. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the Governance Committee review and adopt the Committee meeting evaluation process and criteria outlined in this report to help promote effective sessions and continuous improvement

AND THAT the committee report back on the results in a year.

Carried

Committee Work Plan and Annual Agenda

The Work Plan and Annual Agenda will be amended to include a presentation regarding a media and social media communications guideline for Council, and a preliminary presentation on enterprise risk management to the April 7th, 2011 Governance Committee agenda.

Ms. B. Boisvert
Mrs. L.A. Giles

4. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the Governance Committee receive and review the attached
Committee Work Plan and Annual Agenda;

AND THAT the Financial Management Communications Strategy,
Corporate Performance Measurement Framework and Enterprise Risk
Management work plan items also be referred to the Strategic
Planning Process.

Carried

2010-2014 Strategic Planning – Proposed Revision Process

Ms. B. Boisvert, Corporate Manager, Strategic Planning and Corporate
Initiatives, provided a brief synopsis of the process. She advised she
will review options to establish a quantitative quality analysis for the
February 2nd meeting. She will also provide the methodology to
support how statistically valid the surveys will be.

REPORT

5. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT the 2010-2014 Strategic Planning – Proposed Revision Process
be received;

AND THAT the revision process cost of \$58,206.72 be pre-approved
by Council as part of the 2011 budget to allow staff to proceed with
contracting for identified resource requirements.

Carried

Committee Mandate and Charter

REPORT

6. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the 2011 Governance Committee Mandate and Charter be
amended by:

- deleting "in the event consensus cannot be achieved on
recommendations to be made to Council, the normal voting
process will occur consistent with approved by-laws";
- changing "the Chair shall vote on any motion" to "the Chair
shall vote on all motions";
- adding "members of Council who are not committee members
are encouraged to attend meetings and participate in debate,
but may not vote on motions";

AND THAT the Governance Committee Mandate and Charter be approved as amended.”

Carried

2011 Draft Council Budget

Ms. M. Neubauer
Mrs. L. A. Giles

7. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the 2011 Council Budget as presented at the January 17, 2011 Governance Committee be brought forward as part of the 2011 budget deliberations;

AND THAT further detail on the highlights of this budget be included with the package presented to Council.

Carried

Reaction to Council Interest in Ceasing Appointments of Councillors to Certain Boards

The City Clerk provided an overview of the feedback received to date regarding the appointment of councillors to certain boards.

Ms. A. Pappert
Mrs. L.A. Giles

8. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the Director of Community and Social Services be directed to provide the Committee with information regarding other non-profit housing corporations within the City and clarifying whether there is a role for City Council to have a voice on such boards.

Carried

Councillor Laidlaw
Ms. A. Pappert

9. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the matter of a councillor appointment/liaison to the Guelph Youth Council be referred to the Community and Social Services Committee.

Carried

The meeting adjourned at 3:50 p.m.

.....
Chairperson

**GOVERNANCE COMMITTEE
CONSENT AGENDA**

April 11, 2011

Members of the Governance Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>GOV-2011 A.8) FINANCIAL MANAGEMENT COMMUNICATIONS: PROPOSED APPROACH</p> <p>THAT the report titled, ‘Financial management communications: proposed approach’, dated April 11, 2011, be received.</p>	Receive
<p>GOV-2011 A.9) APPROVAL OF FULL TIME EQUIVALENTS (FULL TIME AND REGULAR PART-TIME)</p> <p>THAT the following recommendations be approved:</p> <p>That;</p> <ul style="list-style-type: none"> • New full time and regular part time positions which are reallocated from existing vacant positions in a department require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease). • New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department’s approved budget and do not increase the subsequent year’s budget, require the approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level. • New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an 	Approve

annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).

- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

GOV-2011 A.10) **CAO RECRUITMENT PROCESS**

Approve

THAT the CAO recruitment process be approved as follows:

- 1) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.
- 2) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.
- 3) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

GOV-2011 A.11) **CAO REMUNERATION**

Approve

THAT the job rate for the CAO position be adjusted by 1.73% to maintain the 60th percentile of the previously approved municipal comparator group for 2010.

GOV-2011 A.12) **STANDING COMMITTEE APPOINTMENT PROCESS**

Approve

THAT the Procedural By-law be amended to:

- Establish a Striking Committee for the purpose of making recommendations on the appointment of Council members to Standing Committees and public agencies.
- Provide that the Striking Committee be composed of the Mayor and Chairs of the Standing Committees.
- Provide that the Mayor chair the Striking Committee.

AND THAT an application process to the Striking Committee be developed for appointments to the Standing Committees and public agencies.

GOV-2011 A.13) **2010 DELEGATIONS OF AUTHORITY**

Receive

THAT the report of the General Manager of Information Services/Clerk with respect to the exercise of delegated authority, dated April 11, 2011, be received.

GOV-2011 A.14) **DELEGATION OF AUTHORITY – SPECIAL OCCASION PERMITS** Approve

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "M" of By-law (2010)-18935, as amended.

GOV-2011 A.15) **DELEGATION OF AUTHORITY – TAX WRITE-OFFS AND INCREASES** Approve

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

GOV-2011 A.16) **ELECTRONIC AGENDAS** Receive

THAT the report of the General Manager of Information Services/Clerk relating to electronic agendas, dated April 11, 2011, be received.

GOV-2011 A.17) **GOVERNANCE QUARTERLY REPORT** Receive

THAT the first quarter report of the Governance Committee dated April 11, 2011, be received.

GOV-2011 A.18) **GUELPH MUNICIPAL HOLDING COMPANY (GMHC) IMPLEMENTATION STRATEGY** Approve

THAT Council receive and approve the Guelph Municipal Holding Company Implementation Strategy;

AND THAT Council approve the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries;

AND THAT Council approve the Asset Transfers to Corporations Policy;

AND THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

AND THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members;

AND THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

GOV-2011 A.19) **APPOINTMENT OF AN INTEGRITY COMMISSIONER**

Receive

THAT the report of the General Manager of Information Services/City Clerk dated April 11, 2011 regarding the Appointment of an Integrity Commissioner, be received.

B Items for Direction of Committee

GOV-2011 B.1) **FAMILY & CHILDREN'S SERVICES – APPOINTMENT OF CITY COUNCILLOR TO BOARD OF DIRECTORS**

Direction

GOV-2011 B.2) **GUELPH GENERAL HOSPITAL**

Direction

attach.

COMMITTEE REPORT



TO **Governance**

SERVICE AREA The Office of the CAO
DATE April 11, 2011

SUBJECT Financial management communications: proposed approach

REPORT NUMBER

RECOMMENDATION

That the Committee report titled, *Financial management communications: proposed approach*, be received.

SUMMARY

This report summarizes a proposed approach for the development of a comprehensive communications plan to address the need for user-friendly, uncomplicated information about the City's financial position and misinformation about the same.

BACKGROUND

Recent anecdotal feedback suggests there is an information void in the community with respect to the City's management of its finances and an appetite for better information regarding debt management, financial planning and reporting, and the City budget. Stakeholder feedback during the public consultation to inform the City of Guelph Communications Plan supports this assumption.

It's understood that better financial reporting would be one way the City could improve in this area and to this end, a more effective, community-focused financial report could be produced for release as early as July 2011 to coincide with the Audit Committee's approval of the City's audited financial statements. Generally speaking, better financial reporting could be linked with work currently underway on a corporate performance measurement framework.

The timing is right to enhance communication about municipal finances for several reasons: the 2011 budget is now approved and in place; there is enough time between now and the 2012 budget to improve processes and materials in accordance with Council's March 3 direction to refer the budget format and process to the Corporate Administration, Finance & Emergency Services Committee; and final, audited 2010 financial data is about to be available.

REPORT

A communications plan to address this need will be developed using the R.A.C.E. formula (Research, Analysis, Communication, Evaluation)—the widely-accepted management approach to communications planning. This approach is endorsed by the

Canadian Public Relations Society, the Public Relations Society of America and the International Association of Business Communicators, and involves the following steps:



Step 1: Defining the communications challenge

This first step involves probing stakeholder knowledge, opinions, attitudes and/or behaviours. This could be done through secondary analysis of existing research and exploratory research methods to help staff pinpoint where communication gaps exist.

Work in this phase would also involve an inventory and assessment of the City's financial reports.

Information and understanding developed in the first step motivate and guide subsequent steps in the process; this work will provide the foundation for all other steps in the process.

Step 2: Planning and programming

This step involves devising the strategy to address the communications challenge and/or capitalizing on the communications opportunity. The effectiveness of the tactics used in the next step of the process depends on the sound planning done in this step.

Work in this phase would involve developing the plan. Inherent in this phase is the establishment of sound communications goals and objectives; the identification of stakeholders; development of strategies and tactics; budgeting; and identifying performance measures.

Step 3: Taking action and communicating

The third step moves the communications program into implementation.

This work would likely include the creation of new tools such as a new annual financial/community report to replace the City's financial and Making a Difference reports in their current form; clearer information about the municipal budget that can be easily understood by the average citizen; and contextual information to help stakeholders understand topics like debt management and the City's investments.

Step 4: Evaluating the program

This step involves assessing the effectiveness of the program.

Appropriate criteria would be selected and impact and outcome metrics would be linked to the goals and objectives of the plan. Those metrics would be used at a high level to track and report on performance over time.

This step would also help inform future programs.

CORPORATE STRATEGIC PLAN

Well-informed communications programs help the City of Guelph achieve all of its Strategic Plan objectives. Specifically, this work supports Goal 5 of the Strategic Plan, *A community-focused, responsive and accountable government.*

FINANCIAL IMPLICATIONS

Development of the communications strategy can be completed using in-house resources at no cost outside of staff time, at the exclusion of other projects. There would be costs associated with implementation, (e.g. production costs) depending on the tactical approach adopted.

DEPARTMENTAL CONSULTATION

Finance

Office of the CAO, Strategic Planning and Corporate Initiatives

Prepared By:

Tara Sprigg
Manager, Corporate Communications
519-822-1260 x 2610
tara.sprigg@guelph.ca

Recommended By:

Lois Giles
City Clerk/General Manager,
Information Services
519-822-1260 x 2232
lois.giles@guelph.ca

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA The Office of the CAO
DATE April 11, 2011

SUBJECT Approval of Full Time Equivalent (Full time and Regular Part-Time)

REPORT NUMBER

RECOMMENDATION

That the following recommendations be approved:

That;

- New full time and regular part time positions which are reallocated from existing vacant positions in a department require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease).
- New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require the approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level.
- New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).
- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

BACKGROUND

The matter of approvals required for new full time equivalents (full time and regular part-time) was referred to the Governance Committee in December 2010.

Clarification is required with respect to Council's role in approvals and subsequently staff authority to manage within funding parameters established by Council. Council has not established a policy for the approval of new full time positions and new regular part time positions outside the annual budget process.

The overarching principle that informs the above recommendations is that on an annual basis, Council approves Operating, User Pay and Capital budgets. Staff have authority subsequent to this the ability to manage within these established funding limits.

REPORT

Managing during the course of the year may require departments to adjust staffing levels up or down or reconfigure staffing within the same level i.e. through the 'reallocation' of full time equivalents. In either of these scenarios, if departments do so within approved budgets in the current year and no cost is added to subsequent or future years, then Council approval would not be required.

Wherever additional funding is required in the current or subsequent year(s), Council approval would be required for the approval of both full and regular part-time full time equivalents.

The context within which the administration makes decisions related to staffing levels is informed by role of the CAO and CAO By-law that governs his/her administrative authority.

Role of the Chief Administrative Officer

A primary function of Council is to ensure the effective management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality.

Guelph's model of administration follows the Municipal Act in the establishment of a Chief Administrative Officer (CAO) position as the head of the administrative arm of city government.

The CAO is responsible to Council to administer the business affairs of the City in accordance with the policies and plans established and approved by Council.

CAO By-law

The CAO By-law outlines the general duties, roles and responsibilities of the CAO.

Clauses that have a bearing on the creation of new positions include:

1. General Duties and Responsibilities

(a) To report to, be accountable to, and receive authority from the Council of the Corporation of the City of Guelph and to perform his/her duties in conformity with Council decisions;

2. Personnel Administration

(a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of a SMT member reporting directly to the CAO;

(b) To have authority and responsibility to appoint, promote, demote, suspend or dismiss any employees of the Corporation below the position of Director in accordance with the lines of authority defined in the organization structure;

(c) To have authority to appoint, promote, demote, dismiss any other employees of the Corporation in accordance with procedures contained in all collective agreement and in accordance with the lines of authority that are defined in the organization structure;

3. Financial Management

(a) To direct, in co-operation with the Director of Finance and the SMT, the preparation and presentation of operating and capital budgets on an annual basis;

(b) To exercise financial control over all corporate operations in conjunction with the Director of Finance, to ensure compliance with the annual estimates of revenue and expenditure approved by Council;

4. Administrative Organization and Management

- (a) To create and reorganize, in consultation with the SMT, such departments of the City as may be considered necessary and proper to fulfill obligations for the Corporation, and will report to Council on the changes;

The recommendations contained within this report will provide Council with the assurance that necessary approvals are sought following annual budget approvals respecting the creation of new full time equivalent full and regular part-time positions that add costs to a current or subsequent year's budget.

CORPORATE STRATEGIC PLAN

Goal 5: A community-focused, responsive and accountable government.

Objective 5.3: Open, accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

N/A

Recommended By:

Mark Amorosi

Executive Director, Human Resources and Legal Services/

Acting Chief Administrative Officer

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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Human Resources and Legal Services
DATE April 11, 2011

SUBJECT CAO Recruitment Process

REPORT NUMBER HRL – 2011 - 05

RECOMMENDATION

That the CAO recruitment process be approved as follows:

- 1) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.
- 2) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.
- 3) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

BACKGROUND

The 2007-2010 Guelph City Council approved a CAO Employment Policy that outlines in broad terms the recruitment, selection and hiring steps necessary when filling the CAO position (Attachment –Appendix A).

Important considerations for Council when filling the CAO position are:

- 1) Utilization of an external Executive Search Firm
- 2) Composition of the Selection Committee
- 3) Consultation regarding the development/refinement of the CAO position profile/qualifications
- 4) Role of Council throughout the process

This report provides information regarding each of these considerations to form the basis of the recommendations.

REPORT

Hiring of a CAO is a critical decision for a City Council to make. The CAO role is the key administrative role necessary to ensure that Council's strategic directions are implemented efficiently and effectively, and to provide leadership and oversight of the day-to-day management of operations and service delivery.

Utilizing the services of an Executive Search firm is recommended so that dedicated resources may identify, source and recommend to the CAO Selection Committee any internal or external candidates that meet the qualifications for the position. The Manager of Staffing and Workforce Planning will act as the liaison between the Search Firm and the CAO Selection Committee.

Additionally, the rationale for recommending the use of an Executive Search firm is that it would not be appropriate for staff who report to the CAO to be involved in the recruitment of the position.

As per the CAO Employment Policy, the Governance Committee (i.e. Mayor and Chairs of the Standing Committees) shall serve as the CAO Selection Committee. The policy also provides for an additional person from the community to sit on the Selection Committee. Adding a community member is suggested where there is a wish to 'broaden' input, or demonstrate inclusion of diverse viewpoints. Selection of a community representative should be an individual who has insight/perspective into the role of a CAO of a large organization, that provides a diverse range of products/services and that includes a Board of Directors structure. This type of insight would allow more informed decision making and evaluation of the qualifications and competencies required of a CAO.

Given the significance and importance of hiring a successful CAO, consultation into the development of the position profile e.g. summary of qualifications, success factors, skill factors, management style etc. is a necessary part of the recruitment process.

Broad based input is recommended to ensure that 'stakeholders' in the process have an opportunity to provide feedback to the Selection Committee. It is therefore recommended that consultation be conducted with the following:

- The CAO Selection Committee
- Members of Council
- City staff
- Community representatives

Staff are available from Human Resources and Information Services (Communications) to assist the Executive Search Firm in this process through electronic surveys where required e.g. to survey City staff. It is anticipated that the Search Firm will gather input directly from the Search Committee.

Input from the community is suggested to take into consideration to the extent possible representation from the business, human service, multi-cultural, 'neighbourhood' and environmental sectors to ensure a diverse and broad representation. This could best be achieved through the establishment of a community panel that would meet to comment on and provide input into documents already in existence i.e. CAO job description/mandate, CAO by-law.

Timelines for the recruitment of the CAO are attached (Appendix B). Major milestones are summarized as follows:

Major Milestone:

- Release of Request for Proposals (complete)
- Short list of recommended firms provided to the CAO Selection Committee for review
- Recommendation of Search Firm to Council
- Finalize CAO Position Profile
- Review short list of candidates
- Conduct 1st round of interviews
- Conduct 2nd round of interviews
- Recommend final candidate to Council
- New CAO starts (assuming 4 week's notice)

Week of...

March 7th
April 11th

May 2nd
June 6th
July 4th
July 25th
August 15th
September 5th
October 17th

Staff have released the Request for Proposals and will short list recommended firms for the CAO Selection Committee in anticipation of Council approval to expedite the process. At the time of this report, no cost has been incurred other than staff time to review submissions from interested Search Firms.

CORPORATE STRATEGIC PLAN

Goal 5 A community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

While it is difficult to predetermine the outcome of the RFP process for the Executive Search Firms, the approximate cost to conduct the search may be in the range of approximately \$40,000 to \$45,000.

This cost would not include items for which separate approval would be sought from the CAO Selection Committee. These items include: cost of print advertising, cost of candidate travel from out of province, video conferencing, candidate testing etc.

The City does not budget for the recruitment of the CAO. Expenditures will be managed as part of the approved 2011 Operating Budget through the Salary Gapping Reserve, which is specifically designated for Human Resources expenditures such as this.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Appendix A - CAO Employment Policy

Appendix B - CAO Search Timeline

Original Signed by:

Prepared and Recommended By:

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Executive Director, Human Resources and Legal Services

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CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE 1 of 5

EFFECTIVE DATE

REVISION

APPENDIX A

Tab	City Council
Authority	City Council
Subject	Chief Administrative Officer (CAO) Employment Policy
Related Policies	Procedure for Hiring the CAO, Delegation of CAO Duties, City Purchasing policy
Approved by	City Council July 2008
Revision Date	Beginning of New Term of Council

POLICY STATEMENT As part of administrative governance for the City of Guelph, Council acknowledges the requirement for a policy outlining all aspects of employment of a Chief Administrative Officer.

PURPOSE The purpose of this policy is to establish criteria for the recruitment, selection/offer of employment, terms and conditions of employment, performance development, compensation and termination of employment.

PROCEDURE **Recruitment (Council Approval June 18, 2007)**

At such time the CAO position becomes vacant, the Mayor shall notify the Director, Human Resources to commence the recruitment process to fill the vacancy as per the Procedure for Hiring a CAO. Appendix 1

Options

- 1) (Future) Succession Management- Where the City of Guelph has demonstrated a 'robust' succession management program (i.e. where available 'high' potential candidates have been identified within the City, a well established program exists where candidate skills/competencies are measured against those required for the CAO position, and where development plans are in place, regular reviews are conducted and assessments are made to determine a candidate's readiness for the CAO position), Council may opt to limit the CAO vacancy internally amongst only those identified 'high' potential candidates.
- 2) Executive Search Firm – Where Council has determined that there are no internal candidates through a succession management program that are deemed to be 'ready' to assume the CAO role OR at any time should Council wish to evaluate internal candidates to the external job market, they may decide that the position may be filled utilizing the services of an external executive search firm. The firm would be selected following an RFP process. The successful firm would be selected on the basis

of 'lowest acceptable bid' – reference Purchasing Policy. The position would be available to both internal and external candidates.

Selection

As per the Procedure for Hiring the CAO, the Selection Committee shall be comprised of the Mayor and the Chairs of the Standing Committees, or delegates, to a maximum of 6 individuals. (i.e. Mayor, Chairs of Standing Committees and optional community member).

Hiring/Offer of Employment

As per the template in Appendix 2, the following categories will be included in a CAO Employment Contract – Effective Date and Term of Agreement, Duties, City Policies (i.e. adherence to), Remuneration inclusive of salary, car allowance, parking, applicable moving allowance, professional memberships, Confidentiality, Vacation/Overtime, Termination (see below), Voluntary Resignation, Return of Property, Severability, Release and Acknowledgement, Assignment of Rights, Notices, Applicable Law, and Independent Legal Advice

Tenure of Employment

During the tenure of the CAO, the duties and responsibilities will be governed by a CAO By-Law and a Job Description/Profile/Position Mandate – Appendix 3.

Performance Development and Appraisal

On an annual basis, performance goals and objectives will be set for the CAO that are aligned to Council's Strategic Plan. The performance of CAO will be reviewed by the Mayor and Chairs of the Standing Committees at least once annually and will include a development plan for the proceeding year. Areas of evaluation will include, but are not limited to: leadership, management, communication, and technical functions. It is recommended that the performance review period commence in January of each year and end no later than March (i.e. a three month process).

The Performance Appraisal portion of the review shall be inclusive and evaluative of work results expected versus achieved as well as an evaluation of how the CAO has modelled and lived the Corporate Values (i.e. what and how work has been accomplished). The development plan referenced above should include areas for development, but not limited to – strategic planning, relationship management, team leadership, and communication.

A process of 360 degree feedback shall also form part of the development plan, subject to participants having received appropriate training on the process. The 360 degree process shall be a separate process from the performance review (i.e. to commence after the

performance review period). It should be structured in such a way as to provide feedback for personal, professional and leadership development to augment development that had been identified through the performance review period. Results of the 360 feedback shall be shared only with the CAO. The CAO shall provide a summary of the feedback to the Mayor. Results may alter the development plan established during the performance review, and will be confirmed by the Mayor and Chairs of the Standing Committees. Typically, the 360 degree feedback process is managed through an external Human Resources Consultant with expertise in this area.

Compensation(Council approval September 17, 2007)

Where the salary range for the CAO provides a minimum and maximum as a range, inclusive of steps in the range, the CAO shall advance through the range on an annual basis from step to step subject to satisfactory performance.

Compensation for the CAO is based on an annual market evaluation of comparable CAO positions in other municipalities (defined as the comparator group – a list of 18 municipalities, reflective of local, regional, and single tier) and set at the 60th percentile of the comparator group.

Governing factors that determine the comparator group are:

1. Size of municipality
2. Organization Structure and scope of services (Tier)
3. Average family income for residents within the municipality
4. Number of Employees working for the municipality
5. Operating Budget size
6. Geographic location/employment market/labour pool/market competition within 60KM of Guelph

Pay for Performance

Where Council has approved a pay for performance compensation approach for the CAO position, movement through the salary range shall be in accordance with the approved policy. Where the CAO is at job rate i.e. top of the range, pay for performance shall be in the form of a re-earnable lump sum.

Acting/Interim/Assistant CAO (Council Approval – January 28, 2008)

Appendix 4

The CAO may appoint an Assistant CAO in accordance with the Council approved policy where temporary administrative responsibilities are given to a member of the Senior Management Team for a specified period of time to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves of absence and/or mentoring for members of the SMT. The CAO may also appoint an Acting CAO in accordance with the policy for a period of less than 1 month due to the absence of the CAO.

Authority to appoint an Interim CAO for a specified period of time, due to a vacancy in the CAO position, rests with City Council.

Termination of Employment (See contract template Appendix 2)

Resignation

In the event the CAO resigns his/her position from the City, the CAO would be required to provide a minimum of eight weeks written notice. The City may waive or reduce this requirement, by Council resolution at any point within the eight weeks notice period. The CAO would receive any unpaid salary and vacation accrual up to the date of resignation.

With Cause

In cases of termination with cause, no severance payments are provided. The CAO would receive any unpaid salary earned to the date of termination and any unused vacation accrual.

Without Cause

Council may opt to negotiate separate terms and conditions for termination without cause within the employment contract contingent on the length of the contract. Typically, for tenure less than 2 years, common law principles would dictate severance provisions for up to 10 months. For contract duration that extend beyond 2 years, severance provisions for termination without cause provide for:

- 1) Payment of 12 months salary plus 1 month for each completed year of service to a maximum of 20 months, in the form of salary continuation.
- 2) Benefit continuation with the exception of short and long term disability.
- 3) OMERS pension contributions
- 4) Car allowance and vacation accrual for the Employment Standards notice period only
- 5) Reimbursement of moving expenses if termination occurs within the first year of employment
- 6) Career Outplacement services for up to six months
- 7) Mitigation of employment – in the event the departing CAO secures alternate employment during the severance period, the City would pay, in the form of a lump sum, one half of the balance of the remaining severance payments owing.

DEFINITIONS

CHIEF ADMINISTRATIVE OFFICER – LONG TERM CONTRACTUAL POSITION REPORTING DIRECTLY TO COUNCIL AS PER THE MUNICIPAL ACT, 2000

ASSISTANT CAO – MEMBER OF SENIOR MANAGEMENT TEAM APPOINTED BY CAO FOR A SPECIFIED PERIOD TO ALLOW THE CAO TO ENGAGE IN CORPORATE BUSINESS OPPORTUNITIES, SABBATICALS/LEAVES OF ABSENCE, AND/OR MENTORING OF MEMBERS OF SMT.

ACTING CAO - MEMBER OF SENIOR MANAGEMENT TEAM APPOINTED BY CAO FOR A PERIOD OF UP TO 1 MONTH DUE TO ABSENCE OF THE CAO

INTERIM CAO – APPOINTMENT BY COUNCIL OF A CAO ON A TEMPORARY BASIS, FOR A SPECIFIED TIME PERIOD DUE TO A VACANCY IN THE CAO POSITION.

RECRUITMENT – THE PROCESS OF ADVERTISING A POSITION VACANCY TO ATTRACT QUALIFIED CANDIDATES

SUCCESSION MANAGEMENT – A PROGRAM TO DEVELOP HIGH POTENTIAL TALENT IN AN ORGANIZATION TO FILL KEY LEADERSHIP ROLES

SELECTION – THE PROCESS OF CHOOSING THE MOST QUALIFIED APPLICANT FROM A POOL OF APPLICANTS FOR AN ADVERTISED VACANCY

CAO BY-LAW – REQUIRED BY THE MUNICIPAL ACT, 2001 TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF A CHIEF ADMINISTRATIVE OFFICER

POSITION DESCRIPTION/PROFILE/MANDATE – AN OFFICIAL INTERNAL DOCUMENT THAT PROVIDES DETAILED DESCRIPTION OF A POSITION'S ROLES, RESPONSIBILITIES AND QUALIFICATIONS.

PERFORMANCE DEVELOPMENT/APPRaisal – AN ANNUAL PROCESS WHEREBY A POSITIONS' DIRECT REPORT ASSESSES AND EVALUATES THE PRECEEDING TERM ACCOMPLISHMENTS AND PROGRESS REGARDING PRE-DETERMINED GOALS AND OBJECTIVES FOR THE REVIEW PERIOD.

360 DEGREE FEEDBACK – A PROCESS WHEREIN A POSITION'S DIRECT REPORT, PEERS AND SUB-ORDINATES PROVIDE FEEDBACK TO AN INCUMBENT ON DEVELOPMENT OPPORTUNITIES.

PAY FOR PERFORMANCE – A PRACTICE WHEREBY AN EMPLOYEE IS PROVIDED VARIABLE REMUNERATION (EITHER THROUGH MOVEMENT WITHIN A SALARY RANGE OR IN ADDITION TO BASE SALARY) BASED ON AN ASSESSMENT OF DEGREE OF ACHIEVEMENT ACCOMPLISHMENTS AND PROGRESS TOWARD PRE-DETERMINED GOALS AND OBJECTIVES.

TERMINATION WITH CAUSE – TERMINATION OF EMPLOYMENT BASED ON A REPUDIATION OF THE EMPLOYMENT CONTRACT E.G. SERIOUS MISCONDUCT, BREACH OF TRUST, INSUBORDINATION, CONFLICT OF INTEREST, BREACH OF HARASSMENT/HUMAN RIGHTS POLICY, FRAUD

TERMINATION WITHOUT CAUSE – TERMINATION OF EMPLOYMENT AT THE DISCRETION OF AN EMPLOYER THAT IS NOT DONE IN AN ARBITRARY MANNER, WHERE THERE ARE INSUFFICIENT GROUNDS TO SUBSTANTIATE A WITH CAUSE TERMINATION

COMMON LAW - LAW DEVELOPED THROUGH DECISIONS OF COURTS AND SIMILAR TRIBUNALS, RATHER THAN THROUGH LEGISLATIVE STATUTES OR EXECUTIVE ACTION.

* Council Involvement

■ Selection Committee Activity

■ Search Firm Activity

□ Major Milestone

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Human Resources
DATE **April 11, 2011**

SUBJECT CAO Remuneration
REPORT NUMBER HRL – 2011 - 06

RECOMMENDATION

That the job rate for the CAO position be adjusted by 1.73% to maintain the 60th percentile of the previously approved municipal comparator group for 2010.

BACKGROUND

Human Resources conducted a comprehensive market review for the position of Chief Administrative Officer (CAO) in 2007. Staff recommended the following which was approved by Council:

That Council approve the removal of the C.A.O. position and salary from the Non-Union and Management Job Evaluation Plan;

AND that Council approve that the position of C.A.O. be market-rated;

AND that Council approve the municipal comparator group for the purposes of establishing a competitive salary for the C.A.O. position (contained in this report);

AND that Council endorse the 60th percentile as the competitive position for the purpose of determining the 2007 compensation level for the C.A.O. position and;

AND that Council approve the C.A.O. salary for 2007 be set at \$165,986 - \$210,646 and that future increases will be reviewed annually to ensure that the range remains competitive as per all of the above recommendations.

The salary range has been monitored annually to ensure that the range for the CAO was within the 60th percentile consistent with the above recommendations.

Note: To create the salary range for the CAO, the job rate (top rate) is used to compare salaries and for establishing the competitive position of the 60th percentile. Once the job rate is established the range starts at 80% of the job rate.

REPORT

As the City prepares for the recruitment of a new Chief Administrative Officer, Human Resources conducted another market review for the annual salary for this position.

Many of the cities within the approved comparator group had not approved their 2011 economic increase for the CAO, therefore for consistency purposes, the 2010 range was used.

After reviewing the information the 60th percentile range is \$181,703 - \$232,128 for 2010. For the City of Guelph, the 2010 salary range is \$182,537 - \$228,171.

To achieve the 60th percentile for 2010, the job rate requires an adjustment of 1.73%, which equates to \$3,957.00/annum.

ALTERNATIVES

If the decision was made to modify the competitive position for the CAO position, it is recommended that the competitive position be no less than the 55th percentile. At the 55th percentile the CAO salary range would be \$179,001 – \$225,450 for 2010.

The corresponding recommendation that would be passed would be:

“That the job rate for the CAO position be adjusted by -1.19% for 2011, to maintain the 55th percentile within the municipal comparator group.”

CORPORATE STRATEGIC PLAN

The recommendation is consistent with the Corporate Strategic Plan, specifically:

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

FINANCIAL IMPLICATIONS

The required funding to maintain the 60th percentile at job rate would be \$3,957.00. Funding exists within the 2011 budget through the Gapping Reserve, specifically budgeted for Human Resources purposes.

In addition, depending on the negotiated salary of the new CAO, there may be a variance in salary for 2011 if different from the rate paid to the current CAO.

DEPARTMENTAL CONSULTATION

None required.

COMMUNICATIONS

None

ATTACHMENTS

None

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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA CAO – Information Services
DATE April 11, 2011

SUBJECT Standing Committee Appointment Process

REPORT NUMBER

RECOMMENDATION

That the Procedural By-law be amended to:

- Establish a Striking Committee for the purpose of making recommendations on the appointment of Council members to Standing Committees and public agencies.
- Provide that the Striking Committee be composed of the Mayor and Chairs of the Standing Committees.
- Provide that the Mayor chair the Striking Committee.

And That an application process to the Striking Committee be developed for appointments to the Standing Committees and public agencies.

BACKGROUND

The procedural by-law currently provides that each ward councillor serves on at least two of the standing committees. The selected members of each standing committee are appointed by Council for a one year term. Council as a whole selects a Chair from among the members of the standing committee annually at the same meeting at which standing committee members are appointed. The Chair position is to be considered for rotation every two years when selecting a standing committee Chair. With the exception of the appointment of chairs, the current appointment process has been followed for many years. Over the last few terms of Council, members have expressed a desire to see a change in how the appointments are handled.

REPORT

A review of practices in a number of other municipalities shows that a striking committee can play a greater role in the appointment process for standing committees.

The model used by the City of Toronto provides that Mayor is the chair of the Striking Committee. The Striking Committee includes the Mayor and other members of Council appointed by Council on the Mayor's recommendation. The role of the Striking Committee is to make recommendations to Council on member

appointments to fill the various standing committees, and on the boards of various public agencies.

The make-up of the standing committees should reflect the diversity of the skills and experience on City Council. In order to balance standing committee workload over the term of Council, ideally all members of Council should have the opportunity to serve on several standing committees during the 4-year term, and as knowledge and experience is gained, an opportunity to be considered for appointment as Chair of a standing committee.

In making leadership appointments for standing committee chairs, the following factors would be considered by Council:

- Understanding of governance;
- Leadership experience;
- Individual interests,
- Knowledge of committee issues,
- Effective communication skills;
- Ability to give both the time and energy necessary to lead the standing committees.
- Absence of pecuniary interest which could impede participation in the work of the committee.

In making recommendations for the appointment of members of Council to standing committees, the following factors should be considered by the Striking Committee:

- Individual interests;
- Balanced workload;
- Ability to commit the time to participate effectively at committee;
- Ability to work effectively as a member of a team;
- Effective communication skills;
- Absence of pecuniary interest which could impede participation in the work of the committee.

It is recommended that the procedural by-law be amended to:

- Establish a Striking Committee for the purpose of making recommendations on all Council appointments to Standing Committees and public agencies.
- Provide that the Striking Committee be composed of the Mayor and Chairs of the Standing Committees.
- Provide that the Mayor chair the Striking Committee.

It is further recommended that an application process to the Striking Committee be developed for appointments to the Standing Committees and public agencies.

This will require that Council appoint the standing committee chairs in advance of the Striking Committee process each year. Council as a whole, will continue to deal with all citizen appointments to public agencies and City committees.

Ultimately, it is still City Council that will approve the appointments of its members to the standing committees and public agencies. The Striking Committee is used as

a means of streamlining the process, and ensuring that each member of Council has an opportunity to apply for appointment to the committees and agencies which are of interest to them.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

None

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Prepared By:

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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA The Office of the CAO - Information Services
DATE April 11, 2011

SUBJECT 2010 Delegations of Authority

REPORT NUMBER

RECOMMENDATION

THAT the report of the General Manager of Information Services/Clerk with respect to the exercise of delegated authority be received.

BACKGROUND

Through By-law (2010)-18935, as amended, Council has delegated certain routine administrative powers which are of a minor nature, and which contribute to the efficient management of the City while still adhering to the principles of accountability and transparency. The By-law requires an annual report that outlines all actions during the year pursuant to delegated authority.

REPORT

Schedule "A" Grant Agreements	Item	Date Signed	Purpose
Delegate: Executive Director of Community & Social Services	2010 Summer Jobs Application and Agreement with Human Resources & Skills Development Canada	February 2010	Summer Jobs Service Funding for Neighbourhood Group Camp Positions
	2010 Summer Jobs Service application and agreement- Employment Ontario, ministry of Training, Colleges and Universities	March 2010	\$2 top up Grant for Neighbourhood Group summer camp positions (via Second Chance Employment Counseling Inc. as a service delivery agency)

Schedule "D" Confidentiality of Data Agreements	Agreement	Purpose
	Agreement with PlanetCPU Inc.	IT technical support for out of town Guelph Wellington Emergency Service facilities.
Delegate: General Manager of Information Services/Clerk		

Schedule "E" Agreements Pursuant to an Approval under the Planning Act	Application Number	Property
	B-14/04 B-15/04	72 York Road
	A-15/08	439 York Road
	B-6/08	308 Stevenson Street N.
	A-117/08	17 Tolton Drive & 11 Laughland Lane
	B-8/10 A-4/10	348 Woodlawn Road West
	A-120/09	1533 Gordon Street
	B-3/10 B-4/10	93, 95 & 97 Pine Ridge Drive
	B-21/09	50 Fleming Road
	B-1/10	26 Willow Road
	B-22/10 A-46/10	491 Waterloo Avenue/202 Silvercreek Parkway S.
	B-40/09	66 Lewis Road
	B-14/98	87 Campbell Road
	A-93/09	87 Mary Street
	A-94-09	3 Forest Street
Site Plan	SP10A005	2 Colonial Dr
	SP10C014	1467 Gordon St
	A-27/09	156 Goodwin Dr
	SP09A035	401 Edinburgh Rd N
	SP09C042	587 York Rd
	SP10A023	1671 Gordon St
	A-26/09	152 Goodwin Dr
	SP09C017	365-375 Eramosa Rd
Subdivision	SR0907	671 Victoria Rd N
	SR0509	129 Watson Pky N
	SR1002	340 Eastview Rd
	SR0903	98 Cityview Dr N
	SR0503	0 Speedvale Ave W – Chillico Glen 2a
	SR0705	1820 Gordon St
	SR0610	306 Downey Rd
Parking	348 Woodlawn Rd W	
	87 Campbell Rd	

Schedule "K" Special Events in City Parks Delegate: Executive Director of Community & Social Services	Dates for all City Parks Special Events Bookings April 1, 2010 – November 14, 2010	
	Event Category	No. of Permits Issued
	Family Reunions & Birthday Parties	90
	Sports Tournaments	78
	Organization and Company Events	75
	Community Events and Festivals	32
	Day Care Centre and School Outings	26
	Fundraising Events	19
	Road Races/Track & Field/Cross Country	19
	Weddings and Photo shoots	17
	Neighbourhood Group Events	12
	Miscellaneous Events	15
	Total 2010 Special Event in City Parks	383

Schedule "M" Community Festivals Delegate: General Manager of Information Services/Clerk	Event	Date(s)	Location
	Multicultural Festival	June 11-13th	Riverside Park
	Faery Fest	June 18-20	Riverside Park
	2nd Annual BOHICA Slopitch Tournament	June 26-27	Guelph Lake
	Sunlight Music Festival	Aug 13th-15th	Riverside Park Bandshell
	Ribfest	Aug 27-29	Riverside Park
	Guelph Township Coed Slopitch League Closing Tournament	Oct-01-03	Guelph Lake
	Guelph Township Coed Slopitch Tournament	Jul-09/10	Exhibition Park
	Festival Italiano	Jul-09-11	135 Ferguson St
	St. John's Roman Catholic Church Annual Outdoor Summer Festival	Jun-25-26	45 Victoria Rd N
	Guelph & District Assoc. of Realtors	Sep-10	Guelph Lake Sportsfield

Schedule "M" Community Festivals Con't...	Event	Date(s)	Location
	Annual Taste of Guelph	Sep-19	100 Westmount Rd
	German Canadian Club Annual Picnic	Aug-08	115 Fleming Road
	Sacred Heart Parish Annual Bazaar	July 2 & 3rd	98 Alice Street
	University of Guelph Homecoming Football Game	Sep-25	Alumni Stadium

Original Signed by:

Prepared By:

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TO **Governance Committee**

SERVICE AREA CAO - Information Services
DATE April 11, 2011

SUBJECT Delegation of Authority - Special Occasion Permits

REPORT NUMBER

RECOMMENDATION

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "M" of By-law (2010)-18935, as amended.

BACKGROUND

In 2010, City Council passed a by-law to delegate authority to approve several routine administrative matters. At that time, staff had indicated that they would continue to look for opportunities for Council to delegate other minor approval making authority.

Each year, numerous groups and individuals request Community Festival or Special Occasion status from the City to enable them to acquire a liquor licence permit for their event. The Delegation of Authority By-law authorizes the City Clerk to provide the required letter for applicants that are a registered charity or non-profit corporation, or association organized to promote charitable, educational, and religious or community objects as required by the AGCO. There are several event requests each year that do not meet the criteria and therefore, currently need Council approval. In previous years, each event has been brought forward on an individual basis. The purpose of this report is to minimize the wait times for the applicants, reduce the number of reports needing to be addressed by City Council and to expedite the requests.

REPORT

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

The area of delegation includes authority to approve:

- Special Occasion Permits

These permits are typically requested by groups, organizations or individuals to have their events recognized as a Special Occasion to enable them to obtain a liquor licence permit. These events are considered routine in nature, and are

subject to the City's Alcohol Risk Management Policy currently in place. The organizers of the event must also provide documentation proving that the City's insurance and risk management requirements are met.

The Schedule has been prepared in the standard format which was developed for delegation of authority, and provides for conditions, limitations and annual reporting requirements.

CORPORATE STRATEGIC PLAN

Supports Objective 5: A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS

None.

DEPARTMENTAL CONSULTATION

Community Services
Purchasing and Risk Management

COMMUNICATIONS

n/a

ATTACHMENTS

Amended Schedule M

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Original Signed by:

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Schedule "M"

DELEGATION OF AUTHORITY TO APPROVE COMMUNITY FESTIVALS/SPECIAL OCCASION PERMITS

Power to be Delegated	Authority to approve Community Festivals and Special Occasions as required by the Alcohol and Gaming Commission of Ontario to permit the sale and service of beverage alcohol at such events.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.
Delegate(s)	<ul style="list-style-type: none">○ City Clerk○ A person who is delegated by the City Clerk under Section 228(4) of the Municipal Act○ A person who is appointed by the CAO or selected from time to time by the Director to act in the capacity of the delegate in the delegate's absence
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Applicants must be a registered charity or non-profit corporation, or association organized to promote charitable, educational, and religious or community objects as required by the AGCO; and/or <ul style="list-style-type: none">○ Applicants must adhere to the City's Alcohol Risk Management Policy and meet all insurance and risk management requirements requested by City Staff
Review of Decision	N/A
Reporting Requirements	Annual information report for community festivals and special occasion permits authorized pursuant to this delegation of authority.

COMMITTEE REPORT



TO Governance Committee

SERVICE AREA CAO - Information Services
DATE April *, 2011

SUBJECT Delegation of Authority – Tax Write-Offs and Increases
REPORT NUMBER

RECOMMENDATION

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

BACKGROUND

In 2010, City Council passed a by-law to delegate authority to approve several routine administrative matters. At that time, staff had indicated that they would continue to look for opportunities for Council to delegate other minor approval making authority.

REPORT

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

The area of delegation includes authority to approve:

- Tax Write-Offs and Increases under S. 357, 358 and 359 of the Municipal Act to rectify errors on the assessment roll without having to go through the formal assessment review process.

These tax adjustments are typically required for a variety of reasons, including:

- a change in property class;
- the land has become vacant land;
- the land has become exempt from taxation;
- a building on the land was razed by fire or demolished;
- an error in the assessment roll that is clerical or factual in nature, including the transposition of figures, a typographical error or similar error but not an error in judgment in assessing the property;

These adjustments are considered routine in nature, and do not represent any unusual dollar amounts. In addition, all applications receive prior review and approval by the Municipal Property Assessment Corporation.

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Allowances for write-offs are within the total amount approved for net supplementary and write-off taxation revenue as part of the annual operating budget.

DEPARTMENTAL CONSULTATION

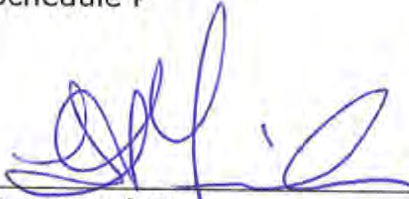
Finance

COMMUNICATIONS

n/a

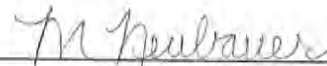
ATTACHMENTS

Schedule P



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SCHEDULE "P"
DELEGATION OF AUTHORITY TO APPROVE TAX WRITE-OFFS and INCREASES

Power to be Delegated	Authority to approve the tax write-offs and increases under Section 357, 358 and 359 of the Municipal Act.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Section 357 applications allow for the Municipality and MPAC (Municipal Property Assessment Corporation) to quickly rectify assessment classification changes since the return of the year end assessment roll.○ The Section 358 applications allow the taxpayer to rectify prior year's errors through the municipality and local assessment office.○ Section 359 applications allow for the City to increase taxes due to gross or manifest errors.○ All three processes allow errors to be quickly rectified without having to go through the formal assessment review process.○ Legislated process under the Municipal Act.○ These assessment changes can be considered "routine" in nature.○ These do not represent any unusual dollar amounts.○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.
Delegate(s)	<ul style="list-style-type: none">○ Chief Financial Officer/Treasurer○ Manager of Taxation and Revenue○ A person who is appointed by the CAO or selected from time to time by the Chief Financial Officer/Treasurer to act in the capacity of the delegate in the delegate's absence.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ All write-offs have been reviewed by MPAC and have been approved by them.○ Allowances for write-offs are within the total amount approved for net supplementary and write-off taxation revenue as part of the annual operating budget.

**Review or
Appeal**

Applicants have thirty-five days to appeal any Section 357 decisions through the Assessment Review Board. Section 358 decisions are final

**Reporting
Requirements**

Annual information report on tax write-offs and increases pursuant to this delegation of authority.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA CAO – Information Services
DATE April 11, 2011

SUBJECT Electronic Agendas

REPORT NUMBER

RECOMMENDATION

THAT the report of the General Manager of Information Services/Clerk relating to electronic agendas, be received.

BACKGROUND

Early this year, staff were requested to report to Committee on what would be involved in transitioning to an electronic agenda. As part of our review, staff have examined our current capabilities using existing technology, as well as consulted with a number of organizations who have moved to electronic agenda software.

REPORT

Currently, the Council agenda can be accessed through the City's website, or directly from the City network. Each member of Council has been provided with a laptop computer. City Hall has wireless capability in all of its meeting rooms. In addition, the Council Chambers has individual network connections for each member of Council around the horseshoe.

The electronic agenda is in a .pdf format, a read only document, which is navigated within the Adobe Acrobat application. The document has bookmarks that allow access to individual items on the agenda, as well as word search capability. In addition, Council members will be able to add and modify notes electronically, thus eliminating the need to write notes on a paper copy.

In order to have a paperless system, Council members would have to bring their laptops to the meetings in order to access agenda material. Training would be required to ensure that all members of Council are able to navigate their way through an electronic agenda document, as well as being able to use wireless technology and connect laptops to the City network in the Chambers. While this may not be the ultimate solution, it can be implemented immediately and with very minimal cost.

Ultimately, the ideal solution would be to have technology permanently installed in the Council Chambers in order to avoid the necessity of councillors having to hook up lap tops and access the network at the beginning of a televised meeting.

There are a variety of software applications being used by other organizations for managing agendas electronically, however there is currently no funding available in operating or capital budgets to purchase such an application. These solutions are essentially web based electronic document management systems, which are hosted by the vendor and not the municipality. Costs appear to be in the range of \$20-\$25,000 annually for the use of the software and vendor hosting of agendas. These software solutions offer additional features, such as:

- Ability to create, approve and distribute agenda material;
- Ability to make notations on electronic agendas;
- Ability to search agenda documents;
- Action tracking on issues; and
- Website publishing and content management of agenda material.

In addition to the above, staff will be working towards having archived webcasts of our Council meetings available on the City's website. The City must keep in mind that upcoming new AODA customer service standards will require our Web content to be more accessible to a wider range of people with disabilities, including vision impairment, hearing impairment, learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity and combinations of these. These standards will impact both posted documentation and video. The City will have to ensure that any software solution that may be used in the future will have the ability to meet or adapt to the new standards by 2014.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

None at this time. Cost of providing technology in the Council Chambers would be in the range of \$28,000 and would have to be approved in a future budget year. Electronic agenda management software solutions appear to be in the range of \$20-\$25,000 annually. These costs would require approval in a future budget year.

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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration

DATE April 11, 2011

SUBJECT Quarterly Report

REPORT NUMBER

RECOMMENDATION

THAT the first quarter report of the Governance Committee be received.

BACKGROUND

Regular reports on committee progress were prepared during the 2007-2010 term of office. This effort will continue during the 2011 -2014 Council term reflecting an ongoing commitment to strengthened accountability and corporate governance practices.

REPORT

The following results have been achieved by the Governance Committee in the first quarter of 2011, consistent with the Council approved 2011 Annual Agenda:

- ✓ Review of the 2010 Municipal Election report and recommendations
- ✓ Review of the Committee Meeting Evaluation Process and criteria
- ✓ Review and approval of the Committee Work Plan and Annual Agenda
- ✓ Review of the 2010-2014 Strategic Planning Revision Process
- ✓ Review of the Committee Mandate and Charter
- ✓ Review of 2011 Council budget proposal

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business

5.6 Organizational excellence in planning, management, human resources and people practices...

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

The Executive Team was consulted on this report content.

COMMUNICATIONS

n/a

ATTACHMENTS

n/a

Original Signed by:

Approved By:

Mayor Karen Farbridge

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE April 11, 2011

**SUBJECT Guelph Municipal Holding Company (GMHC)
Implementation Strategy**

REPORT NUMBER

RECOMMENDATION

THAT Council receive and approve the Guelph Municipal Holding Company Implementation Strategy;

THAT Council approve the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc.(GHI) and GHI subsidiaries;

THAT Council approve the Asset Transfers to Corporations Policy;

THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members; and

THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

BACKGROUND

On Monday, June 28, 2010 Council approved the following:

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

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

With this direction from Council, staff initiated action on requirements to proceed.

Specifically,

- an Implementation Strategy was developed for Council approval taking into account the evaluation of risks and associated implications completed by the City Auditor in 2010;
- the Guelph Hydro Shareholder Declaration was collaboratively updated; and
- an Asset Transfers to Corporations Policy was created for Council approval.

REPORT

Benefits and Risks

The structure of the new governance model for the management of current and future City-owned assets, approved by Council on June 28, 2010, will help to realize the full potential of City assets and long-term economic benefits for the city. The new model represents a more strategic approach to asset management and addresses the need for increased accountability, responsiveness, greater strategic alignment and improved communications.

While keeping subsidiaries directly linked through shared policy and strategic direction, the model still embraces the concept of skills-based boards and allows for the right degree of independence so that operating companies continue to be flexible and self-reliant.

Consistent with other municipalities, specific requirements for key competencies among the holding company directors will ensure a variety of perspectives and skill sets to guide decision making and provide sound leadership. The new governance structure will enable the fulfillment of City objectives and the achievement of outcomes focused on the long-term economic prosperity of the community. In summary, the GMHC will provide:

- A better system of 'checks and balances'
- Strengthened communications
- Improved asset management practices
- Inter-operational synergies
- Strengthened strategy alignment
- Robust reporting practices

In 2010, by Council request, the City Auditor reviewed the GMHC Business Case for any potential risks and commented in their Audit concluding memorandum (Attachment #1).

In direct response to identified risks, staff will continuously confirm revenue sources and party transactions to preserve the tax free status of GMHC, forward all decisions that are identified as requiring Shareholder approval in the Shareholder Declaration to Guelph City Council for final approval, provide governance training to Board members to clarify roles and responsibilities, prepare required financial statements and an annual income tax return.

Implementation Strategy

Operation of the GMHC will require supporting resources, capacity building for board members, an updated Shareholder Declaration, the transfer of assets to the new entity and assessment after one year of operation.

Human and Financial Resourcing

City staff will support ongoing operational and administrative requirements of the GMHC consistent with the Council approved Business Case Study and Shareholder Declarations.

Capacity Building for GMHC Board Members

Budgeted Board training will be coordinated for an initial board meeting to ensure appropriate orientation to shared Board commitments, applicable legislative, governance and related responsibilities.

Revised Shareholder Declaration

City staff and GHI members have collaboratively worked to amend the attached Shareholder Declaration appended as Attachment #2. The document is consistent with and supportive of the proposed holding company structure and includes clearly outlined reporting requirements and timelines.

Asset Transfer Policy

In order for the City to transfer assets to a holding company, it must comply with various legislative requirements, including the Municipal Act, 2001 and Ontario Regulation 599/06, made under the Municipal Act.

Section 7 of Ontario Regulation 599/06 specifically provides that a municipality cannot transfer any of its assets to a corporation before it adopts policies on asset transfers to corporations.

City of Guelph Legal Services staff have drafted an Asset Transfers to Corporations Policy consistent with Municipal Act requirements (Attachment #3). The policy sets out parameters around how an asset transfer can take place and what steps are required to ensure compliance with related Provincial legislation. Once approved by Council, this policy will apply to the planned asset transfers to the proposed holding company, as well as to any other future asset transfers to that, or any other, corporation.

Evaluation

On October 26, 2009, Council approved the following when considering whether or not to proceed with a Business Case Study for a new Holding Company structure: “[t]hat staff and representatives from GHI and GJR report back to Council within one year on the efficacy of the new structure.” To that end, this commitment will be respected with a detailed report to Council following one year of operation from the approximate date of incorporation. Information will be provided on a number of parameters including but not limited to governance practices established and observed, progress achieved in relation to established metrics in the GMHC business and strategic plans, structure functionality, benefits realized and required improvements.

Next Steps

A number of next steps will be required before the GMHC entity is operational. Subject to Council approval of the Implementation Strategy, staff will:

Action	Timeframe
1. Initiate a citizen appointment process with the assistance of the City Clerks department.	May 1
2. Seek Council approval on a recommended independent Board member.	June
3. Establish a meeting schedule and Annual Agenda with the Board Chair.	
4. Schedule board governance training for all members.	
5. File articles of incorporation and all necessary supporting material with the Province of Ontario.	July
6. Receive Certificate of Incorporation from Province.	
7. Enter the Support Services Agreement with GMHC; enter the Shareholder Declarations with GMHC and GHI.	August
8. Transfer GHI assets to Guelph Municipal Holding Company.	August

CORPORATE STRATEGIC PLAN

5.3 – Open, accountable and transparent conduct of municipal business

5.6 – Organizational excellence in planning and management

FINANCIAL IMPLICATIONS

Administrative costs of the Holding Company for 2011 will be funded through a Guelph Hydro contribution of \$5000. As outlined in the Council approved Business Case Study, a preliminary requirement of the board is to develop a five-year budget for Council approval.

2011 Budget

Item	2011 Cost
Incorporation Fees	\$2000
Board Governance Training and Materials	\$3000
Income Tax Filings	Staff Support
Total Expense	\$5000
Total Revenue	\$5000

In the instance of transfer of an asset to a corporation wholly owned by the City, the proposed Asset Transfer policy requires the Treasurer to provide Council with the audited net book value at which the asset will be transferred to the corporation.

For the proposed transfer of 100% of the shares of Guelph Hydro Inc. to a holding company wholly owned by the City, the audited net book value as at December 31, 2010 is \$66.788 million.

DEPARTMENTAL CONSULTATION

Finance
Human Resources and Legal Services
Information Services

COMMUNICATIONS

Legislatively required public consultation was conducted on the GMHC Business Case Study in 2010. Ongoing communication and collaboration between City Councillors, staff and Guelph Hydro have occurred throughout the planning and development phases of this effort.

ATTACHMENTS

Attachment #1 – Identified Risks by Deloitte & Touche LLP and affiliated entities
Attachment #2 – Revised Shareholder Declaration
Attachment #3 – Asset Transfer Policy
Attachment #4 – Council approved Business Case Study

Original Signed by:

Prepared By:
Brenda Boisvert,
Corporate Manager, Strategic Planning and
Corporate Initiatives

Original Signed by:

Recommended By:
Hans Loewig, CAO

Additional matters (continued)

The following reportable matters are reported to the Committee. The City is investigating alternate governance models for the management of current and future City-owned assets to ensure the greatest value to the City as the primary shareholder. As external auditor, we are providing the following comments:

Reporting matter	Comments
<ul style="list-style-type: none"> Taxation of holding company 	<p>We understand that the City has obtained a preliminary tax opinion regarding the tax status of a municipal holding company. We would advise that the City should ensure that all companies that may be placed in a municipal holding company would retain their tax status in the new regime.</p> <p>The corporation should also continually review the sources of revenue and its related party transactions as these items may have an affect on the taxation of the holding company. Income tax laws and regulations are continually being amended, and changes to the taxation regime could have an impact on the future taxation of the holding company.</p>
<ul style="list-style-type: none"> Governance 	<p>It appears that is possible for non-elected officials to control the Board of the Holding Company. The City should ensure that this structure is intentional.</p>
<ul style="list-style-type: none"> Public policy 	<p>The Board of Directors of the Holding Company owe a fiduciary duty to the company. As such, their primary responsibility may be in conflict with public policy directives as articulated by the elected officials. The City should ensure that this is direction is intentional.</p>
<ul style="list-style-type: none"> Dividends 	<p>The Board of Directors' primary responsibility is to the Holding Company, and the City has budgeted to receive a dividend stream from the City owned assets. The Company may have competing interests with the City relating to use of cash generated from the assets, so the City should ensure that its financial interests are protected in the shareholder direction.</p>
<ul style="list-style-type: none"> Reporting and compliance 	<p>There will be additional reporting and compliance required for the holding company. Annual audited financial statements are required, and the corporation will be required to file an annual income tax return and other documents with regulatory authorities. The cost of this compliance should be budgeted by the Corporation.</p>

SHAREHOLDER DECLARATION

THE CORPORATION OF THE CITY OF GUELPH

– and –

GUELPH MUNICIPAL HOLDINGS INC.

– and –

GUELPH HYDRO INC.

– and –

GUELPH HYDRO ELECTRIC SYSTEMS INC.

– and –

ECOTRICITY GUELPH INC.

– and –

**ANY SUBSIDIARIES OF
GUELPH HYDRO INC. FROM TIME TO TIME**

Dated as of , 2011

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CITY OF GUELPH
SHAREHOLDER DECLARATION

RECITALS:

1. Guelph Municipal Holdings Inc. (“**Holdco**”) is wholly-owned by the Corporation of the City of Guelph (the “**City**”) and has been incorporated by the City to serve as a holding corporation to hold the shares of corporations with share capital which are established by or on behalf of the City from time to time as permitted under governing Laws;
2. The entry into, and the exercise of powers of the City under, this Shareholder Declaration is considered necessary to acquire, hold, dispose of and otherwise deal with the shares of Guelph Hydro Inc. (“**GHI**”) and its Subsidiaries.
3. GHI is wholly-owned by Holdco;
4. Guelph Hydro Electric Systems Inc. (“**GHESI**”) and Ecotricity Guelph Inc. (“**Ecotricity**”) are each wholly-owned by GHI;
5. This Shareholder Declaration sets out the requirements of the City relating to the governance and other fundamental principles and policies of Holdco in relation to GHI and its Subsidiaries;
6. This Shareholder Declaration sets out the requirements of Holdco relating to the governance and other fundamental principles and policies of GHI and its Subsidiaries;
7. A fundamental principle of this Shareholder Declaration is that any change in the scope of activities or role of Holdco shall not impact the business activities, role and governance structure of GHI; and
8. The City intends and acknowledges that GHI shall collaborate with the City and play a significant role in the development and implementation of the Community Energy Initiative.

1. Definitions and Interpretation

- 1.1 Wherever used in this Shareholder Declaration, the following terms shall have these respective meanings:

“**Board**” means the board of directors of a corporation;

“**Book Value**” means the book value of the applicable corporation and its direct subsidiaries on a consolidated basis as at the end of its last completed financial year as shown in its audited financial statements;

“**CEO**” means the chief executive officer of a corporation;

“**Chair**” means the Chair of the Board of Holdco from time to time;

“**City**” has the meaning ascribed thereto in the Recitals;

“**Community Energy Initiative**” means the City’s Community Energy Plan (now called Initiative) dated April 3, 2007 which outlines the City’s strategies and vision with respect to energy conservation, consumption, generation and efficiency and environmental sustainability as may be modified by Council from time to time;

“**Council**” means the city council of the City and, where appropriate, in its capacity as the governing body of the City as shareholder of Holdco;

“**Energy Legislation**” means legislation enacted from time to time by the Province of Ontario regulating the energy sector and including without limitation the *Electricity Act, 1998*, the *Ontario Energy Board Act, 1998*, the *Green Energy and Green Economy Act, 2009* and all regulations thereunder, and all amendments, re-enactments and replacements to such legislation and all other statutes, decisions, orders and policies of the Province of Ontario with respect to the energy sector which may be enacted from time to time;

“**GAAP**”, when used in respect of accounting terms or accounting determinations relating to a Person, means generally accepted accounting principles in effect from time to time in Canada, being those accounting principles set forth in the Handbook or other official record of accounting principles in Canada from time to time published by the Institute of Chartered Accountants in Canada, as such principles may be amended, varied or replaced by International Financial Reporting Standards (IFRS) then in effect and generally accepted in Canada and adopted or required to have been adopted by the Person;

“**GHI**” means Guelph Hydro Inc.;

“**GHI Business Plan**” has the meaning ascribed thereto in Section 11.2;

“**GHI Declaration**” means the Shareholder Declaration in respect of GHI dated November 1, 2000;

“**GHI Subsidiaries**” means GHESI and Ecotricity and any other subsidiary of GHI from time to time;

“**Governmental Authority**” means any federal, provincial, or municipal government, parliament or legislature, or any regulatory authority, agency, tribunal, commission, board or department of any such government, parliament or legislature, or any court or other law, regulation or rule making entity, having jurisdiction in the relevant circumstances, including the Ontario Municipal Board, the Ontario Power Authority, the Independent Electricity System Operator, the Ontario Energy Board, the Electrical Safety Authority, and any Person acting under the authority of any Governmental Authority;

“**Holdco**” has the meaning ascribed thereto in the Recitals;

“**Holdco Board**” means the board of directors of Holdco;

“**Holdco Business Plan**” has the meaning ascribed thereto in Section 10.2;

“**Laws**” means:

- (a) applicable Canadian federal, provincial or municipal laws, orders-in-council, by-laws, codes, rules, policies, regulations and statutes;
- (b) applicable orders, decisions, codes, judgments, injunctions, decrees, awards and writs of any court, tribunal, arbitrator, Governmental Authority or other Person having jurisdiction;
- (c) applicable rulings and conditions of any licence, permit, certificate, registration, authorization, consent and approval issued by a Governmental Authority; and
- (d) any requirements under or prescribed by applicable common law;

“**Mayor**” means the Mayor of the City;

“**MFIPPA**” means the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario);

“**Municipal Act**” means the *Municipal Act* 2001 (Ontario);

“**Municipal Member**” means a sitting member of Council;

“**Net Income**” means the net income after taxes or payments in lieu of taxes as determined in accordance with GAAP, subject to, in the case of GHESI, regulatory adjustments to reflect Ontario Energy Board sanctioned accounting practices for electricity distributors; for greater clarity, the consolidated Net Income of Holdco and of GHI shall incorporate the GHESI regulatory adjustments in accordance with the foregoing;

“**Nominating Committee**” means a committee established by the GHI Board for the purpose set out in Section 6.7;

“**OBCA**” means the *Business Corporations Act* (Ontario);

“**Person**” means a natural person, firm, trust, partnership, limited partnership, company or corporation (with or without share capital), joint venture, sole proprietorship, governmental or regulatory authority or other entity of any kind;

“**Private Director**” means an individual who is not a Municipal Member or an employee of, or consultant to, the City or any agency, board or commission of, or corporation established by, the City;

“**Shareholder Declaration**” means this shareholder declaration;

“**Shareholder Representative**” has the meaning ascribed thereto in Section 9.1;

“**Subsidiary**” means any subsidiary body corporate (as defined in the OBCA) of a Person which, for greater certainty, in respect of Holdco, includes GHI and its Subsidiaries; and

“Subsidiary Board” means the board of directors of any Subsidiary of Holdco.

1.2 Schedules – The following schedules form a part of this Shareholder Declaration and are incorporated by reference:

Schedule “A” Excerpts from Canadian Securities Administrators (CSA) Corporate Governance Guidelines

Schedule “B-1” Guelph Municipal Holdings Inc. Dividend Policy

Schedule “B-2” Guelph Hydro Inc. Dividend Policy

Schedule “C” Form of Services Agreement Between Holdco and The City

1.3 Headings and Table of Contents – The inclusion of headings and a table of contents in this Shareholder Declaration are for convenience of reference only and shall not affect the construction or interpretation of this Shareholder Declaration.

1.4 Number – In this Shareholder Declaration, unless the context otherwise requires, words importing the singular include the plural and vice versa and words importing gender include all genders.

1.5 Laws – All references to statutes or Law contained in this Shareholder Declaration means those statutes or Law in effect from time to time, and all amendments thereto or any re-enactment thereof or replacement statutes.

2. Purpose and Governing Principles

2.1 Purposes

(a) This Shareholder Declaration sets out the requirements of the City relating to governance and other fundamental and necessary matters relating to the ownership of Holdco and the powers necessary to acquire, hold, dispose of and otherwise deal with the shares thereof. Except as provided in Section 13, this Shareholder Declaration is not intended to constitute a unanimous shareholder declaration under the OBCA or to formally restrict the exercise of the powers of the Holdco Board.

(b) This Shareholder Declaration also sets out the requirements of Holdco relating to governance and other fundamental matters relating to the ownership of GHI and GHI’s Subsidiaries. Except as provided in Section 13, this Shareholder Declaration is not intended to constitute a unanimous shareholder declaration under the OBCA or to formally restrict the exercise of the powers of the GHI Board or the Board of any Subsidiary of GHI.

2.2 Overarching Principles – The following principles shall apply to this Shareholder Declaration:

- (a) A Shareholder Declaration for municipal entities should foster and reinforce a collaborative relationship and shared values among all parties and recognize that the interface between the worlds governed by the Municipal Act (public sector) and the OBCA (private sector) requires mutual respect, understanding and flexibility and regular communication between GHI and Holdco concerning the activities of GHI and its Subsidiaries. Such communication should take place whether or not such activities would require the approval of Holdco or the City pursuant to Section 13.3 and the activities of the City and Holdco which may be applicable to the Community Energy Initiative and otherwise to GHI and its Subsidiaries shall be a fundamental aspect of such relationship.
- (b) Decision-making authority should be clearly assigned to the appropriate Board of Holdco, GHI or GHI's Subsidiaries.
- (c) The authority of a Board as described pursuant to this Shareholder Declaration will be accompanied by clearly articulated reporting and approval requirements as set out in this Shareholder Declaration to ensure transparency, accountability and recognition of the role of Council as the ultimate authority over each corporation governed by this Shareholder Declaration.
- (d) The provisions of this Shareholder Declaration should be interpreted so as to maximize transparency and facilitate communication between the City and Holdco on the one hand and GHI and its Subsidiaries on the other.
- (e) The principles of director independence and skills-based boards will be paramount in the interpretation of this Shareholder Declaration but consistent with the policies of the City publicly adopted from time to time with respect to Holdco and its Subsidiaries.
- (f) The unique overlapping community interests and professional capabilities of the “family of companies” – including the City – are important components of an integrated and coordinated approach to excellence in asset management.
- (g) Shareholder return and benefits will be measured by several metrics, including but not limited to, dividends. In general, a long term, strategic view will be applied to the measure of shareholder return and communicated in writing to the Boards of Holdco and its Subsidiaries by City Council.
- (h) It is recognized that GHI and its Subsidiaries are operated on a “for-profit” basis, may operate in a competitive environment, and are subject to the obligation to make payments in lieu of taxes under Energy Legislation.
- (i) The opportunity for community assets to contribute to the building of community capacity, community pride and overall community well-being should be key drivers to this Shareholder Declaration.

- (j) In making decisions concerning GHI and its Subsidiaries, Holdco shall act in a commercially reasonable manner consistent with the City's requirements as owner from time to time.

3. Permitted Business Activities

- 3.1 As Permitted by Law – Subject to the restrictions in Section 13, (i) Holdco shall serve as a holding corporation to hold the shares of corporations which are established by or on behalf of the City from time to time under applicable Laws, and (ii) GHI and the GHI Subsidiaries may engage in the business activities which are permitted by applicable Laws, and as the Board of GHI may determine for GHI and its Subsidiaries consistent with Subsection 3.2 including, without limitation, with respect to GHI and its Subsidiaries, the business activities referred to in Subsection 3.2. In so doing, Holdco, GHI and its Subsidiaries shall each conform to all applicable Laws.
- 3.2 Specific Activities – As at the date hereof, GHI or one or more of its Subsidiaries (i) may engage in any business activities as may be permitted by applicable Laws including, without limitation, Energy Legislation, as amended or replaced from time to time and as authorized by the Board of GHI or of any GHI Subsidiary, as applicable, from time to time; and (ii) shall have a significant role in the development and implementation of the City's Community Energy Initiative.

4. Corporate Governance

- 4.1 Holdco Directors Duties – As required by the OBCA, the Holdco Board shall supervise the management of the business and affairs of Holdco, and, in so doing, shall act honestly and in good faith with a view to the best interests of Holdco and shall exercise the same degree of care, diligence and skill that a reasonably prudent Person would exercise in comparable circumstances.
- 4.2 GHI Directors Duties – As required by the OBCA, the GHI Board and any Subsidiary Board shall supervise the management of the business and affairs of GHI and any Subsidiary respectively, and, in so doing, shall act honestly and in good faith with a view to the best interests of GHI or the Subsidiary respectively and shall exercise the same degree of care, diligence and skill that a reasonably prudent Person would exercise in comparable circumstances.
- 4.3 Standards of Governance – In addition, the City expects the Board of GHI and any GHI Subsidiary to observe substantially the same standards of corporate governance as may be established from time to time by the Canadian Securities Administrators or any other applicable regulatory or governmental authority in Canada for publicly traded corporations with such modifications as may be necessary to reflect the fact that GHI and any GHI Subsidiary are not publicly traded corporations. An excerpt of Canadian Securities Administrators National Policy 58-201 *Corporate Governance Guidelines* as currently in effect is attached to this Shareholder Declaration as Schedule "A".

5. Board of Directors and Officers of Holdco

- 5.1 Qualifications – In addition to sound judgement and personal integrity, the qualifications of candidates for the Board of Holdco may include:
- (a) awareness of public policy issues related to Holdco;
 - (b) relevant business expertise and industry knowledge;
 - (c) experience on boards of significant commercial corporations;
 - (d) financial, legal, accounting and/or marketing experience; and
 - (e) knowledge and experience with risk management strategy.
- 5.2 Residency – Preference may be given to qualified candidates for a Board who are residents of the City, however non-residents of the City shall not be excluded from serving as Board members.
- 5.3 Number of Directors – The Board of Holdco shall consist of a minimum of seven (7) directors to be appointed by and approved by the City.
- 5.4 Composition of the Holdco Board – Unless otherwise determined by the City in its discretion, the Holdco Board shall consist of the Mayor, three Municipal Members, the chair of the Board of GHI, the chair(s) of the Board of any other direct Subsidiary of Holdco, and an independent member who shall not be a Municipal Member. The chief executive officer, chief operating officer, president or general manager, as the case may be, of a Subsidiary or of Holdco shall not be eligible to serve as a director on, nor chair of, the Holdco Board nor chair of the Board of GHI.
- 5.5 Chair of Holdco – The Chair of the Holdco Board shall be the Mayor.
- 5.6 Officers of Holdco – The CEO of Holdco shall be the Chief Administrative Officer of the City or such other Person as the City may determine from time to time. The Treasurer of Holdco shall be the Treasurer of the City or such other Person as the City may determine from time to time. The General Counsel and Secretary of Holdco shall be the City Solicitor of the City or such other Person as the City may determine from time to time. The CEO of GHI and the CEO of Holdco shall meet at least quarterly to discuss matters as contemplated by Section 2.2(a).
- 5.7 Term of Municipal Members – The term for each member of the Holdco Board shall be concurrent with the municipal term of each Council, and each member of the Holdco Board shall be appointed for such term, provided that:
- (a) following the expiry of such term of Council, each director shall continue to serve until replaced by the City as at the effective date of the appointment of a replacement director;

- (b) notwithstanding this Section 5.7, the City may, in its discretion, terminate the term of a member of the Holdco Board prior to the end of the municipal term of Council and appoint a replacement director; and
- (c) where a member of the Holdco Board resigns or his or her term is terminated for any reason prior to the end of the municipal term of Council then in effect, the term of the replacement director shall be concurrent with the balance of the municipal term of Council then in effect.

5.8 Successive Terms – Any member of the Holdco Board may serve for successive terms as determined by the City in its discretion.

5.9 Holdco Board Committees – The Holdco Board may establish committees of the Board in the Holdco Board’s discretion. These committees may include the following:

- (a) Audit and Finance Committee to review financial results; and
- (b) Governance Committee to address governance matters.

5.10 Compensation

- (a) Directors – No member of the Holdco Board shall receive any remuneration or other compensation of any kind, other than as expressly approved by the City, for serving as a director on the Holdco Board or on any committee thereof, or carrying out any activities or providing services in relation thereto provided that each member of the Holdco Board shall be entitled to incur reasonable expenses for travel and/or training in respect of the director’s role on the Holdco Board, in accordance with policies established by the Holdco Board from time to time and approved by the City.
- (b) Officers – Any officer of Holdco who is also a Municipal Member or an employee of, or consultant to, the City or any agency, board, commission or corporation of the City, shall not receive any compensation for serving in such capacity in addition to such officer’s compensation, if any, as an employee of or consultant to the City.

6. Directors of GHI and its Subsidiaries

6.1 Qualifications – In addition to sound judgement and personal integrity, the qualifications of candidates for the Board of GHI and of any Subsidiary may include:

- (a) awareness of public policy issues related to GHI or the Subsidiary, as applicable;
- (b) relevant business expertise and industry knowledge including, but not limited to, knowledge of electric utilities, energy conservation and demand management and electricity generation;
- (c) experience on boards of significant commercial corporations;

- (d) financial, legal, accounting and/or marketing experience; and
 - (e) knowledge and experience with risk management strategy.
- 6.2 Residency – Preference may be given to qualified candidates for the Board of GHI or any GHI Subsidiary who are residents of the City, however non-residents of the City shall not be excluded from serving as GHI or a GHI Subsidiary Board members.
- 6.3 Composition of Board – The Board of GHI shall be comprised of seven (7) Private Directors who have been recommended by GHI to Holdco and by Holdco to the City, and appointed by Holdco, subject to the approval of Council. Where Holdco does not accept a candidate recommended by GHI, Holdco shall provide the reasons for such decision to GHI.
- 6.4 Chair of GHI and any GHI Subsidiary – The Chair of GHI or of any GHI Subsidiary shall be a Private Director appointed by the respective Board.
- 6.5 Term – Subject to Holdco’s right to remove a director from office, the term for each member of the GHI Board shall be as follows:
- (a) All Private Directors may serve for three year terms; and
 - (b) Any member of the GHI Board may serve for successive terms as determined by Holdco.
- 6.6 Board Committees – The GHI Board may establish committees of the Board at the Board’s discretion. These committees may include the following:
- (a) Audit and Finance Committee to review financial results;
 - (b) Governance Committee to address governance matters; and
 - (c) Nominating Committee to identify, evaluate and recommend candidates for the GHI Board to Holdco.
- 6.7 Role of Nominating Committee – Holdco shall consider candidates nominated by the Nominating Committee of the GHI Board, but shall not be obliged to select such candidates. Where Holdco has not accepted a candidate recommended by GHI, it shall provide an explanation of its decision to GHI. It is expected that the GHI Nominating Committee will develop a process to identify and evaluate potential Board candidates in order for GHI to recommend a slate of qualified candidates to Holdco for the purpose of Holdco’s appointment of the directors of GHI, subject to approval of Council.
- 6.8 Directors Compensation
- (a) The GHI Board may establish compensation for members of the GHI Board and the Chair of GHI and members of the Board(s) of its Subsidiaries in amounts

sufficient to attract candidates with necessary qualifications and consistent with industry norms and standards for comparable businesses.

- (b) The GHI Board shall establish a compensation plan for members of the Board and the Chair of GHI and its Subsidiaries. The GHI Board may, in determining such compensation plan, have reference to compensation of the members of the board of directors of companies that are engaged in comparable businesses, including municipally-owned Ontario electricity distributors and their affiliates of similar size. GHI shall from time to time and not less than annually provide information to Holdco and to Council in respect of the compensation plan for directors together with any studies, surveys or other information on which such compensation plan was based.
- (c) Compensation for each member of the Board of GHI and its Subsidiaries in whatever form, whether monetary, non-monetary, in-kind, stipends or expenses (including without limitation expenses for travel, accommodation, conferences, seminars or other education, whether reimbursements, advances, and whether required or appropriate for a director or not) shall be itemized and described in reasonable detail and provided in writing to Holdco on at least an annual basis in respect of a financial year not later than 60 days following the end of such financial year and, from time to time at the request of Holdco in respect of a period designated by Holdco within 30 days following such request.

6.9 Directors of Subsidiaries – The directors of the GHI Subsidiaries shall be chosen by the GHI Board and shall serve for such term as the GHI Board shall determine. The directors of GHESI shall be subject to the requirements contained in the OEB’s Affiliate Relationships Code from time to time.

7. Dividend Policies, Risk Management and Strategic Objectives for Holdco

7.1 The Holdco Board shall establish policies addressing the following matters:

- (a) Dividends – to ensure the payment of an annual dividend from Holdco consistent with the Holdco Dividend Policy attached as Schedule “B-1”;
- (b) Risk Management – to ensure that each Subsidiary has adopted appropriate risk management strategies and internal controls consistent with industry norms in order to manage all risks related to the businesses conducted by Holdco Subsidiaries; and
- (c) Strategic Objectives – to provide input to GHI as to the City’s long term strategic objectives for GHI and its Subsidiaries which are consistent with the maintenance of a viable, competitive business and preservation of the value of the businesses of GHI and its Subsidiaries for the City.

8. Best Practice Principles for GHI and GHI Subsidiaries and GHI Role in the Community Energy Initiative

8.1 Best Practice Principles

In the conduct of its operations, the GHI Board shall abide by the following principles and target compliance with the corporate governance rules of the Canadian securities regulators:

- (a) Capital Structure – to develop and maintain a prudent financial and capitalization structure consistent with industry norms and sound financial principles and established on the basis that all Subsidiaries are intended to be self financing entities;
- (b) Distribution Rates – to ensure the establishment by GHESI of just and reasonable rates for the regulated distribution business of GHESI, which are:
 - (i) consistent with similar utilities in comparable growth areas and as may be permitted under the OEB Act;
 - (ii) intended to enhance the value of GHESI; and
 - (iii) consistent with the encouragement of economic development and activity within the City of Guelph;
- (c) Returns – to enhance value to the City by generating a reasonable return:
 - (i) through the payment of dividends, interest or otherwise;
 - (ii) in respect of GHESI, comparable to the returns on the regulated distribution businesses received by other comparable municipalities as permitted by the OEB pursuant to the OEB Act;
 - (iii) consistent with a prudent financial and capitalization structure and, in respect of GHESI, maintaining just and reasonable rates;
- (d) Dividends – subject to compliance with the Conditions Precedent stated therein to ensure the payment of an annual dividend from GHI to Holdco consistent with the GHI Dividend Policy attached as Schedule “B-2”;
- (e) Risk Management – to manage all risks related to the business conducted by GHI and its Subsidiaries, through the adoption of appropriate risk management strategies and internal controls consistent with industry norms; and
- (f) Strategic Planning – to develop a long range strategic plan for GHI and its Subsidiaries which is consistent with the maintenance of a viable, competitive business and preserves the value of the business for the City.

8.2 Community Energy Initiative – The City acknowledges its intention that GHI will play a significant role in the development and implementation of the Community Energy Initiative. The City and GHI shall communicate regularly through the Mayor’s Task Force on the Community Energy Initiative, or such other task force or committee of Council which may be established from time to time in respect of the implementation of the Community Energy Initiative. It is the City’s intention that the City and GHI will work collaboratively to jointly develop a memorandum of understanding outlining the roles, management and administrative structures among the City, GHI and GHI’s Subsidiaries in respect of the Community Energy Initiative.

9. **Decisions of the City & Shareholder Representative**

9.1 Shareholder Representative – The City hereby designates the Chief Administrative Officer of the City or the individual designated by the Chief Administrative Officer of the City from time to time as its legal representative (the “**Shareholder Representative**”) for purposes of communicating to the Holdco Board pursuant to Subsection 9.2, any consent or approval required by this Shareholder Declaration or by the OBCA.

9.2 City Approval – Approvals or decisions of the City required pursuant to this Shareholder Declaration or the OBCA shall require a resolution or bylaw of Council passed at a meeting of Council and shall be communicated in writing to Holdco’s Board and signed by the Shareholder Representative and/or the Mayor.

9.3 Holdco Approvals – Approvals or decisions of Holdco required pursuant to this Shareholder Declaration shall require a resolution of the Holdco Board and, where expressly required pursuant to this Shareholder Declaration, the approval of the City and communicated in writing to the GHI Board.

10. **Holdco Reports to City and Business Plan**

10.1 Regular Reporting – Holdco shall, from time to time, but at least annually, report to Council on major business developments or materially significant results in respect of Holdco or any Subsidiary, and the chair of GHI shall attend such meetings of Council where reports are made in respect of GHI or any GHI Subsidiaries, and such reports may be received and considered by the City at an in camera meeting of Council subject to the requirements of the *Municipal Act* and other applicable Laws.

10.2 Business Plan – Holdco shall promptly provide the City with the business plan (the “**Holdco Business Plan**”) for Holdco and GHI on an annual basis prior to the end of each financial year of Holdco, GHI and GHI’s Subsidiaries. The Holdco Business Plan shall include all of the following:

- (a) the strategic objectives that Holdco, GHI and GHI’s Subsidiaries will undertake;
- (b) an operating budget for Holdco for the next financial year and an operating and capital expenditure budget on a consolidated basis for GHI’s next financial year and an operating and capital expenditure projection on a consolidated basis for

GHI for each of the two subsequent financial years, including the resources necessary to implement the Holdco Business Plan;

- (c) the projected annual revenues and Net Income for Holdco, GHI and GHI's Subsidiaries for the following two financial years; and
- (d) any material variances from the Holdco Business Plan then in effect.

10.3 Annual Report to Council – Within six months after the end of each financial year of Holdco, Holdco shall report to a public meeting of Council and the Chair shall attend such meeting and provide the following information with respect to Holdco, GHI and GHI's Subsidiaries and the chair of GHI shall also be present at such public meeting:

- (a) unconsolidated financial statements for GHI and each GHI Subsidiary; and
- (b) such additional information as the City may specify from time to time.

10.4 Confirmation of Compliance – The Holdco Board shall, in a confidential report to Council, annually confirm by the end of each financial year that it has complied with the requirements of this Shareholder Declaration and is in compliance with applicable Laws and that it has received a similar confirmation of compliance from the Board of GHI.

10.5 Confidentiality

- (a) Except as required by applicable law or any Governmental Authority and except for the annual report to Council pursuant to Section 10.3, the City shall treat as confidential each Holdco Business Plan and all other information provided to it in confidence pursuant to this Section 10, subject to the Municipal Act and applicable Laws. The parties acknowledge that information that is in the custody or under the control of the City or Holdco is subject to the access provisions of MFIPPA.
- (b) The City acknowledges that GHI shall, from time to time, supply it in confidence with confidential information, the disclosure of which could reasonably be expected to significantly prejudice the competitive position of or interfere with contractual or other negotiations of GHI, or result in undue loss to GHI, and the City shall protect such information in accordance with the exemption for third party information in Section 10 of MFIPPA.
- (c) The City shall inform GHI of any request made for access to information supplied to the City by GHI, permit GHI an opportunity to make representations on the disclosure of such information, and consider any such representations prior to disclosing or permitting access to the information and shall provide GHI with notice of its decision concerning any such request for access to information of GHI or any of its Subsidiaries.

11. GHI Reports to Holdco and Business Plan

11.1 Regular Reporting

- (a) GHI shall, from time to time but at least semi-annually, report to Holdco on major business developments or materially significant results in respect of GHI or any GHI Subsidiary and, on an immediate basis, any material event or results in respect of GHI or any GHI Subsidiary.
- (b) Upon written notice by Holdco following a resolution to that effect passed by the Holdco Board that such access is required or appropriate due to extraordinary circumstances as determined in the reasonable belief of the Holdco Board:
 - (i) the CEO of Holdco, or his/her designate, shall have unrestricted access to the books and records of any Subsidiary of Holdco during normal business hours. Such Persons shall treat all confidential information of each Subsidiary of Holdco with the same level of care and confidentiality as any confidential information of Holdco and shall ensure that such access shall not disrupt the normal conduct of business; and
 - (ii) each Subsidiary shall provide such information relating to the operations, business and affairs of such corporation as is requested. The Subsidiary shall provide the requested information within 30 days after the request is received, provided however that if the information is required by the Holdco Board by resolution on an urgent basis, the Subsidiary shall use its best efforts to provide such information within five (5) business days of receipt of the request, or within such other time frame as may be specified.

11.2 Business Plan – GHI shall promptly provide Holdco with the business plan for each financial year as approved by the GHI Board (the “**GHI Business Plan**”) for GHI and for each of the GHI Subsidiaries prior to the end of each financial year of GHI or each GHI Subsidiary. The GHI Business Plan shall include all of the following:

- (a) the strategic direction and any new business initiatives that GHI will undertake;
- (b) an operating and capital expenditure budget for the next financial year and an operating and capital expenditure projection for each of the two subsequent financial years, including the resources necessary to implement the GHI Business Plan and whether and how retained earnings for each year are to be allocated;
- (c) the projected annual revenues and Net Income for the following two financial years; and
- (d) any material variances from the GHI Business Plan then in effect.

11.3 Annual Report to Holdco – Within six months after the end of each financial year, GHI shall provide the following information to Holdco:

- (a) consolidated financial statements for GHI and unconsolidated financial statements for GHI and each GHI Subsidiary as at the end of such financial year;
- (b) a business performance report, including an analysis of variances to plan for the last completed financial year;
- (c) such additional information as Holdco may specify from time to time for the last completed financial year.

11.4 Confirmation of Compliance – At the end of each financial year the GHI Board shall confirm to Holdco in writing that GHI and its Subsidiaries have complied with the requirements of this Shareholder Declaration, that GHI is in compliance with all applicable Laws, and that GHI has received a similar confirmation of compliance from the Board of each GHI Subsidiary.

11.5 Confidentiality

- (a) Except as required by applicable Law or any Governmental Authority, the City and Holdco shall treat as confidential each GHI Business Plan and all other information provided to it in confidence pursuant to this Section 11, subject to the Municipal Act and applicable Laws. The parties acknowledge that information that is in the custody or under the control of the City or Holdco is subject to the access provisions of MFIPPA.
- (b) Holdco acknowledges that GHI shall, from time to time, supply it in confidence with confidential information, the disclosure of which could reasonably be expected to significantly prejudice the competitive position of or interfere with contractual or other negotiations of GHI, or result in undue loss to GHI, and Holdco shall protect such information in accordance with the exemption for third party information in Section 10 of MFIPPA.
- (c) Holdco shall inform GHI of any request made for access to information supplied to Holdco by GHI, permit GHI an opportunity to make representations on the disclosure of such information, and consider any such representations prior to disclosing or permitting access to the information and shall provide GHI with notice of its decision concerning any such access request concerning GHI or any GHI Subsidiary.

12. Annual Resolutions

- (a) The City shall, at an in camera meeting of Council, consider candidates for the Holdco Board as proposed by the Holdco Nominating Committee and the appointment of the auditors of Holdco and receive the audited financial statements of Holdco for the last completed financial year;

- (b) The City, by resolution in writing signed in accordance with Section 9.2, shall appoint the necessary members of the Holdco Board and appoint the auditors for Holdco and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA; and
- (c) Holdco by resolution in writing shall appoint the necessary members of the GHI Board and appoint the auditors for GHI and its Subsidiaries and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA, subject to approval of Council.

13. Matters Requiring City or Holdco Approval

13.1 Approvals in Respect of Holdco – The City hereby directs Holdco at all times to seek the approval of the City in respect of each of the following matters prior to Holdco undertaking or causing to be undertaken any of the following matters with respect to Holdco:

- (a) Entry into one or more transactions to acquire or be acquired, whether by way of purchase or otherwise, of, or merger or amalgamation with, any one or more Persons;
- (b) Execution of any memorandum of understanding or other material and binding document with any Person in relation to any transaction described in paragraph (a) of this Subsection 13.1 with respect to Holdco, or any public announcement or disclosure in relation to such discussions or document;
- (c) changing or removing any restriction on the business of Holdco;
- (d) creating new classes of shares of Holdco or any Subsidiary or in any other manner to amend the articles to reduce or increase the number of directors of Holdco or any Subsidiary;
- (e) enter into one or more mergers or amalgamations of Holdco or any Subsidiary with any other corporation(s), other than another Subsidiary;
- (f) the institution of proceedings for any winding-up, arrangement or dissolution of Holdco or any Subsidiary;
- (g) appointment of auditors of Holdco;
- (h) an application to continue Holdco or any Subsidiary as a corporation under the laws of another jurisdiction;
- (i) issue, or enter into any agreement to issue, any shares of any class, or any securities convertible into any shares of any class of Holdco or any Subsidiary;
- (j) redeem or purchase any outstanding shares of Holdco or any Subsidiary;

- (k) in any financial year, enter into one or more transactions which individually or in the aggregate, except as provided in the Business Plan, result in the disposition, lease or sale of any part of the business of Holdco or any Subsidiary equal to or greater than 25% of the Book Value of Holdco on a consolidated basis;
- (l) any change in the dividend policy of Holdco or any Subsidiary;
- (m) any sale, transfer or other disposition by Holdco of any of the shares of any Subsidiary;
- (n) engaging in any business activity other than as expressly permitted under Section 3;
- (o) salary, benefits and other compensation of members of the Holdco Board or any officers of Holdco;
- (p) election, replacement, composition and number of members of the Holdco Board;
- (q) appointment and replacement of officers of Holdco;
- (r) directors and officers insurance arrangements for Holdco; and
- (s) entry by Holdco into any joint venture, partnership, strategic alliance or other venture, which would require an investment, or which would have a financial impact greater than 25% of the Book Value of Holdco.

13.2 City Approval Required – The City hereby directs Holdco at all times to seek the approval of the City in respect of each of the matters requiring Holdco approval pursuant to Section 13.3.

13.3 Approvals in Respect of GHI and its Subsidiaries – Holdco hereby directs GHI at all times to seek the approval of Holdco in respect of each of the following matters prior to undertaking or causing to be undertaken any of the following matters with respect to GHI or any Subsidiary:

- (a) Entry into one or more transactions to acquire or be acquired, whether by way of purchase or otherwise, of, or merger or amalgamation with, any one or more Persons, which transactions have a value of greater than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis; provided that (i) GHI shall have the authority without seeking the approval of Holdco to approve any of the foregoing which involves a transaction with a financial impact less than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis; and (ii) any of the foregoing transactions involving GHESI shall require the prior written approval of Holdco and the City regardless of the size of the transaction;
- (b) Execution of any binding memorandum of understanding or other binding and material document with any Person in relation to any transaction described in paragraph (a) of this Subsection 13.3 with respect to GHESI or another licensed

- electricity distributor, or any public announcement or disclosure in relation to such discussions or document;
- (c) changing or removing any restriction on the business of GHI or a GHI Subsidiary;
 - (d) creating new classes of shares of GHI or any GHI Subsidiary or in any other manner to amend the articles of GHI to reduce or increase the number of directors of GHI or a GHI Subsidiary;
 - (e) enter into one or more amalgamations of GHI or any GHI Subsidiary with any other corporation(s) other than another Subsidiary of GHI;
 - (f) the institution of proceedings for any winding-up, arrangement or dissolution of GHI or any GHI Subsidiary;
 - (g) appointment of auditors of GHI and any GHI Subsidiary;
 - (h) an application to continue GHI or any GHI Subsidiary as a corporation under the laws of another jurisdiction;
 - (i) issue, or enter into any agreement to issue, any shares of any class, or any securities convertible into any shares of any class of GHI or any GHI Subsidiary;
 - (j) redeem or purchase any outstanding shares of GHI or any GHI Subsidiary;
 - (k) in any financial year, enter into one or more transactions which individually or in the aggregate, except as provided in the Business Plan, result in the disposition, lease or sale of any part of the business of GHI or any GHI Subsidiary equal to or greater than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis provided that GHI shall have the authority without seeking the approval of Holdco to approve any of the foregoing which involves a transaction with a financial impact of less than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis;
 - (l) any change in the dividend policy of GHI;
 - (m) any sale, transfer or other disposition by GHI of any of the shares of any GHI Subsidiary;
 - (n) engaging in any business activity other than as expressly permitted under Section 3;
 - (o) election, replacement, composition and number of members of the GHI Board;
 - (p) creation or acquisition of shares in the capital of any GHI Subsidiary; and
 - (q) entry into any joint venture, partnership, strategic alliance or other venture, including, without limitation, ventures in respect of the generation or co

generation of electricity, which would require an investment, or which would have a financial impact greater than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis provided that GHI shall have the authority without seeking the approval of Holdco to approve any of the foregoing which involves a transaction with a financial impact of less than 25% of the Book Value of GHI and its Subsidiaries on a consolidated basis.

- 13.4 Declaration to GHESI and Ecotricity – GHI hereby directs each of GHESI and Ecotricity at all times to seek the approval of GHI in respect of each of the matters enumerated in Subsection 13.3 prior to such corporation undertaking or causing to be undertaken any of such matters.

14. Revisions to this Shareholder Declaration

The City acknowledges that this Shareholder Declaration may be revised from time to time as circumstances may require and:

- (a) that the City will consult with the Holdco Board; and
- (b) the City and Holdco will consult with the GHI Board.

prior to completing any revisions and will promptly provide the affected Holdco Board or GHI Board, as the case may be, with copies of such revisions.

15. Holdco Activities

Holdco shall have no employees. All activities and business of Holdco shall be carried out pursuant to a services agreement between Holdco and the City substantially in the form of Schedule C or as otherwise agreed by Holdco and the City. Holdco shall promptly prepare, finalize and execute a services agreement following the effective date of this Shareholder Declaration.

16. Notices

- (a) Any notice, designation, communication, request, demand or other document, required or permitted to be given or sent or delivered to or from the City, Holdco or a Subsidiary shall be in writing and shall be sufficiently given or sent or delivered if it is:
 - (i) delivered personally,
 - (ii) sent to the party entitled to receive it by registered mail, postage prepaid, mailed in Canada, or
 - (iii) sent by facsimile.

(b) Notices shall be sent to the following addresses or facsimile numbers:

(i) in the case of the City,

The Corporation of the City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario

Attention: Chief Administrative Officer

Facsimile: (519) 822-8277

(ii) in the case of Holdco,

Guelph Municipal Holdings Inc.
City Hall, 1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Chief Executive Officer

Facsimile: (519) 822-8277

(iii) in the case of GHI,

Guelph Hydro Inc.
395 Southgate Drive
Guelph, Ontario
N1G 4Y1

Attention: Chief Executive Officer

Facsimile: (519) 836-1055

(iv) in the case of GHESI,

Guelph Hydro Electric Systems Inc.
395 Southgate Drive
Guelph, Ontario
N1G 4Y1

Attention: Chief Operating Officer

Facsimile: (519) 836-1055

(v) in the case of Ecotricity,

395 Southgate Drive
Guelph, Ontario
N1G 4Y1

Attention: Chief Executive Officer of GHI

Facsimile: (519) 836-1055

or to such other address or telecopier number as the party entitled to or receiving such notice, designation, communication, request, demand or other document shall, by a notice given in accordance with this Section, have communicated to the party giving or sending or delivering such notice, designation, communication, request, demand or other document.

- (c) Any notice, designation, communication, request, demand or other document given or sent or delivered as aforesaid shall:
- (i) if delivered as aforesaid, be deemed to have been given, sent, delivered and received on the date of delivery;
 - (ii) if sent by mail as aforesaid, be deemed to have been given, sent, delivered and received (but not actually received) on the fourth Business Day following the date of mailing, unless at any time between the date of mailing and the fourth Business Day thereafter there is a discontinuance or interruption of regular postal service, whether due to strike or lockout or work slowdown, affecting postal service at the point of dispatch or delivery or any intermediate point, in which case the same shall be deemed to have been given, sent, delivered and received in the ordinary course of the mails, allowing for such discontinuance or interruption of regular postal service; and
 - (iii) if sent by telecopy machine, be deemed to have been given, sent, delivered and received on the date the sender receives the telecopy answer back confirming receipt by the recipient.

17. Replacement of Previous Declarations

The GHI Declaration is hereby terminated and of no further force or effect as of the effective date of this Shareholder Declaration.

18. New Subsidiaries

GHI shall ensure that any new or additional wholly-owned Subsidiary acquired or incorporated by it from time to time shall become a party to this Shareholder Declaration and that the provisions hereof shall apply to it *mutatis mutandis*.

DATED at Guelph, Ontario, as of the date first written above.

**THE CORPORATION OF THE CITY OF
GUELPH**

By: _____
Name:
Title:

By: _____
Name:
Title:

GUELPH MUNICIPAL HOLDINGS INC.

By: _____
Name:
Title:

By: _____
Name:
Title:

GUELPH HYDRO INC.

By: _____
Name:
Title:

By: _____
Name:
Title:

**GUELPH HYDRO ELECTRIC SYSTEMS
INC.**

By: _____
Name:
Title:

By: _____
Name:
Title:

ECOTRICITY GUELPH INC.

By: _____

Name:

Title:

By: _____

Name:

Title:

SCHEDULE “A”

EXCERPTS FROM CANADIAN SECURITIES ADMINISTRATORS (CSA) CORPORATE GOVERNANCE GUIDELINES¹

PART 2 – PURPOSE AND APPLICATION

2.1 Purpose of this Policy

This Policy provides guidance on corporate governance practices which have been formulated to:

- achieve a balance between providing protection to investors and fostering fair and efficient capital markets and confidence in capital markets;
- be sensitive to the realities of the greater numbers of small companies and controlled companies in the Canadian corporate landscape;
- take into account the impact of corporate governance developments in the U.S. and around the world; and
- recognize that corporate governance is evolving.

The guidelines in this Policy are not intended to be prescriptive. We encourage issuers to consider the guidelines in developing their own corporate governance practices.

2.2 Application

This Policy applies to all reporting issuers, other than investment funds. Consequently, it applies to both corporate and non-corporate entities. Reference to a particular corporate characteristic, such as a board of directors (the board), includes any equivalent characteristic of a non-corporate entity. For example, in the case of a limited partnership, we recommend that a majority of the directors of the general partner should be independent of the limited partnership (including the general partner).

PART 3 – MEANING OF INDEPENDENCE

3.1 Meaning of Independence

For the purposes of this Policy, a director is independent if he or she would be independent for the purposes of National Instrument 58-101 *Disclosure of Corporate Governance Practices*.

¹ These excerpts are from the CSA Corporate Governance Guidelines National Policy 58-201 in effect as at the date of the signing of the Shareholder Declaration.

PART 4 – CORPORATE GOVERNANCE GUIDELINES

4.1 Composition of the Board

- (a) The board should have a majority of independent directors.
- (b) The chair of the board should be an independent director. Where this is not appropriate, an independent director should be appointed to act as “lead director”. However, either an independent chair or an independent lead director should act as the effective leader of the board and ensure that the board's agenda will enable it to successfully carry out its duties.

4.2 Meetings of Independent Directors

The independent directors should hold regularly scheduled meetings at which non-independent directors and members of management are not in attendance.

4.3 Board Mandate

The board should adopt a written mandate in which it explicitly acknowledges responsibility for the stewardship of the issuer, including responsibility for:

- (a) to the extent feasible, satisfying itself as to the integrity of the chief executive officer (the CEO) and other executive officers and that the CEO and other executive officers create a culture of integrity throughout the organization;
- (b) adopting a strategic planning process and approving, on at least an annual basis, a strategic plan which takes into account, among other things, the opportunities and risks of the business;
- (c) the identification of the principal risks of the issuer’s business, and ensuring the implementation of appropriate systems to manage these risks;
- (d) succession planning (including appointing, training and monitoring senior management);
- (e) adopting a communication policy for the issuer;
- (f) the issuer’s internal control and management information systems; and
- (g) developing the issuer’s approach to corporate governance, including developing a set of corporate governance principles and guidelines that are specifically applicable to the issuer.²

² Issuers may consider appointing a corporate governance committee to consider these issues. A corporate governance committee should have a majority of independent directors, with the remaining members being “non-management” directors.

The written mandate of the board should also set out:

- (i) measures for receiving feedback from stakeholders (e.g., the board may wish to establish a process to permit stakeholders to directly contact the independent directors), and
- (ii) expectations and responsibilities of directors, including basic duties and responsibilities with respect to attendance at board meetings and advance review of meeting materials.

In developing an effective communication policy for the issuer, issuers should refer to the guidance set out in National Policy 5 1-201 *Disclosure Standards*.

For purposes of this Policy, “executive officer” has the same meaning as in National Instrument 5 1-102 *Continuous Disclosure Obligations*.

4.4 Position Descriptions

The board should develop clear position descriptions for the chair of the board and the chair of each board committee. In addition, the board, together with the CEO, should develop a clear position description for the CEO, which includes delineating management’s responsibilities. The board should also develop or approve the corporate goals and objectives that the CEO is responsible for meeting.

4.5 Orientation and Continuing Education

The board should ensure that all new directors receive a comprehensive orientation. All new directors should fully understand the role of the board and its committees, as well as the contribution individual directors are expected to make (including, in particular, the commitment of time and resources that the issuer expects from its directors). All new directors should also understand the nature and operation of the issuer’s business.

The board should provide continuing education opportunities for all directors, so that individuals may maintain or enhance their skills and abilities as directors, as well as to ensure their knowledge and understanding of the issuer's business remains current.

4.6 Code of Business Conduct and Ethics

The board should adopt a written code of business conduct and ethics (a code). The code should be applicable to directors, officers and employees of the issuer. The code should constitute written standards that are reasonably designed to promote integrity and to deter wrongdoing. In particular, it should address the following issues:

- (a) conflicts of interest, including transactions and agreements in respect of which a director or executive officer has a material interest;
- (b) protection and proper use of corporate assets and opportunities;

- (c) confidentiality of corporate information;
- (d) fair dealing with the issuer's security holders, customers, suppliers, competitors and employees;
- (e) compliance with laws, rules and regulations; and
- (f) reporting of any illegal or unethical behaviour.

The board should be responsible for monitoring compliance with the code. Any waivers from the code that are granted for the benefit of the issuer's directors or executive officers should be granted by the board (or a board committee) only.

Although issuers must exercise their own judgement in making materiality determinations, the Canadian securities regulatory authorities consider that conduct by a director or executive officer which constitutes a material departure from the code will likely constitute a "material change" within the meaning of National Instrument 51-102 *Continuous Disclosure Obligations*. National Instrument 51-102 requires every material change report to include a full description of the material change. Where a material departure from the code constitutes a material change to the issuer, we expect that the material change report will disclose, among other things:

- the date of the departure(s),
- the party(ies) involved in the departure(s),
- the reason why the board has or has not sanctioned the departure(s), and
- any measures the board has taken to address or remedy the departure(s).

4.7 Nomination of Directors

The board should appoint a nominating committee composed entirely of independent directors.

The nominating committee should have a written charter that clearly establishes the committee's purpose, responsibilities, member qualifications, member appointment and removal, structure and operations (including any authority to delegate to individual members and subcommittees), and manner of reporting to the board. In addition, the nominating committee should be given authority to engage and compensate any outside advisor that it determines to be necessary to permit it to carry out its duties. If an issuer is legally required by contract or otherwise to provide third parties with the right to nominate directors, the selection and nomination of those directors need not involve the approval of an independent nominating committee.

Prior to nominating or appointing individuals as directors, the board should adopt a process involving the following steps:

- (a) Consider what competencies and skills the board, as a whole, should possess. In doing so, the board should recognize that the particular competencies and skills required for one issuer may not be the same as those required for another.
- (b) Assess what competencies and skills each existing director possesses. It is unlikely that any one director will have all the competencies and skills required by the board. Instead, the board should be considered as a group, with each individual making his or her own contribution. Attention should also be paid to the personality and other qualities of each director, as these may ultimately determine the boardroom dynamic.

The board should also consider the appropriate size of the board, with a view to facilitating effective decision-making.

In carrying out each of these functions, the board should consider the advice and input of the nominating committee.

The nominating committee should be responsible for identifying individuals qualified to become new board members and recommending to the board the new director nominees for the next annual meeting of shareholders.

In making its recommendations, the nominating committee should consider:

- (a) the competencies and skills that the board considers to be necessary for the board, as a whole, to possess;
- (b) the competencies and skills that the board considers each existing director to possess; and
- (c) the competencies and skills each new nominee will bring to the boardroom.

The nominating committee should also consider whether or not each new nominee can devote sufficient time and resources to his or her duties as a board member.

4.8 Compensation

The board should appoint a compensation committee composed entirely of independent directors.

The compensation committee should have a written charter that establishes the committee's purpose, responsibilities, member qualifications, member appointment and removal, structure and operations (including any authority to delegate to individual members or subcommittees), and the manner of reporting to the board. In addition, the compensation committee should be given authority to engage and compensate any outside advisor that it determines to be necessary to permit it to carry out its duties.

The compensation committee should be responsible for:

- (a) reviewing and approving corporate goals and objectives relevant to CEO compensation, evaluating the CEO's performance in light of those corporate goals and objectives, and determining (or making recommendations to the board with respect to) the CEO's compensation level based on this evaluation;
- (b) making recommendations to the board with respect to non-CEO officer and director compensation, incentive-compensation plans and equity-based plans; and
- (c) reviewing executive compensation disclosure before the issuer publicly discloses this information.

4.9 Regular Board Assessments

The board, its committees and each individual director should be regularly assessed regarding his, her or its effectiveness and contribution. An assessment should consider:

- (a) in the case of the board or a board committee, its mandate or charter, and
- (b) in the case of an individual director, the applicable position description(s), as well as the competencies and skills each individual director is expected to bring to the board.

SCHEDULE “B-1”

GUELPH MUNICIPAL HOLDINGS INC. DIVIDEND POLICY

The dividend policy of Holdco is predicated on the mandate of the Holdco Board which includes maximizing City value. Such value is generally realized by the City through dividends or the appreciation of City investment. The Holdco Board shall declare and pay dividends from available Net Income and cash flow, as follows:

1. Regular Dividends at a dividend payment rate (DPR) of 100% of all annual Net Income, subject to the Conditions Precedent to the Payment of Dividends set out below.

2. Conditions Precedent to the Payment of Dividends

Dividends will be paid to the extent that such payment would not otherwise cause non-compliance with applicable Laws and that Holdco has cash on hand.

3. Payment of Dividends

Regular Dividends

Each year, at its meeting to approve the annual budget for the next financial year, the Board of Holdco will forecast the annual dividend by applying the DPR to budgeted earnings for the next financial year. Quarterly dividends will, subject to meeting the above Conditions Precedent to the Payment of Dividends, be targeted at up to 100% of Net Income of Holdco and paid April 15th (or shortly following the approval of the annual audited financial statements of the preceding year), June 1st, September 1st and December 1st. The first dividend of the financial year, targeted for payment on April 15th, will also include any adjustment to bring the total annual dividend for the preceding year to the full DPR level.

4. Reporting to City

Upon the payment of any dividend, Holdco shall provide an analysis to the City on whether and how the Conditions Precedent to the Payment of Dividends has reduced the amount of annual Net Income that would otherwise have been declared and paid in dividends, specifying the extent to which each element of such Conditions Precedent has reduced such amount.

In the event that the Holdco Board does not approve a payment of a Regular Dividend, the Holdco Board will promptly report the circumstances underlying the non-payment to the City and, thereafter, provide progress reports to the City on a quarterly basis until such time as the payment of Regular Dividends resumes.

SCHEDULE "B-2"

GUELPH HYDRO INC. DIVIDEND POLICY

The dividend policy of GHI is predicated on the mandate of the GHI Board which includes maximizing City value. Such value is generally realized by the City through dividends to Holdco or the appreciation of Holdco investments. The GHI Board shall declare and pay dividends from available Net Income and cash flow, as follows:

1. Regular Dividends at a dividend payment rate (DPR) of the greater of:

- (i) 50% of all annual Net Income of GHI; and
- (ii) \$1,500,000.00 (one million five hundred thousand dollars);

subject to the Conditions Precedent to the Payment of Dividends set out below.

2. Conditions Precedent to the Payment of Dividends

Dividends will be paid to the extent of cash on hand and that such payment would not otherwise cause:

- (a) non-compliance with applicable Laws;
- (b) a breach of contract or the immediate or anticipated failure to otherwise meet the terms of financing arrangements;
- (c) a material impairment in the operations and maintenance of the assets of the corporation;
- (d) a material impairment in financial prudence including capital investment in energy infrastructure by GHESI to sustain reliability and an appropriate level of reserves;
- (e) a material impairment in the ability to service the debt of GHI and its Subsidiaries;
- (f) a deterioration in the credit rating of GHI; and
- (g) a material impairment in the maintenance and growth of businesses, consistent with the Business Plan.

3. Payment of Dividends

Regular Dividends

Each year, at its meeting to approve the annual budget for the next financial year, the Board of Directors of GHI will forecast the annual dividend by applying the DPR to

budgeted earnings for the next financial year. Quarterly dividends will, subject to meeting the above Conditions Precedent to the Payment of Dividends, consist of 25% of the budgeted DPR for that financial year and paid April 15th (or shortly following the approval of the annual audited financial statements of the preceding year), June 1st, September 1st and December 1st. The first dividend of the financial year shall be declared and paid on April 15th and will also include any adjustment to bring the total annual dividend for the preceding year to the full DPR level.

4. Reporting to Holdco

Annually, GHI shall provide a detailed analysis on whether and how the Conditions Precedent to the Payment of Dividends have reduced the amount of annual Net Income that would otherwise have been declared and paid in dividends, specifying the extent to which each element of such Conditions Precedent (as enumerated in clauses (a) to (g) above under “Conditions Precedent to the Payment of Dividends”) has reduced such amount.

In the event that the GHI Board does not approve payment of a Regular Dividend, the Board will promptly report the circumstances underlying the non-payment to Holdco and, thereafter, provide progress reports on a quarterly basis until such time as the payment of Regular Dividends resumes.

SCHEDULE "C"

FORM OF SERVICES AGREEMENT BETWEEN HOLDCO AND THE CITY

SUPPORT SERVICES AGREEMENT

This agreement made this day of , 2009

Between:

GUELPH MUNICIPAL HOLDINGS INC.
(herein called "Holdco")

OF THE FIRST PART

-and-

THE CORPORATION OF THE CITY OF GUELPH
(Herein called the "City")

OF THE SECOND PART

WHEREAS Holdco requires certain support services in order to carry out its activities;

AND WHEREAS the City has staff and/or contractors capable of providing such support services;

NOW THEREFORE this agreement witnesses that, in consideration of the mutual covenants contained herein, the parties hereto hereby agree as follows:

Support services

1. The City shall provide support services, as set out herein, to Holdco, and Holdco shall pay the City for those support services, as set out herein.
2. The City shall provide support services to Holdco in the following areas:
3. The exact nature of the support services shall be as agreed by the relevant designated representatives of the parties.

Designated representatives

4. For purposes of administering the specified areas of support services, the following shall be the initial designated representatives of the parties:

<i>Support service area</i>	<i>Title of initial City designated representative</i>	<i>Title of initial Holdco designated representative</i>
-----------------------------	--	--

5. Each party may change its respective designated representatives from time to time, by notifying the other party.

Personnel

6. The support services shall be provided by staff and/or contractors retained by the City to provide services in areas relevant to the support services areas.
7. The City shall be solely responsible for determining which individuals perform the support services and for supervising those individuals. However the relevant designated representatives of Holdco may discuss with the relevant designated representatives of the City any issues related to specific individuals performing the work.

Fees and charges

8. After the end of each month, the City shall calculate the fees and charges for the support services provided by the City to Holdco for the month ended, and notify Holdco of those fees and charges.
9. The fees and charges shall be calculated based on the principle that Holdco shall reimburse the City fully for the costs incurred by the City in providing the support services.
10. The fees and charges may be based on hours worked, salaries, wages and benefits paid, liabilities assumed, supplies and utilities consumed, equipment used, travel and other expenses incurred, and any other costs whatsoever involved in providing the support services.
11. The fees and charges may be calculated in different ways for different areas of the support services and may, at the discretion of the City, be based on averages or estimates.
12. The City shall fully disclose to Holdco how all fees and charges are calculated.

- 13. The City may recalculate fees and charges from time to time, even retroactively or retrospectively, and Holdco shall be responsible for paying any amount owing after such recalculation.
- 14. Holdco shall pay any taxes imposed in respect of the support services provided or the fees and charges charged.

Dispute resolution

- 15. The parties and their designated representatives shall use their best efforts to resolve amicably and by discussion and negotiation, any disputes that may arise out of this agreement.
- 16. If a dispute between the parties, relevant to a specific support service area should arise, the designated representatives, relevant to that particular support service area shall attempt to resolve the dispute.
- 17. If a dispute cannot be resolved at the level of the relevant specific support service area, the designated representatives shall refer it to the City’s Council and Holdco’s Board.

Start and finish

- 18. This agreement shall commence on _____, 2009.
- 19. Either party hereto may terminate this agreement upon at least sixty (60) days’ written notice to the other party.

IN WITNESS WHEREOF the parties hereto have, by their proper officers duly authorized in that regard, hereto set their hands and seals.

SIGNED SEALED AND) DELIVERED) Date: _____)) GUELPH MUNICIPAL HOLDINGS INC.)) Per: _____) I have authority to bind the Corporation)))) THE CORPORATION OF THE CITY OF) GUELPH) Per: _____) I have authority to bind the Corporation
---	--

CORPORATE POLICY AND PROCEDURE



POLICY	Asset Transfers to Corporations Policy
CATEGORY	Finance
AUTHORITY	Municipal Act, 2001 and Ontario Regulation 599/06
APPROVED BY	Council
EFFECTIVE DATE	April 25, 2011
REVISION DATE	

POLICY STATEMENT

The City may, from time to time, Transfer Assets to corporations, including in accordance with the provisions of the Regulation.

The City shall comply with the requirements of the Municipal Act regarding the granting of bonuses or assistance.

The City may attach conditions to the Transfer of an Asset to a corporation, including what the corporation may do with the Asset, under what conditions the corporation may further Transfer the Asset, and how the Asset should be disposed of upon the winding-up, bankruptcy or dissolution of the corporation.

If the City proposes to transfer an asset, other than a grant, to a corporation that is wholly owned by the City, the asset shall be transferred to the corporation at audited net book value and the City Treasurer shall provide Council with an estimate of the audited net book value, prior to the transfer taking place

If the City proposes to Transfer an Asset, other than a grant, to a corporation that is not wholly owned by the City, the City Treasurer shall obtain an independent valuation of the fair market value of such Asset, prior to the transfer taking place.

If the City proposes to Transfer any grant to a corporation, the City Treasurer shall prepare a statement of the value of such grant.

If the City proposes to Transfer an Asset to a City Corporation and the Province of Ontario has contributed funds for the purchase or improvement of the Asset, then the City shall comply with the notice and other requirements of the Regulation.

If the City proposes to Transfer a right granted to the City in an agreement with the Province of Ontario, then the City shall obtain prior consent in compliance with the requirements of the Regulation.

PURPOSE

To enable the effective transfer of assets by the City to corporations consistent with Provincial legislation.

DEFINITIONS

For purposes of this policy:

“Asset” includes land, property, equipment, goods, capital shares in corporations, rights and grants of money;

“Audited Net Book Value” means the net difference between the assets and liabilities on the audited financial statements, without adjustment for goodwill or premiums that might be paid for the asset if it were to be exposed to the full market for sale.

“City Corporation” includes a corporation established by the City pursuant to the Municipal Act;

“Municipal Act” means the Municipal Act, 2001, S.O. 2001, c. 25, as amended or replaced from time to time;

“Regulation” means Ontario Regulation 599/06, made pursuant to the Municipal Act, as amended or replaced from time to time; and

“Transfer” means assign or convey.

GUELPH MUNICIPAL HOLDING COMPANY

BUSINESS CASE STUDY

PHASE 1: STRUCTURE AND DESIGN

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4	OBJECTIVES
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INTRODUCTION

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

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

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

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

Background

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

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

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

Purpose

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

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

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

OBJECTIVES

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

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

MANDATE

Holdco will strive to achieve the stated objectives. Specifically:

-
- a) Holdco will work with operating companies, investors and private partners as appropriate to maximize the value of current and future City-owned assets for the benefit of the community as a whole.
 - b) In its oversight role, Holdco will act as a catalyst for operational excellence.
 - c) Holdco will regularly and as required, advise, inform and make recommendations to the City as Shareholder on matters and opportunities pertaining to the operating companies reporting to Holdco.

GUIDING PRINCIPLES

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

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

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

Confidentiality

Except as required by applicable law or any government authority and except for the annual report to City Council, the City will treat as confidential each Holdco business plan and all other information provided to it in confidence, subject to the Ontario Business Corporations Act, the *Municipal Act* and applicable laws. Information that is in the custody or under the control of the City or Holdco is subject to the access provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

ALTERNATIVES

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

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

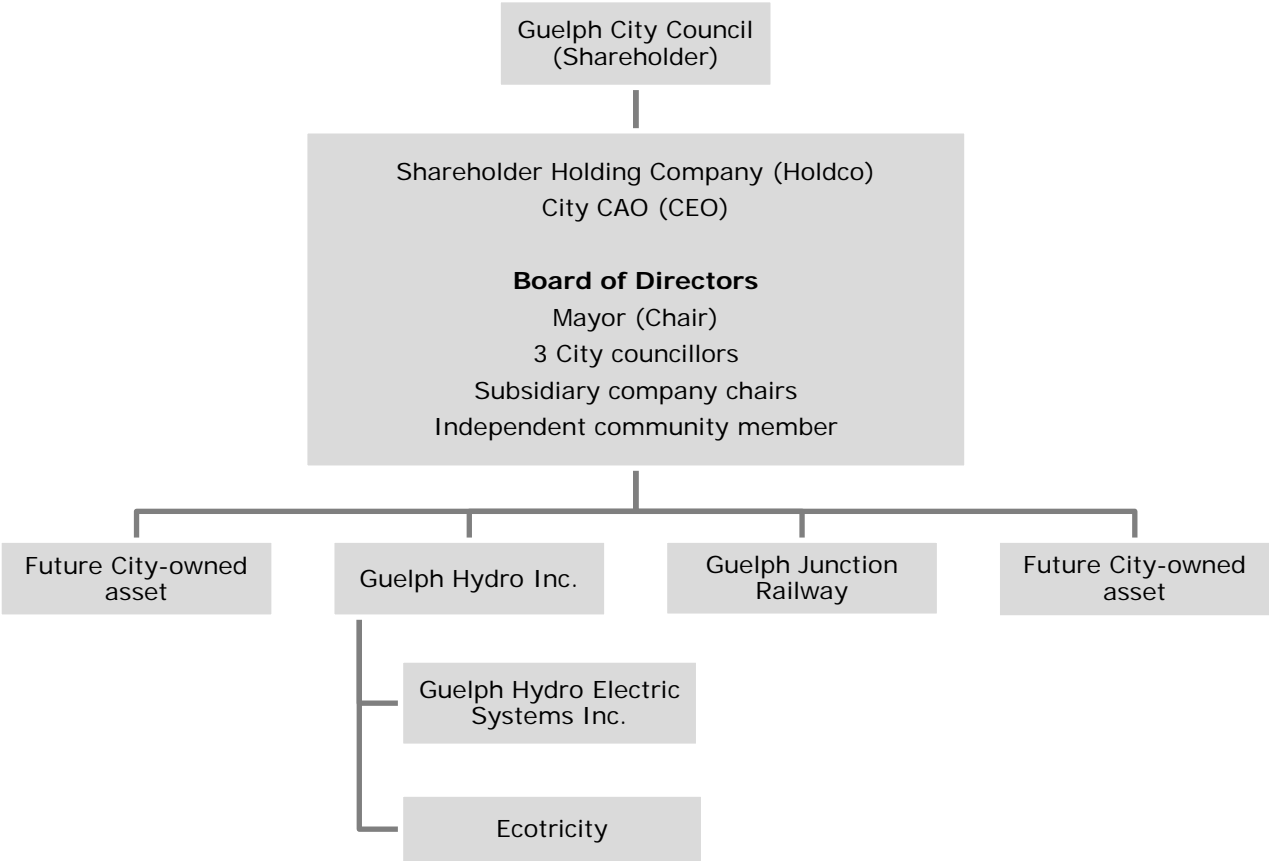
Overall assessment against evaluation criteria (including public accountability, transparency, flexibility of structure, funding constraints and requirements, financing opportunities, statutory requirements, potential conflicts of interest, risk and liability) led to the following conclusions:

- 1) That the benefits associated with a holding company model are significant and that this direction represents a necessary step in advancing prosperity and management excellence goals that will benefit the city as a whole.
- 2) That the current approach is not serving the current and future needs of existing subsidiaries or the residents of Guelph to the level that is possible.
- 3) That to achieve greater success going forward and realize the full potential of City-owned assets, the City believes that a new structure is required. Leadership, partnership and collaboration are the keys to success that will help continue to produce better and more reliable results.

PROPOSED STRUCTURE

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

Figure 1: Proposed holding company structure



GOVERNANCE

Applicable legislation

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

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

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

Board of Directors and Officers

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

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

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

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

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

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

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

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

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

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

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

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

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

Compensation

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

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

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

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

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

Additional responsibilities include:

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

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

RELATIONSHIP TO THE CITY

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

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

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

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

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

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

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

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

Other matters requiring Shareholder approval

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

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

PUBLIC ACCOUNTABILITY AND REPORTING

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

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

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

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

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

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

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

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

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

FINANCIAL CONSIDERATIONS

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

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

Although various City staff will provide significant resources to Holdco, it is expected that specific external expertise may be required on occasion to assist with special projects. These additional resources could be cost-shared, if necessary, between Holdco and the City with approval of Council. An operating budget detailing anticipated cost and revenue sources will be prepared by the board upon inception of the holding company.

Winding up provisions of the corporation

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

Operating budget

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

CONCLUSION

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

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

Consistent with other municipalities, specific requirements for key competencies among the holding company directors will ensure a variety of perspectives and skill sets to guide decision making and provide sound leadership. The new governance structure will enable

the fulfilment of stated objectives and the achievement of outcomes focused on the long term economic prosperity of the community.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Information Services
DATE April 11, 2011

SUBJECT Appointment of an Integrity Commissioner
REPORT NUMBER

RECOMMENDATION

That the report of the General Manager of Information Services, City Clerk dated April 11, 2011 regarding the Appointment of an Integrity Commissioner be received.

REPORT

Under the accountability and transparency provisions of the *Municipal Act, (MA)* a council has the discretion to appoint 4 positions (The City of Toronto is required to appoint these positions). One of these positions is the Integrity Commissioner who reports to Council and who is responsible for performing the functions assigned by the municipality regarding the code of conduct for members of council and for local boards. The other 3 positions are the Lobbyist Registrar, the Ombudsman and the Auditor General.

As far as we have determined, approximately 19 of 445 Ontario municipalities have established an integrity commissioner and the majority of those who have been appointed have a background in law. It is our understanding that similar to the AMO/LAS meeting investigation services, most municipalities have appointed the integrity commissioner on an annual retainer, with daily rates and expenses for actual investigations.

Below is a summary of information staff has been able to obtain with respect to municipalities that have Integrity Commissioners:

Town of Aurora
City of Barrie
City of Brampton
City of Brantford
Town of Caledon
City of Hamilton
City of Kitchener

City of Mississauga
Township of North Shore
Town of Oakville
Town of Port Hope
Town of Richmond Hill
City of Waterloo
Municipality of Wawa
Township of West Lincoln
Township of Wilmot
City of Woodstock
City of Windsor
Town of Vaughan

On September 22, 2008 council adopted a code of conduct for itself and its local boards. At that same meeting Council resolved to take no action regarding the discretionary positions since there was limited experience with them at that time and so it was determined that the appointment of the positions be reviewed at a later date. Council also directed City staff to develop a process for responding to a complaint regarding contraventions under the Code of Conduct.

On February 2, 2010, council resolved that the discretionary positions be re-visited during the next term of Council and on March 22, 2010 Council approved a process for responding to complaints regarding contraventions under the Code of Conduct. This process identified the CAO as the person responsible for ensuring that investigations of complaints regarding contraventions under the code of conduct be completed. The appointment of an Integrity Commissioner was deferred for consideration during the 2011 budget process.

Subsequently a budget package in the amount of \$6,800 was approved as part of the 2011 budget process.

Staff will be preparing an RFP to hire an integrity commissioner on retainer.

CORPORATE STRATEGIC PLAN

This report supports goal 5 of the Strategic Plan to have a community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

It is unpredictable as to how many, if any, requests the City would have for investigations under Council's Code of conduct. If there are no investigations, fees would be \$5,000 per year. If we receive any requests for investigations cost may vary dependant on the amount of the hourly rate for investigations, the number of investigations and the complexity of the investigations. Our research indicates that the hourly fees range from \$125 to \$350 per hour.

DEPARTMENTAL CONSULTATION

Not Applicable

COMMUNICATIONS

Not Applicable

Original Signed by:

Prepared By:

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

Original Signed by:

Recommended By:

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



Daniel Moore, MSW
Executive Director

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6484 Wellington Road 7
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January 21, 2011

Tina Agnello, Deputy City Clerk
City of Guelph
City Hall
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Ms Agnello:

Re: Appointment of City Councillor to F&CS Board of Directors

As requested we have reviewed your letter of December 22, 2010. This review was done by both the Governance and Executive Committees of our Board since the Board as a whole is not scheduled to meet until January 26th, 2011.

While we recognize that the City Council appointment to our Board is no longer required under legislation we do see tremendous value in this practice and we would hope to see an appointment continue in the future for the following reasons:

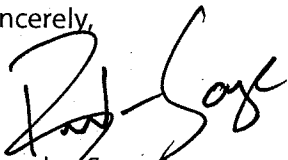
- F&CS is a community based agency that was incorporated in 1894, and while we are legislated and funded by the Ministry of Children and Youth Services our Board members and staff remain strongly committed to the delivery of child protection services that meet the needs of our local community of Guelph and Wellington County. Councillors from both the City and the County help in our organization's goal to remain a community focused agency. The County of Wellington continues to appoint a Councillor to our Board for this reason.
- We believe that the City of Guelph's stated vision for children and youth in our community corresponds with our vision. The years of collaboration between F&CS and the City have been enormously assisted by having a City appointed Councillor on our Board;
- Many of our senior staff participate in City led initiatives such as the Local Immigration Partnership, the Poverty Elimination Task Force and the Neighbourhood Support Coalition and we believe that we have developed a positive working relationship with the City that is appreciated in our community and recognized regionally.

We certainly recognize the City's need to review their approach to Board appointments in light of work load demands on Councillors. At the same time we see the value that Councillors in the past and present have brought to our



Board table and we are hopeful that appointments are possible in the future. Of course, F&CS is committed to a close partnership with the City of Guelph and we will continue to look for opportunities to work with City staff and Councillors to better the lives of our most vulnerable citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "Brendan Soye". The signature is written in a cursive, somewhat stylized font.

Brendan Soye
President, Board of Directors

Cc: Daniel Moore, Executive Director



RECEIVED
APR 04 2011
CITY CLERK'S OFFICE

Via ordinary mail

March 29, 2011

Ms. Lois Giles, City Clerk
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Giles:

At the March 1 Board meeting, it was resolved that Guelph General Hospital proceed with an application for Letters Patent of Continuation. If approved, the application will enable Guelph General Hospital to continue under section 312 of *The Corporations Act* to the same extent as if it had been incorporated under this Act.

The application process is fairly straightforward. It requires that we provide the objects of the corporation and the names of those who are currently on the Board. The objects and the application must be approved by the members of the corporation and the Directors (these are the same individuals for Guelph General Hospital).

If the application is approved, Directors will be elected through an open and transparent process. Appointments by external organizations (currently the City of Guelph and the County of Wellington) will no longer be permitted.

Following the approval of our application, the Ministry of Health and Long-Term Care or the Ministry of Government Services will likely take on the task of repealing the Guelph General Hospital Act since it would be obsolete.

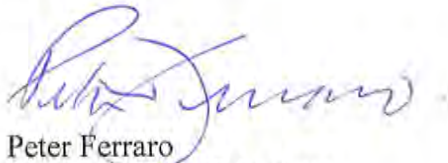
We still have some work to do regarding the development of our objects so I expect that we will not be ready to submit our application until May or June.

It would be appreciated if you would convey our appreciation to your Council for the high caliber of the individuals that have been appointed to our Board. This includes the municipal councilors as well as the citizens of Guelph.

We look forward to continuing our strong relationship with the City of Guelph as we work together to meet the needs of the citizens of our community.

If you have any questions regarding this issue, please feel free to contact Richard Ernst at 519-837-6440 Ext 2701 or renst@gghorg.ca

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Ferraro". The signature is fluid and cursive, with a large initial "P" and "F".

Peter Ferraro
Chair, Board of Directors

**The Corporation of the City of Guelph
Governance Committee
Monday April 11, 2011, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday April 11, 2011 in the Council Chambers at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Hofland and Piper

Absent: Councillor Laidlaw

Also Present: Councillors Bell, Dennis (arrived at 3:25), Furfaro, Guthrie (arrived at 3:50), Van Hellemond and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. M. Neubauer, Chief Financial Officer/City Treasurer; Ms. A. Pappert, Executive Director of Community & Social Services; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the minutes of the Governance Committee meeting held on January 17, 2011 be confirmed as recorded and without being read.

Carried

Consent Agenda

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

- GOV-2011 A.10 CAO Recruitment Process
- GOV-2011 A.11 CAO Remuneration
- GOV-2011 A.12 Standing Committee Appointment Process
- GOV-2011 A.14 Delegation of Authority – Special Occasion Permits
- GOV-2011 A.16 Electronic Agendas
- GOV-2011 A.18 Guelph Municipal Holding Company (GMHC) Implementation Strategy
- GOV-2011 B.1 Family & Children's Services – Appointment of City Councillor to Board of Directors
- GOV-2011 B.2 Guelph General Hospital – Application for Letters Patent of Continuation

2. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the balance of the Governance Committee April 11, 2011 Consent Agenda, as identified below be adopted:

a) **Financial Management Communications: Proposed Approach**

Mrs. L.A. Giles
Ms. T. Sprigg

THAT the report titled, 'Financial management communications: proposed approach', dated April 11, 2011, be received.

b) **Approval of Full Time Equivalent (Full Time and Regular Part-Time)**

REPORT

THAT the following recommendations be approved:

That;

- New full time and regular part time positions which are reallocated from existing vacant positions in a department require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease).
- New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require the approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level.
- New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).
- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

April 11, 2011

Governance Committee

Page No. 3

c) **2010 Delegations of Authority**

Mrs. L.A. Giles

THAT the report of the General Manager of Information Services/Clerk with respect to the exercise of delegated authority, dated April 11, 2011, be received.

d) **Delegation of Authority – Tax Write-Offs and Increases**

REPORT

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

e) **Governance Quarterly Report**

Mayor Farbridge

THAT the first quarter report of the Governance Committee dated April 11, 2011, be received.

f) **Appointment of an Integrity Commissioner**

Mrs. L.A. Giles

THAT the report of the General Manager of Information Services/City Clerk dated April 11, 2011 regarding the Appointment of an Integrity Commissioner, be received.

Carried

Guelph Municipal Holding Company (GMHC) Implementation Strategy

Richard Chaloner was present and expressed concern with the proposed Holding Company. He suggested that the proposed company seems to be designed for privacy and secrecy and further suggested that the meetings should be held in public and be used to increase public information. He urged Council to obtain a legal opinion that the shareholders agreement does not contravene the Municipal Act and The Corporations Act.

The Corporate Manager of Strategic Planning & Corporate Initiatives provided information on the holding company implementation strategy. She suggested that Section 10.3 of the shareholders agreement be amended by replacing the existing clause with the following:

"10.3 Annual Report to Council – Within six months after the end of each financial year of Holdco, Holdco shall report to a public meeting of Council and the Chair shall attend such meeting and provide the following information with respect to Holdco and GHI and the chair of GHI shall also be present at such public meeting:

(a) audited consolidated financial statements for GHI; and

(b) such additional information as the City may specify from time to time."

REPORT

3. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT Council receive and approve the Guelph Municipal Holding Company Implementation Strategy;

AND THAT Council approve the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries;

AND THAT Council approve the Asset Transfers to Corporations Policy;

AND THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

AND THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members;

AND THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

Carried

CAO Recruitment Process

REPORT

4. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the CAO recruitment process be approved as follows:

- 1) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.
- 2) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.
- 3) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

Carried

CAO Remuneration

REPORT 5. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the job rate for the CAO position be adjusted to maintain the 55th percentile of the previously approved municipal comparator group for 2010.

Carried

Standing Committee Appointment Process

REPORT 6. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the Procedural By-law be amended to:

- Establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Standing Committees and public agencies.
- Provide that the Nominating Committee be composed of the Mayor and Chairs of the Standing Committees.
- Provide that the Mayor chair the Nominating Committee.

AND THAT an application process to the Nominating Committee be developed for appointments to the Standing Committees and public agencies.

Carried

Delegation of Authority – Special Occasion Permits

REPORT 7. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "M" of By-law (2010)-18935, as amended.

Carried

Electronic Agendas

Mrs. L.A. Giles 8. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the report of the General Manager of Information Services/Clerk relating to electronic agendas, dated April 11, 2011, be received;

AND THAT the business case for electronic agendas be referred to the 2012 budget process for consideration of Council.

Carried

Guelph General Hospital – Application for Letters Patent of Continuation

Mr. R. Ernst

- 9. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the correspondence from the Guelph General Hospital advising of their application for Letters of Patent of Continuation, be received for information.

Carried

St. Joseph’s Hospital – Appointment of Councillor to the Board

REPORT

- 10. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT Guelph City Council no longer appoint a member of Council to the St. Joseph’s Hospital Board of Directors.

Carried

Family & Children’s Services – Appointment of City Councillor to Board of Directors

REPORT

- 11. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT Guelph City Council no longer appoint a member of Council to the Family & Children’s Services Board of Directors.

Carried

The meeting adjourned at 4:30 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance Committee**

DATE July, 11, 2011

LOCATION Council Chambers

TIME 3 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES – April 11, 2011

PRESENTATIONS (Items with no accompanying report)

a)

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-20 Program and Staffing Level Approvals (Full Time and Regular Part-Time)			
GOV-21 Succession Planning			
GOV-22 Second Quarterly Report 2011			
GOV-23 Internal Audit Function – Role Description and Reporting Structure			
GOV-24 Service Review: Executive Team Assessment – Phase 1			
GOV-25 Corporate Performance			

Measurement			
GOV-26 Closed Meeting Protocol with Respect to Council and Committee Meetings			
GOV-27 Library Board as Nominating Panel for Citizen Appointments to the Board			
GOV-28 City of Guelph Procedural By-law Governing Council and Committee Meetings			

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

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

CLOSED MEETING

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

- 1. **Citizen Appointment to the Board of Directors of the Guelph Municipal Holding Company (GMHC)**
S. 239(2)(b) Personal matters about identifiable individuals.

NEXT MEETING – October 11, 2011

**The Corporation of the City of Guelph
Governance Committee
Monday April 11, 2011, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday April 11, 2011 in the Council Chambers at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Hofland and Piper

Absent: Councillor Laidlaw

Also Present: Councillors Bell, Dennis (arrived at 3:25), Furfaro, Guthrie (arrived at 3:50), Van Hellemond and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. M. Neubauer, Chief Financial Officer/City Treasurer; Ms. A. Pappert, Executive Director of Community & Social Services; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the minutes of the Governance Committee meeting held on January 17, 2011 be confirmed as recorded and without being read.

Carried

Consent Agenda

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

- GOV-2011 A.10 CAO Recruitment Process
- GOV-2011 A.11 CAO Remuneration
- GOV-2011 A.12 Standing Committee Appointment Process
- GOV-2011 A.14 Delegation of Authority – Special Occasion Permits
- GOV-2011 A.16 Electronic Agendas
- GOV-2011 A.18 Guelph Municipal Holding Company (GMHC) Implementation Strategy
- GOV-2011 B.1 Family & Children’s Services – Appointment of City Councillor to Board of Directors
- GOV-2011 B.2 Guelph General Hospital – Application for Letters Patent of Continuation

2. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the balance of the Governance Committee April 11, 2011 Consent Agenda, as identified below be adopted:

a) **Financial Management Communications: Proposed Approach**

Mrs. L.A. Giles
Ms. T. Sprigg

THAT the report titled, 'Financial management communications: proposed approach', dated April 11, 2011, be received.

b) **Approval of Full Time Equivalent (Full Time and Regular Part-Time)**

REPORT

THAT the following recommendations be approved:

That;

- New full time and regular part time positions which are reallocated from existing vacant positions in a department require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease).
- New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require the approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level.
- New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).
- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

c) **2010 Delegations of Authority**

Mrs. L.A. Giles

THAT the report of the General Manager of Information Services/Clerk with respect to the exercise of delegated authority, dated April 11, 2011, be received.

d) **Delegation of Authority – Tax Write-Offs and Increases**

REPORT

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

e) **Governance Quarterly Report**

Mayor Farbridge

THAT the first quarter report of the Governance Committee dated April 11, 2011, be received.

f) **Appointment of an Integrity Commissioner**

Mrs. L.A. Giles

THAT the report of the General Manager of Information Services/City Clerk dated April 11, 2011 regarding the Appointment of an Integrity Commissioner, be received.

Carried

Guelph Municipal Holding Company (GMHC) Implementation Strategy

Richard Chaloner was present and expressed concern with the proposed Holding Company. He suggested that the proposed company seems to be designed for privacy and secrecy and further suggested that the meetings should be held in public and be used to increase public information. He urged Council to obtain a legal opinion that the shareholders agreement does not contravene the Municipal Act and The Corporations Act.

The Corporate Manager of Strategic Planning & Corporate Initiatives provided information on the holding company implementation strategy. She suggested that Section 10.3 of the shareholders agreement be amended by replacing the existing clause with the following:

"10.3 Annual Report to Council – Within six months after the end of each financial year of Holdco, Holdco shall report to a public meeting of Council and the Chair shall attend such meeting and provide the following information with respect to Holdco and GHI and the chair of GHI shall also be present at such public meeting:

(a) audited consolidated financial statements for GHI; and

(b) such additional information as the City may specify from time to time.”

REPORT

3. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT Council receive and approve the Guelph Municipal Holding Company Implementation Strategy;

AND THAT Council approve the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries;

AND THAT Council approve the Asset Transfers to Corporations Policy;

AND THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

AND THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members;

AND THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

Carried

CAO Recruitment Process

REPORT

4. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the CAO recruitment process be approved as follows:

- 1) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.
- 2) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.
- 3) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

Carried

CAO Remuneration

REPORT 5. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the job rate for the CAO position be adjusted to maintain the 55th percentile of the previously approved municipal comparator group for 2010.

Carried

Standing Committee Appointment Process

REPORT 6. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the Procedural By-law be amended to:

- Establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Standing Committees and public agencies.
- Provide that the Nominating Committee be composed of the Mayor and Chairs of the Standing Committees.
- Provide that the Mayor chair the Nominating Committee.

AND THAT an application process to the Nominating Committee be developed for appointments to the Standing Committees and public agencies.

Carried

Delegation of Authority – Special Occasion Permits

REPORT 7. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "M" of By-law (2010)-18935, as amended.

Carried

Electronic Agendas

Mrs. L.A. Giles 8. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the report of the General Manager of Information Services/Clerk relating to electronic agendas, dated April 11, 2011, be received;

AND THAT the business case for electronic agendas be referred to the 2012 budget process for consideration of Council.

Carried

Guelph General Hospital – Application for Letters Patent of Continuation

Mr. R. Ernst

9. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT the correspondence from the Guelph General Hospital advising of their application for Letters of Patent of Continuation, be received for information.

Carried

St. Joseph’s Hospital – Appointment of Councillor to the Board

REPORT

10. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT Guelph City Council no longer appoint a member of Council to the St. Joseph’s Hospital Board of Directors.

Carried

Family & Children’s Services – Appointment of City Councillor to Board of Directors

REPORT

11. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT Guelph City Council no longer appoint a member of Council to the Family & Children’s Services Board of Directors.

Carried

The meeting adjourned at 4:30 p.m.

.....
Chairperson

**GOVERNANCE COMMITTEE
CONSENT AGENDA**

July 11, 2011

Members of the Governance Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>GOV-2011 A.20) PROGRAM AND STAFFING LEVEL APPROVALS (FULL TIME AND REGULAR PART-TIME)</p> <p>THAT the following recommendations be approved:</p> <p>That;</p> <ul style="list-style-type: none"> • The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no costs are incurred in the current or subsequent budget years. • Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required. • Where service level or program reductions are contemplated, Council approval is required. • These recommendations be adopted as policy and be incorporated into Council’s Budget Policy which is currently under development and subsequent CAO by-laws. 	<p>Approve</p>
<p>GOV-2011 A.21) SUCCESSION PLANNING</p> <p>THAT the Succession Planning Program as outlined in the report of the Executive Director of Corporate and Human Resources dated July 11, 2011, be received.</p>	<p>Receive</p>
<p>GOV-2011 A.22) SECOND QUARTERLY REPORT 2011</p>	<p>Receive</p>

THAT the second quarter report of the Governance Committee be received.

GOV-2011 A.23) **INTERNAL AUDIT FUNCTION – ROLE DESCRIPTION AND REPORTING STRUCTURE**

Approve

THAT the Governance Committee approve the governance role of an Internal Audit function within the corporation, reporting directly to the Chief Administrative Officer (CAO) with responsibilities to the Audit Committee;

AND THAT staff present the Internal Auditor position in the 2012 budget presentation for Council consideration.

GOV-2011 A.24) **SERVICE REVIEW: EXECUTIVE TEAM ASSESSMENT – PHASE 1**

Approve

THAT the Governance Committee receive the report entitled 'Service Review: Executive Team Assessment – Phase 1';

AND THAT the Service Review Process principles as outlined in this report be approved and followed;

AND THAT the Executive Team commence work on a second phase which will result in detailed recommendations and estimated financial impacts.

GOV-2011 A.25) **CORPORATE PERFORMANCE MEASUREMENT**

Receive/Approve

THAT the Governance Committee receive the Corporate Performance Measurement Report;

AND THAT a draft work plan detailing improvement plans and next steps for 2012 be submitted to the October 2011 Governance Committee meeting for review and Council consideration.

GOV-2011 A.26) **CLOSED MEETING PROTOCOL WITH RESPECT TO COUNCIL AND COMMITTEE MEETINGS**

Receive

THAT the report entitled 'Closed Meeting Protocol with Respect to council and Committee Meetings' from the Acting Clerk dated July 11, 2011, be received.

GOV-2011 A.27) **LIBRARY BOARD AS NOMINATING PANEL FOR CITIZEN APPOINTMENTS TO THE BOARD**

Approve

THAT the Library Board be the nominating panel for the purpose of citizen appointments to Library Board.

GOV-2011 A.28)

**CITY OF GUELPH PROCEDURAL BY-LAW
GOVERNING COUNCIL AND COMMITTEE
MEETINGS**

Approve

THAT the draft Procedural By-law attached hereto as "Appendix A", be circulated to members of Council for review and comment by September 6, 2011;

AND THAT a revised Procedural By-law be brought forth to the next meeting of the Governance Committee for consideration.

The red line copy of the Procedural By-law will be sent under separate cover.

B Items for Direction of Committee

attach.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources
DATE July 11, 2011

SUBJECT Program and Staffing Level Approvals (Full time and Regular Part-Time).

REPORT NUMBER HR – 11-08

RECOMMENDATION

That the following recommendations be approved:

That;

- The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no new costs are incurred in the current or subsequent budget years
- Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required.
- Where service level or program reductions are contemplated, Council approval is required.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

BACKGROUND

The matter of approvals required for new full time equivalents (full time and regular part-time) was referred to the Governance Committee in December 2010.

The recommendations contained within this report will provide Council with the assurance that necessary approvals are sought following annual budget approvals respecting the creation of new full time equivalent full and regular part-time positions that add costs to a current or subsequent year's budget.

Clarification is required with respect to Council's role in approvals and subsequently staff authority to manage within funding parameters established by Council. Council

has not established a policy for the approval of new full time positions and new regular part time positions outside the annual budget process.

The overarching principle that informs the above recommendations is that on an annual basis, Council approves Operating, User Pay and Capital budgets. Staff have authority subsequent to this the ability to manage within these established funding limits to provide programs and service levels consistent with the annual Council approved budget.

Once the City's budget is approved, Departments require the flexibility to adjust staffing levels during the year, either on a temporary or permanent basis, as long as no costs are being added to the current year above a department's approved budget or that add costs to subsequent year's budgets.

REPORT

Managing during the course of the year may require departments to adjust staffing levels up or down or reconfigure staffing within the same level i.e. through the 'reallocation' of resources. In either of these scenarios, if departments do so within approved budgets in the current year and no cost is added to subsequent or future years, then Council approval would not be required.

Wherever additional funding is required in the current or subsequent year(s) that affect programs and service levels, Council approval would be required for the approval of this type of change.

The context within which the administration makes decisions related to staffing levels is informed by role of the CAO and CAO By-law that governs his/her administrative authority.

Role of the Chief Administrative Officer

A primary function of Council is to ensure the effective management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality.

Guelph's model of administration follows the Municipal Act in the establishment of a Chief Administrative Officer (CAO) position as the head of the administrative arm of city government.

The CAO is responsible to Council to administer the business affairs of the City in accordance with the policies and plans established and approved by Council.

CAO By-law

The CAO By-law outlines the general duties, roles and responsibilities of the CAO.

Clauses that have a bearing on the creation of new positions include:

1. General Duties and Responsibilities

(a) To report to, be accountable to, and receive authority from the Council of the Corporation of the City of Guelph and to perform his/her duties in conformity with Council decisions;

2. Personnel Administration

(a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of a SMT member reporting directly to the CAO;

(b) To have authority and responsibility to appoint, promote, demote, suspend or dismiss any employees of the Corporation below the position of Director in accordance with the lines of authority defined in the organization structure;

(c) To have authority to appoint, promote, demote, dismiss any other employees of the Corporation in accordance with procedures contained in all collective agreement and in accordance with the lines of authority that are defined in the organization structure;

3. Financial Management

(a) To direct, in co-operation with the Director of Finance and the SMT, the preparation and presentation of operating and capital budgets on an annual basis;

(b) To exercise financial control over all corporate operations in conjunction with the Director of Finance, to ensure compliance with the annual estimates of revenue and expenditure approved by Council;

4. Administrative Organization and Management

- (a) To create and reorganize, in consultation with the SMT, such departments of the City as may be considered necessary and proper to fulfill obligations for the Corporation, and will report to Council on the changes;

CORPORATE STRATEGIC PLAN

Goal 5: A community-focused, responsive and accountable government.

Objective 5.3: Open, accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

N/A

“original signed by Mark Amorosi”

Recommended By:
Mark Amorosi
Executive Director, Corporate and Human Resources
X2281
mark.amorosi@guelph.ca

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Human Resources

DATE July 11, 2011

SUBJECT Succession Planning

REPORT NUMBER HRL-11-09

RECOMMENDATION

That the Succession Planning Program as outlined in this report be received.

BACKGROUND

The Strategic Plan of the City of Guelph identifies "becoming a top employer in the community" as a strategic objective. The People Practices Strategy (PPS) which supports this objective identifies the need to develop leaders within all levels of the organization through the creation of a succession planning program.

Current turnover patterns and retirement projections within the City of Guelph support the need for programs to improve employee engagement. The Conference Board of Canada reports that career advancement opportunities and opportunities for development are key to employee engagement; both of which can be achieved through succession planning.

In essence "Succession Planning" is a deliberate, systematic effort to ensure the continuity of leadership and talent for critical roles in the organization through the identification, assessment, development and placement of high-performing, high-potential employees.

REPORT

The Executive Team has recognized succession planning as fundamental to their role in the organization. This endorsement from the executive level is critical to the success of the program. The program proposed in this report has been designed with openness and transparency in mind with consideration to best practices and the needs of the City of Guelph.

Goals

Overall, the outcome of the proposed succession planning program will be a pool of qualified employees who will be ready to compete for key positions as they become available. In addition, the following goals have been identified for the program:

To contribute to the strategic plan by ensuring continuity in key positions through investment in the development of skills required to achieve strategic objectives.

To improve employee attraction, retention and engagement by recognizing employee potential, investing in learning and development; and providing career advancement opportunities.

To reduce the risk created by departures in key positions by facilitating knowledge transfer and position/skill/leadership continuity in critical areas.

To control costs associated with expensive or lengthy searches for talent.

Principles

To meet these goals, the recommended program has been built on the following principles:

Establish a link to Long Term Strategic Objectives

To implement a strategic plan effectively, organizations require the right people doing the right things at the right times.

Identification of Key Positions

Positions will be identified as 'key' if they play a significant role in the achievement of strategic objectives or if there is a significant risk associated with a possible vacancy. Risk may be determined based on such factors as legislative requirements or public safety.

Identification of Employee Pools

Employee potential and suitability for participation in the succession planning program will be assessed by a *talent review committee*. The membership within the talent review committee will vary depending on the level of the key position within the organization.

Individual Development Plans

Development plans will be created for each employee in the program to address gaps in the employee's current level of ability to that required by the key position. Some examples of development options include acting assignments, stretch assignments, cross training, project work, mentoring, coaching and training.

Progress Reviews

Participants in the succession planning program will be periodically reviewed for progress against development plans and to ensure ongoing continued levels of performance.

Challenges

The creation and implementation of the Succession Plan for the City of Guelph will require the following investments:

Time: The identification of key positions, employee pools, individual development plans and progress reviews are critical success factors to the program. These activities will require a time investment from leadership and human resources staff in addition to current requirements.

Budget: Costs are associated with the assessment of employee potential and the implementation of development plans. Staff will fund these aspects of the program within existing budgets; and, when applicable, will allocate a portion of future corporate training budget growth to succession planning. (eg., for external assessments, coaching where required, acting assignments, secondments etc.)

Long term, the succession planning program should see a reduction in the reliance on and costs associated with the utilization of specialized search firms to fill key positions. In addition, risks and costs associated with vacancies in key positions should be avoided.

Implementation

Since this program has been designed to support long term strategic objectives, implementation may start at the conclusion of the current strategic planning process.

CORPORATE STRATEGIC PLAN

Goal 5 - Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

Additional resources that may be required will be brought forward to Council for approval during future budget cycles.

DEPARTMENTAL CONSULTATION

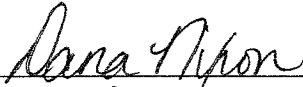
Human Resources
Executive Team

COMMUNICATIONS

In 2010, Human Resources staff conducted a survey of Ontario municipalities on the topic of Succession Planning. Fifty-eight municipalities responded. Twenty from the City of Guelph comparator group. Of these twenty, 35% have a formal succession planning program, and 92% of those who do not currently have a program are considering implementing one.

ATTACHMENTS

Succession Planning: General Program



Prepared By:

Dana Nixon
Manager, Staffing/Workforce Planning

X2266
dana.nixon@guelph.ca



Recommended By:

Mark Amorosi
Executive Director, Corporate and
Human Resources

X2281
mark.amorosi@guelph.ca

Succession Planning

General Program



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Background

Succession planning is a deliberate, systematic effort to ensure the continuity of leadership and talent for critical roles in the organization through the identification, assessment, development and placement of high-performing, high-potential employees. To be successful, succession planning programs must have the support of senior leadership, and must be tied to current and projected strategic objectives.

Goals

The outcome of this succession planning program will be a pool of qualified employees who will be ready to compete for key positions as they become vacant. Other goals of the program are summarized below:

Contribute to the Strategic Plan and the People Practices Strategy

The Strategic Plan of the City of Guelph identifies “becoming a top employer in the community” as a strategic objective. The People Practices Strategy (PPS) which supports this objective, identifies the need to develop leaders within all levels of the organization through the creation of a succession planning program.

The general program for succession planning at the City of Guelph has been designed to achieve this outcome. The program has also been designed to support the achievement of the strategic plan as a whole, by ensuring continuity in critical positions through the development of skills required to achieve strategic goals.

Improve employee attraction, retention and engagement

Employees participating in the succession planning program will be given first consideration when key positions become vacant, before positions get posted externally.

By providing career advancement opportunities, recognizing employee potential and encouraging investment in learning and development, this program is expected to have a positive impact on the following:

- attraction of skilled employees in a competitive environment
- retention of high potential employees and corporate knowledge
- engagement of employees involved or interested in the program

In addition, diversity will be considered in the implementation of this program as the City seeks to attract, recruit, develop and retain a workforce reflective of the community.

Reduce the risk of departures in key positions

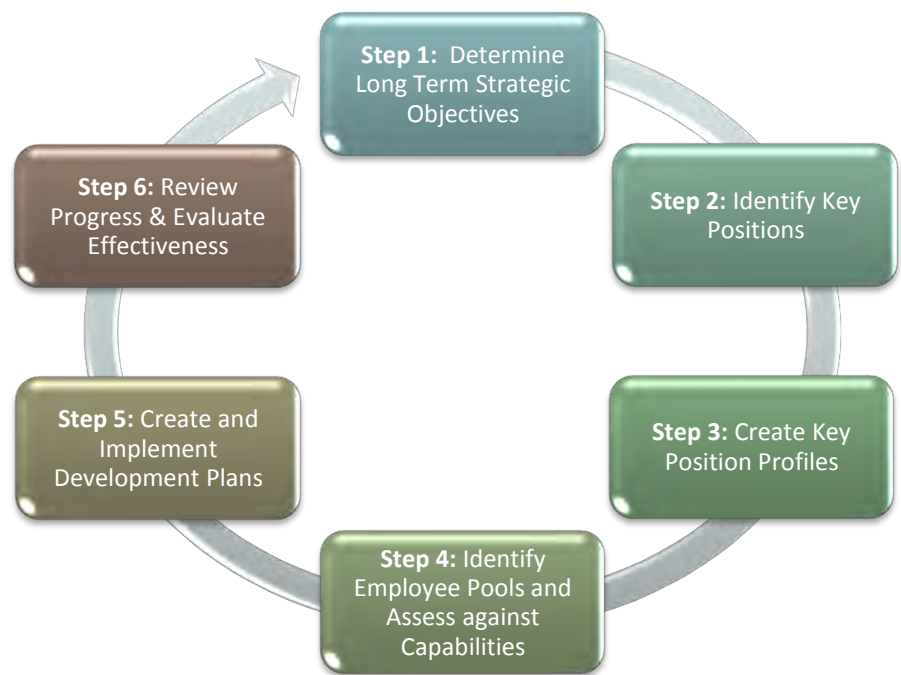
With a focus on current and future competency needs for key positions, the identification and targeted development of possible successors for these positions will allow for continuity in critical areas as well as transfer of learning of corporate knowledge.

Control Costs

Employee development that results from participation in this program will inherently support the achievement of strategic objectives, thus ensuring value for investment. Additionally, investing in the development of bench strength should be offset by lengthy and expensive recruitment costs that often result from filling high level and/or specialized positions.

The Model

The following diagram illustrates the Succession Planning model that has been developed by the City of Guelph. Each step of the model will be explained in further detail on the following pages.



Step 1: Determine Long Term Strategic Objectives

Succession Planning should be linked to organizational strategic plans. To implement a strategic plan, organizations require the right people doing the right things at the right times. Without them, strategic plans cannot be realized.



Long term strategic goals and objectives are the product of the strategic planning process at the City of Guelph. These goals and objectives should form the foundation on which to build the succession planning program.

Step 2: Identify Key Positions

Key positions are the ones that have the most impact on the success of the organization. The following set of questions will be helpful in identifying key positions:

- Is this position critical to the strategic plan or departmental business plan?
- Would a vacancy in this position have a major impact? (Considering such things as the strategic plan, legal requirements, public safety etc.)
- Would this position be difficult to fill because it requires specialized skills, competencies, or corporate knowledge?
- What is the likelihood that this position will become vacant?

Positions may be evaluated based on these criteria, using the *Key Position Identification* form. This form has been designed to assign numerical values to each of the above questions, and calculates a total value for each position being reviewed. Positions with the highest scores will represent the Key Positions for Succession Planning.

Step 3: Create Key Position Profiles

At this stage in the process, it is important to develop **key position profiles**. These profiles will play an important role in the next two steps of the succession planning process.

Key position profiles will summarize the following position specific requirements:

Responsibilities

Key duties and activities performed by the position on a regular basis including expected outputs, results and/or deliverables.

Capabilities

The credentials, skills, competencies and knowledge that are required to achieve the responsibilities and to be successful in the role.

Corporate Knowledge

This could include historical knowledge, as well as formal and informal processes and relationships, networks and contacts that will be important to pass on.

Critical success Factors

A list of factors that are unique to the incumbent which have contributed to that person's success in the role. These may include things such as judgment, values, experiences, insights and communication styles.

The following documents should be reviewed when creating the key position profiles:

- Job Information Questionnaires
- Job Postings
- Strategic Plans
- Departmental Business Plans
- Performance Development Plans

Step 4: Identify Employee Pools and Assess against Capabilities

Employee pools consist of employees who possess the talent and potential to take on higher level leadership or other critical roles. Promises of promotion are not made to employees in these pools, however there is a commitment to developing these individuals in order to prepare them for higher levels of responsibility.

The following diagram illustrates the process for creating employee pools.



Identify Candidates for Consideration

At this point in the process, Human Resources will invite the leaders of key positions to recommend candidates as possible successors. To be eligible for consideration, an employee must have a current *performance development plan* (PDP) on file and must have been rated as fully competent in terms of what results are being achieved, and how those results are being achieved.

Conduct Talent Review

Facilitated by Human Resources, Talent Review Committees will meet to review recommendations and select candidates for further assessment. The immediate leader of any candidate being reviewed may be invited to provide insight to the committee during this initial assessment.

Talent Review Committee membership will vary depending on the key position being reviewed. The following diagram illustrates the talent review committee membership for the various levels in the organization. See the *Talent Review Committee Terms of Reference* for more information.



Assess for Potential

This stage may take on multiple formats and may include an interview by members of the Talent Review Committee. A review of past performance reviews and formal assessments through assessment centres may also be undertaken to determine future potential.

The *key position profile* should be used as a guide at this stage. Any capability gaps identified during this assessment should be documented. In the event that the candidate is selected for the employee pool, these gaps will become part of the employee’s development plan.

Confirm Employee Pool

After final review of all assessments by the Talent Review Committee, candidates will be confirmed into the employee pool.

Step 5: Create and Implement Development Plans

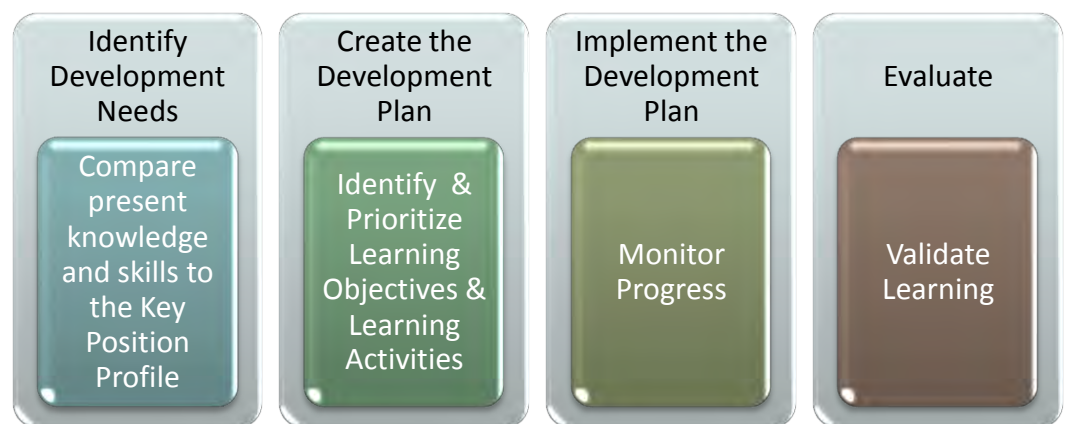
The development plan represents a prioritized list of the learning an employee will need to undertake in order to prepare for advancement into future key roles.

At this stage in the process, it is important to identify a **Development Sponsor** for the employee.

The Role of the Development Sponsor

The Development Sponsor will be involved in the creation, implementation and evaluation of the employee's development plan. Ideally, the sponsor will be the immediate leader of the key position for which the employee is being developed.

The creation of the development plan will be facilitated by Human Resources and will involve others as needed. The following diagram illustrates the steps to follow in creating a development plan.



Identify Development Needs

Looking at the difference between the employee's present knowledge and skills and the work requirements of the key position will clarify that individual's development needs, or 'gaps'. In order to properly identify the gaps, consideration should be given to the activities, duties, responsibilities and tasks that the individual will need exposure to in order to qualify for advancement.

Taking an inventory of these needs is relatively simple, and can be done using the *key position profile* as a guide. This profile lists the key responsibilities for the position. Any responsibility that the employee is currently not able to assume represents a development need. Similarly, the *key position profile* can be used to identify competencies that require development.

Create the Development Plan

Development needs should be prioritized for the purpose of creating the development plan. **Learning objectives** should be created to support the priority development needs, and should represent the outcome of the **learning activities** which support them.

According to a report published by *The Conference Board Research Working Group on Growing Talent for Succession (2010)*, learning activities should ideally be established according to the following; 70% on-the-job training; 20% feedback; and 10% traditional classroom style learning.

With this in mind, the following table illustrates possible learning activities that can be used to support learning outcomes.



When planning learning activities, consideration should be given to the resources that are required. The following are some examples of possible resource requirements:

People – trainers, coaches, mentors

Money – funding required

Time – time away from regular work to participate in activities

Expertise – access to knowledgeable people

Equipment – access to specialized machines or tools

Implement the Development Plan

Completed development plans should be signed off by the employee, the development sponsor, and by Human Resources. The responsibility for implementing the plan is primarily that of the employee, who may seek assistance from the sponsor and from HR as necessary. Regular check-ins will be scheduled semi-annually between these parties to review and evaluate progress.

Evaluate

During regular reviews of the development plans, feedback will be sought from several sources to validate that learning has taken place. This feedback may include informal written summaries, performance reviews, references, reports, presentations, etc.

Step 6: Review Progress and Evaluate Effectiveness

Review Progress

Human Resources will conduct annual meetings with Talent Review Committees to review the overall progress of employee pool development. The following will be considered and discussed during these meetings, in order to reconfirm employee participation in the succession planning process:

- Has the employee maintained a high level of performance in their current position?
- Has the employee made sufficient progress according to their development plan?

Evaluate Effectiveness

The effectiveness of the Succession Planning Program should also be reviewed annually. The measures selected to review the program should support measurement toward the overall goals of the program. For example:

Goal	Measure
Contribute to the Strategic Plan	<ul style="list-style-type: none">• Recognition that supports “top employer” status• Workforce census data
Improve employee attraction, retention and engagement	<ul style="list-style-type: none">• Time to Fill Positions• Turnover• Ratio of internal hires to external hires for Key Positions• Employee Satisfaction• Average Performance Ratings
Reduce the risk of departures in key positions	<ul style="list-style-type: none">• Average # of Employees in the pool for Key Positions• % of Key Positions with Employee Pools identified• % of positions filled from Employee Pools
Control Costs	<ul style="list-style-type: none">• % of Training Budget spent on Succession Planning activities• Cost to pay third party agencies to fill key positions

Additionally, it should be determined what is working well with the Succession Planning Program and what is not working well. Changes and modifications should be made from time to time to support the ongoing and changing needs of the City.

Works Cited and Referenced

Rothwell, William J.; **Effective Succession Planning** Third Edition

Treasury Board of Canada Secretariat; **Succession Planning and Management for Senior Managers**; <http://www.tbs-sct.gc.ca/gui/sp-s-eng.asp>

Garbour Atwood, Christee; **Succession Planning Basics**

Charan, Ram; Drotter, Stephen; Noel, James; **The Leadership Pipeline; How to Build the Leadership-Powered Company**

The Conference Board; **Growing Talent for Succession, a Playbook for Companies**

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE July 11, 2011

SUBJECT Second Quarterly Report 2011
REPORT NUMBER

RECOMMENDATION

THAT the second quarter report of the Governance Committee be received.

BACKGROUND

Regular reports on Committee progress were prepared during the 2007-2010 term of office. This effort will continue during the 2011-2014 Council term reflecting an ongoing commitment to strengthened accountability and corporate governance practices.

REPORT

The following reports were reviewed by the Governance Committee in the second quarter of 2011, consistent with the Council approved 2011 Annual Agenda and Committee Mandate and Charter:

Effective Governance

- Appointment of an Integrity Commissioner
- Family and Children's Services – Appointment of City Councillor to Board of Directors
- 2010 Delegations of Authority
- Delegation of Authority – Special Occasion Permits
- Delegation of Authority – Tax write-offs and increases
- Guelph Municipal Holding Company Implementation Strategy
- Guelph General Hospital – Application for Letter of Patent of Continuation

Accountability and Transparency Measures

- Financial Management Communications: Proposed Approach

Committee and Council Effectiveness

- Standing Committee Appointment Process
- Electronic Agendas

CAO Performance and Review

- Approval of Full Time Equivalents (full time and regular part time)
- CAO Recruitment Process
- CAO Remuneration

Committee Performance Reporting

- First quarter Committee progress report

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business

5.6 Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

All financial implications related to the topics dealt with by the Governance Committee in April 2011 are detailed in each report.

DEPARTMENTAL CONSULTATION

The Executive Team was consulted on this report content.

COMMUNICATIONS

n/a

ATTACHMENTS

n/a

“original signed by Mayor Karen Farbridge”

Approved By:

Mayor Karen Farbridge

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA
DATE July 11, 2011

SUBJECT Internal Audit Function – Role Description and Reporting Structure

REPORT NUMBER

RECOMMENDATION

THAT the Governance Committee approve the governance role of an Internal Audit function within the corporation, reporting directly to the Chief Administrative Officer (CAO) with responsibilities to the Audit Committee; and

THAT staff present the Internal Auditor position in the 2012 budget presentation for Council consideration.

BACKGROUND

In January 2011, the Audit Committee received a staff report recommending the establishment of Internal Audit function for future consideration based on the January 2011 BMA Consulting report and an analysis of other municipal practices in this regard prepared by Joyce Matthison, CA. The staff report outlined a strong rationale and options for establishing such a function to enhance accountability and transparency.

REPORT

An Audit function with the City will advise Council and management on improvements to program and service delivery as well as the enhancement of internal controls. The primary focus of the role is on efficiency, effectiveness, and best practice implementation for productive government. A more complete role description and suggested reporting structure follows:

Role Description

The scope of duties associated with an Audit function would involve, but not be limited to conducting operational efficiency projects, effectiveness and risk management process reviews; completing assessments of the reliability of financial reporting and the adequacy of controls to deter and detect frauds; investigating possible fraudulent activities and evaluating the effectiveness of safeguards for assets and of compliance with laws and regulations; and measuring and reporting on compliance with policies and procedures.

Reporting Structure

Located within the corporation, the Audit function can work closely with staff in order to help with the achievement of service objectives. Other municipal practices suggest that reporting directly to the CAO of the City is ideal as it provides a higher level of independence and objectivity. As well, a direct role and interaction with the Audit Committee needs to be considered in the responsibilities of this position.

CORPORATE STRATEGIC PLAN

5.3 – Open, accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

For further review and consideration during the 2012 budget process.

DEPARTMENTAL CONSULTATION

Finance

COMMUNICATIONS

n/a

ATTACHMENTS

n/a


Recommended By:

Hans Loewig
Chief Administrative Officer, CAO

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE July 11, 2011

SUBJECT Service Review: Executive Team Assessment – Phase 1

REPORT NUMBER

SUMMARY

Purpose of the Report: To provide the Governance Committee and Council with an Executive Team response on proposed Service and operational review activity.

Committee Action: To receive the report for review and Council consideration.

RECOMMENDATION

THAT the Governance Committee receive the report entitled 'Service Review: Executive Team Assessment – Phase1;

THAT the Service Review Process principles as outlined in this report be approved and followed; and

THAT the Executive Team commence work on a second phase which will result in detailed recommendations and estimated financial impacts.

BACKGROUND

In February, 2011 Council members met with the Executive Team for a Strategic Plan Revision Process Start-Up meeting. The purpose of the meeting was to review proposed stages in the Strategic Plan process for 2011-2014. At that time, Council requested that a Service Review component be integrated into the process so that any implications for the budgeting process could be realized. To that end, a sampling of 75 services from across the corporation were selected, defined and costed by staff and then assessed by Council members. Each service was ranked in terms of perceived importance and level of performance.

On May 25, 2011 Council members met with the Executive Team to jointly review and discuss the findings. Individual rankings by members of City Council were included as well as the standard deviation scores to understand the degree of consensus on the responses received.

There principles were determined at the meeting:

- 1) that the Service Review Process should happen outside of the budget process;
- 2) that each year for the next three years, 75 services will be reviewed so that during the 2010-2014 Council term of office, the over 300 City services will all be examined; and
- 3) that to be effective, the Service Review process will be a collaborative and respectful process that includes management and resident input.

It is important to note that a number of Service and operational reviews have occurred in the recent past that will compliment efforts going forward including, for example, the Sidewalk Winter Control Service Review, the Guelph Public Library Bookmobile Service Review, Parks Infrastructure Maintenance Review and Conventional Transit Services Review.

REPORT

On June 14th, the Executive Team met to review Council feedback received on May 25th. The meeting highlighted the fact that one Service Review and six operational reviews are currently underway. It was also noted that six operational reviews have recently been completed on the list of 75 services resulting in new and emerging operational and system improvements as well as service delivery enhancements (e.g. reduced development and support costs and improved security on guelph.ca; a new Transit routing strategy to be implemented; and proposed By-law amendments to the Fireworks, Outside Water Use and Use of Firearms By-laws subject to public consultation).

Detailed recommendations from the Executive Team on the preliminary list of 75 are included in Attachment #1.

I. Service Reviews

It is recommended that Service Review proposals be prepared for Council approval on the following services in accordance with the timeframes indicated:

2011 (underway)	2012/13	2014/15
Farmers' Market	Service Guelph	Maintenance of Turf, Sports Fields, Trails
	Boulevard Maintenance	Development Engineering – Engineering Conditions; Consultant Approvals; Plan Review
	Seasonal Recreation Facilities	Facilities Operation and Management - River Run +
	Corporate Publications + Graphic Design (linked)	Facilities Operation and Management - Sleeman Centre (linked)
	Legal Representation	Residential Solid Waste Collection
	Special Events and Logistics Service Function*	Visitor Information Centre and Tourism Marketing + Program Facilitation – Tourism (linked)

*A Service Review on the Special Events Coordination and Logistics Service Function is also scheduled to begin in 2012. This service did not appear on the initial list of 75.

II. Operational Reviews

It is recommended that Operational Review proposals be prepared for Council approval on the following services consistent with the timeframes indicated:

2011 (underway)	2011	2012/13	2014/15
Development Engineering-Engineering Conditions; Consultant Approvals; Plan Review	Guelph-Wellington EMS – Land Ambulance Division	Traffic Flow Management	Maintenance of Turf, Sports Fields, Trails (to follow Service Review)
	Provision of Sanitary Sewer Management	Property Standards By-law	
ACC Committee and Accessibility		Procurement Process Development and Implementation	Residential Solid Waste Collection (to follow Service Review)
Downtown Renewal -Community Improvement Plan Implementation -Downtown Investment/Business retention and attraction		Business Systems Team (ITS)	
Development and Maintenance of the Urban Forest			
City Building Maintenance			
Business Advocacy/Investment Inquiries – Economic Development			

III. Further Discussion with Council

It is recommended that the following services be the subject of an additional meeting with Council to share information and explore linkages between Council's newly articulated goals:

2011
Programming and Educational Activities – Parks/Recreation
Attendance Management
Youth Development
Horticultural Displays for Community Beautification
Strategic Planning and Corporate Initiatives
Bridge, Headwall and retaining Wall Maintenance
Civic Precinct Management
Corporate Initiatives for Employee Engagement
Diversity – Staffing and Workforce Planning
Market Square Public Programming Activities
Community Engagement Consultation, Research and Public Policy
Christmas Tree Collection

Next Steps

Subject to Council approval, the Executive Team will begin work on Phase 2: Detailed Review Recommendations that will be presented to the October Governance Committee meeting. This second phase will involve the development of more detailed recommendations and proposals with associated financial and resource requirements. The report will directly inform the 2012 and future budget cycles. As well, the Executive Team will work with the Clerks' office to set an appropriate meeting date in advance of the 2012 budget process to further discuss services listed in Section III of this report. Service and operational review work will continue to occur in consultation with the Finance Department. Review activity will also be considered, in part, as a potential work of the future proposed Audit Function.

CORPORATE STRATEGIC PLAN

5.3 – Open, accountable and transparent conduct of municipal business.

5.6 – Organizational excellence in planning [and] management.

FINANCIAL IMPLICATIONS

No additional cost is anticipated for this initial investigation.

DEPARTMENTAL CONSULTATION

The Executive Team was consulted in development of this report.

COMMUNICATIONS

Service and operational review plans and results will continue to be presented through Committees of Council.


ATTACHMENTS

Attachment #1: ET Recommendations Summary



Prepared By:

Brenda Boisvert,
Corporate Manager, Strategic Planning and
Corporate Initiatives


Recommended By:
Hans Loewig, CAO

EXECUTIVE TEAM (ET) RECOMMENDATIONS SUMMMARY – List of 75

Services

Recommendation	Results
Maintain	37/75
Further Discussion	5 (Programming and Educational Activities – Parks/Recreation; Public drop-off facility – Solid Waste; Youth Development; Civic Precinct Management; Market Square Public Programming Activities).
Maintain + Further Discussion	7 (Provide Horticulture displays for Community Beautification; Strategic Planning and Corporate Initiatives; Bridge, Headwall and Retaining Wall Maintenance; Corporate Initiatives for Employee Engagement; Diversity – Staffing and Workforce Planning; Community Engagement Consultation research and public policy; Christmas Tree Collection).
Service Reviews Complete	3 (By-law Compliance; Conventional Transit Services; Mobility Transit Services).
Service Reviews Underway	1 (Farmers’ Market).
Service Review Recommended	<p>2012/13=6 (Service Guelph; Boulevard Maintenance; Seasonal Recreation Facilities; Corporate Publications + Graphic Design (linked); Legal Representation).</p> <p>2014/15=7 (Maintenance of Turf, Sports Fields, Trails; Development Engineering – Engineering Conditions; Consultant Approvals; Plan Review; Facilities Operation and Management - River Run + Facilities Operation and Management - Sleeman Centre (linked); Residential Solid Waste Collection; Visitor Information Centre and Tourism Marketing + Program Facilitation – Tourism (linked)).</p>
Operational Reviews Complete	6 (guelph.ca; the Neighbourhood Coalition Support and Neighbourhood Groups; By-law Compliance; Park Infrastructure Maintenance; Conventional Transit Services; and the Guelph Farmers’ Market).
Operational Reviews Underway	6 (Development Engineering-Engineering Conditions; Consultant Approvals; Plan Review; ACC Committee and Accessibility; Downtown Renewal -Community Improvement Plan; Implementation; Downtown Investment/Business retention and attraction; Development and Maintenance of the Urban Forest; City Building Maintenance; Business Advocacy/Investment Inquiries – Economic Development).
Operational Review Recommended	<p>2011=2 (Guelph-Wellington EMS – Land Ambulance Division; Provision of Sanitary Sewer Management).</p> <p>2012/13=4 (Traffic Flow Management; Property Standards By-law; Procurement Process Development and Implementation; Business Systems Team (ITS)).</p> <p>2014/15=2 (Maintenance of Turf, Sports Fields, Trails (to follow Service Review); Residential</p>

Solid Waste Collection (to follow Service Review).
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SERVICE REVIEWS

2011 (underway)	2012/13	2014/15
Farmers' Market	Service Guelph	Maintenance of Turf, Sports Fields, Trails
	Boulevard Maintenance	Development Engineering – Engineering Conditions; Consultant Approvals; Plan Review
	Seasonal Recreation Facilities	Facilities Operation and Management - River Run +
	Corporate Publications + Graphic Design (linked)	Facilities Operation and Management - Sleeman Centre (linked)
	Legal Representation	Residential Solid Waste Collection
		Visitor Information Centre and Tourism Marketing + Program Facilitation – Tourism (linked)

OPERATIONAL REVIEWS

2011 (underway)	2011	2012/13	2014/15
Development Engineering-Engineering Conditions; Consultant Approvals; Plan Review	Guelph-Wellington EMS – Land Ambulance Division	Traffic Flow Management	Maintenance of Turf, Sports Fields, Trails (to follow Service Review)
	Provision of Sanitary Sewer Management	Property Standards By-law	
ACC Committee and Accessibility		Procurement Process Development and Implementation	Residential Solid Waste Collection (to follow Service Review)
Downtown Renewal -Community Improvement Plan Implementation -Downtown		Business Systems Team (ITS)	

OPERATIONAL REVIEWS

2011 (underway)	2011	2012/13	2014/15
Investment/Business retention and attraction			
Development and Maintenance of the Urban Forest			
City Building Maintenance			
Business Advocacy/Investment Inquiries – Economic Development			

FOR FURTHER DISCUSSION WITH COUNCIL

2011

Programming and Educational Activities – Parks/Recreation
Attendance Management
Youth Development
Horticultural Displays for Community Beautification
Strategic Planning and Corporate Initiatives
Bridge, Headwall and retaining Wall Maintenance
Civic Precinct Management
Corporate Initiatives for Employee Engagement
Diversity – Staffing and Workforce Planning
Market Square Public Programming Activities
Community Engagement Consultation, Research and Public Policy
Christmas Tree Collection

Total Score Rank	Service #	Service Area	Service Name	Total Score	Combined Standard Deviation	Legislated (Y/N)	Full Service Cost Estimate	Tax Support%	Strategic Options and Recommendations					
									Service Review (eliminate, reduce, enhance, pursue new model)	Operational Review	Maintain	Further Discussion with Council	Comments/Start Times	
1	D15	PBEE	Water Supply and Distribution	88.17	4.63	Y	\$5M+	0%			X			
2	A16	CSS	Service Guelph	82.58	4.94	Y	\$250-500K	100%	X					Exploring the service model. (2012-13).
3	A15	CHR	Legislated Services - Clerks	82.25	5.43	Y	\$250-500K	55%			X			
4	A1	CAO	Emergency Management - Emergency Planning	81.75	5.50	Y	\$0-50K	100%			X			
5	D17	PBEE	Process Control, Compliance with MOE Certificate of Approval, Operator Certification and Training, Wastewater Services.	81.42	5.85	Y	\$3-5M+	0%			X			
6	A18	CAO	Tax Policy, Tax Bills, Tax Adjustments	77.67	6.13	N	\$250-500K	65%			X			
7	E12	OTS	24/7 Community Response	76.33	6.15	N	\$250-500K	100%			X			
8	A2	CAO	Guelph Fire Department - Fire Suppression	74.75	6.17	N	\$18M+	99%			X			
9	E9	PBEE	Provision of Sanitary Sewer Management	73.75	6.29	Y	\$100-250K	100%		X				2011
10	E10	OTS	Provision of Storm Water Management Maintenance	73.75	6.57	Y	\$100-250K	100%			X			
11	D8	PBEE	Development Engineering-Engineering Conditions; Consultant Approvals; Plan Review	73.25	6.61	Y	\$1-3M	53%		X				Operational review currently underway in conjunction with EcDev.
12	A14	CHR	Guelph.ca	72.67	6.76	N	\$100-250K	100%		X				Completed. Implementation plan for 2012 in place.
13	C8	CSS	Inclusion and Volunteer Coordination	72.64	6.83	N	\$100-250K	100%			X			
14	E3	OTS	Road Maintenance	71.83	6.88	Y	\$1-3M	100%			X			
15	C10	CSS	Community/Recreation Centre Management and Operations	71.67	7.01	N	\$3M+	42%			X			
16	C9	CSS	ACC Committee and Accessibility	71.42	7.08	Y	\$100-250K	100%		X				Currently underway.
17	E20	OTS	Support Community Use of Parks	71.33	7.12	N	\$0-50K	73%			X			
18	A3	CAO	Guelph-Wellington EMS - Land Ambulance Division (GW-EMS)	71.33	7.18	Y	\$11M+	24%		X				Focused on administration. To commence.
19	D13	PBEE	Environmental Planning	71.25	7.20	Y	\$100-250K	100%			X			
20	E8	OTS	Traffic Flow Management	71.25	7.25	Y	\$1-3M	83%		X				Neighbourhood traffic management. To commence (2012-13).
21	D10	PBEE	Property Standards By-law	71.08	7.26	Y	\$250-500K	98%		X				Enforcement, graffiti on private property (2012-2013).
22	C5	CSS	Neighbourhood Coalition Support & Neighbourhood Groups	70.73	7.29	N	\$250-500K	66%		X				Completed. Implementation underway.
23	E1	OTS	By-law Compliance	70.17	7.35	N	\$1-3M	51%	X	X				Service Review completed in 2008. Operational review underway.
24	A8	CAO	Downtown Renewal -Community Improvement Plan Implementation -Downtown Investment/Business retention and attraction	70.00	7.44	N	\$100-250K	100%		X				Operational review underway.
25	D11	PBEE	Termite Control Program	69.67	7.50	N	\$100-250K	100%			X			
26	C11	CSS	Programming and Educational Activities - Parks/Rec	68.83	7.53	N	\$1-3M	-7%				X		For clarification with Council.
27	E21	OTS	Maintenance of Turf, Sports Fields and Trails	68.50	7.55	N	\$1-3M	77%	X	X				2014-15
28	E17	OTS	Park Infrastructure Maintenance	68.25	7.55	Y	\$500K-1M	96%		X				Operational Review completed in 2010. Summary report forthcoming in 2011.
29	E6	OTS	Provision of Winter Control	68.08	7.64	Y	\$1-3M	99%			X			Sidewalk and salt management previously reviewed.
30	E15	OTS	Conventional Transit Services	66.58	7.68	N	\$14M	30%	X	X				Service and operational review complete. Awaiting implementation.
31	A17	CAO	Procurement Process Development and Implementation	66.50	7.69	N	\$250-500K	95%		X				2012-13
32	D4	PBEE	Solid Waste Reduction Programs	66.50	7.84	Y	\$500K-1M	99%			X			
33	D3	PBEE	Solid Waste Material Recovery Facility	66.33	7.91	Y	\$1-3M	70%			X			
34	D7	PBEE	Transfer Station - Solid Waste Services	66.17	7.94	Y	\$3M+	41%			X			
35	E4	OTS	Boulevard Maintenance	66.00	8.11	Y	\$500K-1M	99%	X					To confirm level of service (2012-13).
36	D5	PBEE	Public Drop-off Facility - Solid Waste Services	65.17	8.31	Y	\$500K-1M	100%			X			
37	B3	CHR	Attendance Management	64.83	8.41	N	\$0-50K	100%				X		
38	B2	CHR	Payroll Administration	64.58	8.47	Y	\$250-500K	100%			X			
39	A9	CAO	Community Energy Initiatives	64.33	8.69	N	\$250-500K	80%			X			
40	D14	PBEE	Urban Design - Planning	64.33	8.77	N	\$100-250K	100%			X			
41	E19	OTS	Provide Seasonal Recreational Facilities	64.25	8.85	N	\$100-250K	63%	X					Level, scope and model of service (2012-13).
42	E22	OTS	Development and Maintenance of the Urban Forest	63.92	8.89	N	\$500K-1M	100%		X				Underway.
43	A10	CAO	Corporate Publications	63.42	8.95	N	\$50-100K	100%	X					Scope and breadth of public outreach (see also #58; 2012-13).
44	D16	PBEE	Use & Awareness - Water Conservation-Water Services	63.33	9.10	Y	\$1-3M	0%			X			
45	C4	CSS	Facilities Operation and Management - John McCrae House	63.09	9.17	N	\$100-150K	90%			X			
46	A13	CHR	Business Systems Team	63.00	9.18	N	\$500K-1M	100%		X				Review for operating efficiencies (2012-13).
47	A12	CHR	Client Services (IT Help Desk)	62.58	9.25	N	\$1-3M	100%			X			
48	D9	PBEE	City-owned Major Capital Facilities Construction - Engineering Services	62.25	9.29	Y	\$1-3M	-12%	X					Consider projected work demand and how best to provide the service (2014-15).
49	E2	OTS	Security	62.17	9.31	N	\$0-50K	51%			X			
50	E11	OTS	Maintain and repair Corporate Fleet to MTO Standards	62.17	9.33	Y	\$10M+	99%			X			
51	D12	PBEE	Heritage Planning	61.25	9.36	Y	\$100-250K	100%			X			
52	B1	CHR	Legal Representation	60.50	9.41	N	\$250-500K	100%	X					Scope, service model, level of service (2012-13).
53	C12	CSS	City Building Maintenance	59.75	9.60	N	\$1-3M	93%		X				Currently underway (2011/12); Service Review (2014-15).
54	A4	CAO	Business Advocacy/ Investment inquiries EcDev	59.50	9.71	N	\$250-500K	81%		X				Currently underway in cooperation with Planning and Building.
55	C7	CSS	Youth Development	59.09	9.74	N	\$0-50K	100%				X		
56	C2	CSS	Facilities Operation and Management - River Run Centre	58.45	9.78	N	\$1-3M	30%	X					Service review-review of service enterprise model (see also #74; 2014-15).
57	D2	PBEE	Bulky Item Collection and Yard Waste Collection	58.25	9.82	N	\$0-100K	86%			X			Council has already approved elimination of yard waste.
58	A11	CAO	Graphic Design	58.00	10.10	N	\$50-100K	100%	X					Link to Service Review of Corporate Publications (see also #58)
59	D1	PBEE	Residential Solid Waste Collection	57.40	10.30	Y	\$3M+	100%	X	X				Operational review/ service review to follow (2014-15).
60	E13	OTS	Animal Control	57.33	10.33	Y	\$500K-1M	71%			X			
61	D6	PBEE	Maintenance - Solid Waste Services	57.25	10.42	Y	\$1-3M	99%			X			
62	E14	OTS	Farmers' Market	57.25	10.46	N	\$100-250K	6%	X	X				Operational review completed in 2010; Service review in 2011 underway.
63	E18	OTS	Provide Horticulture displays for Community Beautification	57.25	10.57	N	\$500K-1M	95%			X	X		
64	A7	CAO	Strategic Planning and Corporate Initiatives	57.08	10.57	N	\$100-250K	95%			X	X		
65	E16	OTS	Mobility Transit Services	57.00	10.90	N	\$100-250K	91%	X	X				Part of Transit Growth Strategy review work completed.
66	E7	OTS	Bridge, Headwall and Retaining Wall Maintenance	56.42	10.93	Y	\$0-50K	100%			X	X		
67	A6	CAO	Visitor Information Centre and Tourism Marketing	55.17	10.95	N	\$100-250K	80%	X					Scope and model of service (2014-15).
68	C13	CSS	Civic Precinct Management	54.83	11.06	N	\$1-3M	100%				X		
69	A5	CAO	Program Facilitation - Tourism	54.00	12.19	N	\$100-250K	80%	X					Scope and model of service (2012-13).
70	B5	CHR	Corporate Initiatives for Employee Engagement	53.50	12.47	N	\$250-500K	100%			X	X		
71	B4	CHR	Diversity - Staffing and Workforce Planning	53.08	12.57	N	\$0-50K	100%			X	X		
72	C1	CSS	Market Square Public Programming Activities	52.73	12.68	N	\$100-250K	100%				X		
73	C6	CSS	Community Engagement Consultation, research and public policy	52.18	13.37	N	\$100-250K	100%			X	X		
74	C3	CSS	Facilities Operation and Management - Sleeman Centre	48.73	15.14	N	\$1-3M	6%	X					Service review-review of service enterprise model (see also #56; 2014-15).
75	E5	OTS	Christmas Tree Collection	47.08	16.35	N	\$0-50K	100%			X	X		

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE July 11, 2011

SUBJECT Corporate Performance Measurement
REPORT NUMBER

SUMMARY

Purpose of the Report: To highlight recent performance measurement advances and provide a commitment to determining additional actions for 2012.

Committee Action: To receive the report for review and Council consideration.

RECOMMENDATIONS

THAT the Governance Committee receive that Corporate Performance Measurement Report;

AND THAT a draft work plan detailing improvement plans and next steps for 2012 be submitted to the October 2011 Governance Committee meeting for review and Council consideration.

BACKGROUND

Performance measurement is a means of evaluating organizational achievements in relation to stated goals and objectives. The City of Guelph recognizes performance measurement, monitoring and reporting as an integrated approach to strengthen strategic and operational performance, accountability and transparency. To that end, activity continues towards ensuring more comprehensive performance measurement, a corporate wide reporting framework and related practices within the corporation. Such efforts contribute to the growing culture of continuous improvement and help to deliver measureable results that residents and stakeholders expect.

REPORT

New Efforts and Achievements

Collaborative Capacity Building

In 2010, a cross-departmental team of specialized staff began regular, informal meetings to explore the status and opportunities around several facets related to effective performance management including:

-
- corporate measurement frameworks, reporting practices, metrics and data sources in use across the corporation;
 - the present capacity and performance measurement learning requirements of Council and staff;
 - connections between performance management, planning and budgeting systems (financial, personnel);
 - options for improvements to Departmental performance agreements/budget transmittals (objectives, requested budget, performance indicators and method of public reporting);
 - how 'performance stories' can best be integrated into regular reporting to enable a balance between qualitative and quantitative information so that data is relevant, reliable and understandable;
 - current levels of integration of performance information into management improvement strategies;
 - options for Council and community engagement in the review of meaningful metrics;
 - staff roles in confirming, collecting, validating, reviewing and reporting results; and
 - priority pilot projects and potential new measurement/reporting initiatives and processes.

The ongoing discussions will continue to evolve and result in ongoing suggestions for Executive Team consideration that are designed to both improve and highlight the use of metrics and results information in key processes.

Departmental Metrics in the 2012 Operating Budget

Starting in the 2012 budget process, Departments will include expenditure based qualitative and quantitative measures to demonstrate how effectively programs and services are achieving results. These measures will be derived from benchmarks set by comparing to other municipalities of similar size and with similar servicing and/or by exploring stand alone, internal levels again preset and Council approved standards.

Example:

- 1) Efficiency (output for a given input) – weight of garbage picked up for \$1,000
- 2) Effectiveness (whether goal or objective is achieved) – garbage is picked up on time

Measurable Objectives in the 2010-2014 Strategic Plan

A key part of the Strategic Plan Revision process is the development of S.M.A.R.T. (Specific, Measureable, Achievable, Relevant and Timely) objectives. A preliminary set are being developed for review and validation by Council, the community and staff in advance of final Council consideration for approval. The measurable objectives will help to ensure that progress towards Council's newly identified strategic objectives can be monitored and reported on to all residents and stakeholders.

Enhanced Performance Reporting

In addition to annual Departmental and Service Area performance reporting accomplishments, (i.e. Human Resources Annual Report and Building Services Report), Finance and Corporate Communications have developed the City's first combined annual financial and community report for 2011. The report is envisioned as a combination of the 'We're Making a Difference' report, published in 2008 and 2009, and the City's annual statements which are filed each year. The new report is another example of how the City is progressing with performance tracking and reporting.

Next Steps

It is recognized that the process of improving, defining, measuring, monitoring and reporting performance results will continue to be a joint and collaborative effort between Council and staff that will create mutual learning opportunities and understanding as well as strengthened accountability. Metrics and related practices will change over time and improve as more experience is gained and progress is further achieved.

A draft work plan detailing improvement plans and next steps for 2012 will be submitted to the October Governance Committee meeting for review and Council consideration.

CORPORATE STRATEGIC PLAN

- 5.3 – Open, accountable and transparent conduct of municipal business.
- 5.6 – Organizational excellence in planning [and] management.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

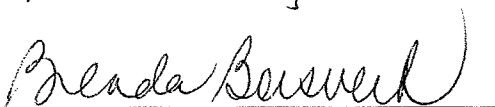
The Executive Team was consulted on the development and content of this report.

COMMUNICATIONS

n/a

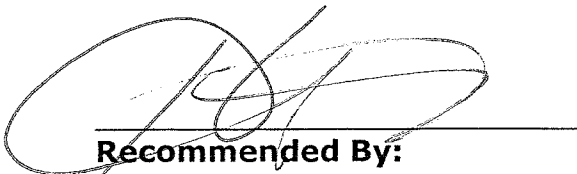
ATTACHMENTS

n/a



Prepared By:
Brenda Boisvert,

Corporate Manager, Strategic Planning
and Corporate Initiatives



Recommended By:
Hans Loewig, Chief Administrative
Officer (CAO)

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, City Clerk's Services
DATE July 11, 2011

SUBJECT **Closed Meeting Protocol with respect to Council and Committee meetings**

RECOMMENDATION

That the report entitled closed meeting protocol with respect to Council and Committee meetings from the Acting Clerk dated July 11, 2011 be received.

REPORT

Section 239(2) and (3.1) of the Municipal Act provides the reasons under which meetings of Council may be closed to the public.

At times questions arise from staff with respect to whether a matter before Council or committee should be dealt with in open or closed session.

In the interests of accountability and transparency governments should conduct as much of its decision making in public as possible. The Provisions in the Municipal Act regarding closed meetings is permissive, which means there are criteria which allows for closed sessions but do not necessarily require them in all cases.

The City continues to demonstrate more openness and transparency in the conduct of municipal business evidenced by examples that include, Council Workshops, Council Training Sessions, Litigation Status reports and many property matters; all of which qualify as closed session meetings, but are now conducted in open session.

This protocol will serve as a guide to staff in the preparation of reports and provide guidance in determining whether a matter should properly be held in closed session.

CORPORATE STRATEGIC PLAN

This report aligns with the following strategic objective:
5.3 Open accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

As this is an operational change, there are no financial implications.

DEPARTMENTAL CONSULTATION

This protocol was reviewed by the Executive Team.

COMMUNICATIONS

Not Applicable

ATTACHMENTS

Closed meeting protocol

“original signed by Tina Agnello”

Prepared & Recommended By:
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Acting City Clerk

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“original signed by Mark Amorosi”

Recommended By:
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SUBJECT: CLOSED MEETING PROTOCOL

PROTOCOL STATEMENT: The intent of this protocol is to provide information regarding the statutory requirements and City procedures with respect to Council and Committee meetings that are closed to the public.

DEFINITION:
Closed Meeting – A meeting that is closed to the public where the subject matter being considered is provided for in Sections 239(2), (3) or (3.1) of the Municipal Act.

SHOULD THE MEETING BE CLOSED?
In the interests of accountability and transparency, Guelph City Council wants to conduct as much of its decision making in the public as possible, and staff need to be supporting this effort. Before placing items on closed meeting agendas, staff need to ask themselves two questions:

Question 1 –Does it meet the criteria in the Municipal Act for the meeting to be closed?

Question 2 – Just because the meeting can be closed, does that mean it should be closed?

The determination regarding whether a report or matter should be dealt with in closed session is the responsibility of the Executive Director in consultation with the Chair, the City Clerk and/or the City Solicitor.

MUNICIPAL ACT RULES FOR CLOSED MEETINGS:

Topic	Includes	Limitations
Security of City Property	<ul style="list-style-type: none"> • City property • City facilities • City Assets • Management issues identified by auditors 	Voting permitted only on: <ul style="list-style-type: none"> • procedural matters • giving directions or instructions to staff
Personal Matters about Identifiable Individuals	<ul style="list-style-type: none"> • Municipal employees • Citizen appointments 	Voting permitted only on: <ul style="list-style-type: none"> • procedural matters

	to boards and committees.	<ul style="list-style-type: none"> giving directions or instructions to staff
Acquisition or Disposition of Land (Proposed or Pending)	<ul style="list-style-type: none"> Purchases Sales Leases Expropriation 	Voting permitted only on: <ul style="list-style-type: none"> procedural matters giving directions or instructions to staff
Labour Relations or Employee Negotiations	<ul style="list-style-type: none"> Union Negotiations 	Voting permitted only on: <ul style="list-style-type: none"> procedural matters giving directions or instructions to staff
Litigation or Potential Litigation	<ul style="list-style-type: none"> Courts Ontario Municipal Board Ontario Human Rights Tribunal 	Voting permitted only on: <ul style="list-style-type: none"> procedural matters giving directions or instructions to staff
Solicitor-Client Privilege	<ul style="list-style-type: none"> Legal opinions Legal advice Briefings 	Voting permitted only on: <ul style="list-style-type: none"> procedural matters giving directions or instructions to staff Information and advice by legal staff or outside legal counsel.
Matters under Other Legislation	<ul style="list-style-type: none"> MFIPPA 	Voting permitted only on: <ul style="list-style-type: none"> procedural matters giving directions or instructions to staff
Educating or Training	<ul style="list-style-type: none"> Council Orientation Team Building Exercises Professional Development 	No discussion or decisions that materially advance the business or decision-making of council or committee.

STATUTORY REQUIREMENTS FOR CLOSED MEETINGS:

- Public notice of closed meetings must be given.
- Before holding a meeting or part of a meeting that is to be closed to the public, council must state by resolution,
 - the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;
 - reference to the education or training provision when applicable.
- All resolutions, decisions and other proceedings at closed meetings are to be recorded without note or comment.
- A record of the proceedings shall be made by the clerk. Alternatively, the clerk may delegate in writing to another person, other than a member of council, the power to record the proceedings of the closed meeting.
- Any person can request an investigation of whether the municipality has complied with the closed meeting rules.
- Association of Municipalities of Ontario/ Local Authority Services has been appointed by the City to investigate complaints.

-
- All investigation reports are to be made available to the public.

ACCESS REQUESTS FOR CLOSED MEETING REPORTS AND MATERIALS:

Reports and material prepared for consideration at closed meetings are records that may be subject to access requests under the Municipal Freedom of Information and Protection of Privacy Act. While it would be desirable to protect the confidentiality of records that are considered at closed meetings, in the event of an appeal the City could be ordered to release such records by the Information and Privacy Commissioner of Ontario.

The City cannot refuse to disclose information provided in a closed meeting report simply on the basis that it was considered at a closed meeting. To qualify for exemption from disclosure, the information in the records has to reveal the actual substance of Council's deliberations. Content that would not reveal the substance of the deliberations may be subject to disclosure. Examples of records that may be subject to disclosure would be:

- Background or historical information
- Attachments
- Copies of correspondence and cover letters
- Scope, definition, and purpose of report
- Recommendations
- Power point presentations
- Statistical data

Therefore, in preparing written material for closed meetings, it is prudent to limit it to only that information which would qualify for discussion at closed meetings under the *Municipal Act*. Structuring reports and briefing material in this way will ensure compliance with the governing legislation and protect the confidentiality of information discussed at closed meetings.

The above refers only to physical records. Verbal reports at closed meetings are not subject to access or disclosure.

VOTING AT CLOSED MEETINGS:

Under the Municipal Act, Council is not permitted to vote on resolutions at closed meetings unless the vote is for a procedural matter or for giving directions or instructions to officers, agents or employees. Reports to closed meetings that contain a course of action should provide a recommendation that "Council rise and report the following motion as a special resolution in Council open session" and shall include the recommendation to be forwarded to Council in open session.

ATTENDANCE:

Unless otherwise directed by Council or Committee, attendance at closed meetings is limited to the following staff :

-
- CAO
 - Executive Team
 - Clerk or their designate
 - Other staff at the discretion of the Executive Team

Other staff are to remain outside the meeting room until called to speak to their specific matter, and leave the meeting once that matter has been dealt with by Council or Committee.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, City Clerk's Services
DATE July 11, 2011

SUBJECT **Library Board as nominating panel for Citizen appointments to the Board**

REPORT NUMBER

RECOMMENDATION

That the Library Board be the nominating panel for the purpose of citizen appointments to Library Board.

REPORT

The Library board has expressed an interest in acting as a nominating panel for the purpose of appointing citizen members to the Library Board.

For all Advisory Committees and in most cases, for Agencies Boards and Commissions, the Standing Committee recommending the appointment to Council will serve as the nominating panel to Council.

As is noted in the "Agencies, Boards, Commissions (ABC's) Resident Appointments-Guiding principles", in a few instances, nominations for appointments are made by the ABC itself. Applications are received by the City Clerk and forwarded to the ABC for nomination. Currently the following ABC's nominate the resident appointees for Council approval:

Board of Commissioners of Guelph General Hospital
Board of Directors of Guelph Hydro Inc.
Board of Trustees of the Elliott Community
Downtown Guelph Business Association
Guelph Junction Railway Company Directors
Macdonald Stewart Art Centre Board of Trustees

Having the Library Board act as a nominating panel will allow them more direct involvement in the selection of members to their Board. The Library Board has direct oversight regarding the management of the library system and should therefore have direct input into the decision making process of Board appointments.

Although the Board will be able to submit their nominees for appointment, the ultimate decision for appointment to the Board rests with City Council.

CORPORATE STRATEGIC PLAN

This report supports goal 5 of the Strategic Plan to have a community focused, responsive and accountable government, and in particular, strategic objective 5.2: a consultative and collaborative approach to community decision making.

FINANCIAL IMPLICATIONS

As this is an operational change, there are no financial implications.

DEPARTMENTAL CONSULTATION

This was initiated at the request of the Library.

COMMUNICATIONS

Not Applicable

“original signed by Tina Agnello”

Prepared & Recommended By:
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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, City Clerk's Services
DATE July 11, 2011

SUBJECT **City of Guelph Procedural By-law
Governing Council and Committee meetings**

RECOMMENDATION

THAT the draft Procedural By-law attached hereto as "Appendix A", be circulated to members of Council for review and comment by September 6, 2011;

AND that a revised Procedural Bylaw be brought forth to the next meeting of the Governance Committee for consideration.

BACKGROUND

The current Procedural By-law which provides for the rules governing the order and procedures of the Council of the City of Guelph was approved in 1996. Since that time the Procedural By-law has been amended regularly.

REPORT

The current Procedural By-law was adopted in 1996. Since then governance and administrative structures have changed, and the format of the conduct of business at meetings has also changed; such as the introduction of consent agenda items.

This proposed by-law consolidates the many amendments that have occurred and incorporates the principles of accountability and transparency affected in current legislation. This new by-law represents an opportunity to clear up ambiguities and to clarify any areas of interpretation which may exist. This new procedural by-law which when approved will replace By-law (1996)-15200.

The draft by-law is being introduced in order to solicit input from the members of council and to consider these comments in a final draft which will be presented to the next regularly scheduled Governance Committee meeting and subsequently, Council for approval and adoption.

For convenience, attached hereto is a copy of the proposed Procedural By-law (Appendix "A") and the redline version of the By-law showing changes from the existing by-law (Appendix "B").

CORPORATE STRATEGIC PLAN

This report aligns with the following strategic objective:

5.3 Open accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

Not applicable

ATTACHMENTS

Appendix "A" Draft Procedural By-law

Appendix "B" Red line changes to Draft Procedural By-law

"original signed by Tina Agnello"

"original signed by Mark Amorosi"

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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)-

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal Code Amendment #_____ and to repeal By-laws By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095 and (2010)-19107..

WHEREAS it is necessary and expedient that there should be rules governing the order and procedure of the Council and its committees;

AND WHEREAS section 55 of The Municipal Act, R.S.O. 1990 c.M.45, as amended requires Council and every local board to adopt a procedure by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE the Corporation of the City of Guelph ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law,

"Acting Mayor" means each Councillor is appointed, in alphabetical order by last name, to serve one month each to act in the place instead of the Mayor when called upon to do so by the Mayor;

"Acting Chair" means a member of the Committee appointed by the Chair or by the members of the committee to act in the place and stead of the Chair in their absence.

"By-law" means a By-law, in a form approved by Council, passed for the purpose of giving general effect to a previous decision or proceedings of Council;

"CAO" means the Chief Administrative Officer of the City of Guelph;

"City" means the Municipal Corporation of the City of Guelph and includes the geographical area of the City of Guelph;

"Chair" means the Mayor or Acting Mayor of any meeting of Council or the Chair or Acting Chair of any Committee of Council.

"Clerk" means the City Clerk, or his or her designate;

"Closed Meeting" means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act;

"Committee" means a Standing Committee of Council and are comprised of the following standing committees:

- Audit Committee
- Community & Social Services Committee
- Corporate Administration, Finance & Emergency Services Committee
- Operations & Transit Committee
- Planning & Building Engineering and Environment Committee
- Governance Committee

"Advisory Committee" means a committee created by Council, with no definitive end, to report through the appropriate standing committee on a specific subject;

"Special/Ad Hoc Committee" means a committee, with a defined ending, that considers a very specific matter and report to Council on the subject;

"Committee Chair" means the Chair of a Committee;

"Consent Agenda" means a listing of Consent Items being presented to Council and Committee for their consideration;

"Consent Report" means a report from the Standing Committees outlining the items approved by Committee and being forwarded to Council for their consideration;

"Consent Item" is a report that is approved without debate and with no delegation or presentation and generally considered routine or time sensitive;

"Council" means the City Council and shall include the Mayor;

"Executive Directors" means the following staff who report to the CAO and are responsible for multijurisdictional areas: the Executive Director of Community and Social Services, the Executive Director of Corporate and Human Resources, the Executive Director of Operations and Transit, and the Executive Director of Planning & Building, Engineering & Environment;

"Delegate" means any person, group of persons, firm or organization that is neither a Member of Committee or Council nor an appointed Official of the City, wishing to address Committee or Council upon request to the Clerk;

"Local Board" means a local board as defined in the Municipal Act;

"majority" for the purpose of voting means more than half the total of members of Council or Committee present and not prohibited by statute from voting, unless otherwise specified;

“Mayor” means the Head of Council and in this By-law means the Acting Mayor when the Acting Mayor is acting in place and stead of the Mayor;

“meeting” means any regular or special meeting of Council or Committee;

“Member of Council” means a member of Council, including the Mayor;

“motion” means a proposal by a member for the consideration of Council or a Committee that is moved by a member and seconded by another member;

“resolution” means a motion that has been carried;

“rules of procedure” means the rules and procedures set out in this by-law;

2. MEETINGS

2.1 Public Notice of Meetings

- 2.1(a) Public notice of all regular open and closed Council and Standing Committee meetings will be given by:
- including them on the City’s website calendar at least 72 hours prior to the meeting,
 - by posting a notice in City Hall at least 72 hours prior to the meeting; and
 - by publication in a local paper at least 72 hours prior to the meeting.
- 2.1(b) Public notice of all special open and closed Council and Standing Committee meetings will be given by:
- including them on the City’s website calendar as soon after the meeting is called and no later than 24 hours prior to the meeting;
- 2.1(c) Notwithstanding Clause 2.1(a) and (b), legislated notice of items on any agenda are to be circulated in accordance with the applicable legislation.

2.2 Inaugural of Council

- 2.2(a) The first meeting of the Council following a regular election shall be held on the first Monday in December at 7:00 p.m. in the Council Chambers of City Hall or at such alternate location as may be named by Council. If this day is a public holiday, the Council shall meet at the same hour on the next day, not being a public holiday.
- 2.2(b) At the inaugural meeting, all members present shall make their declaration of office and sign their Code of Conduct, and no regular business shall be proceeded with at this meeting.

2.3 Regular Meetings of Council

- 2.3(a) Council shall meet on the dates and times as provided by schedule as set by Council by resolution each year in the Council Chambers of City Hall unless by way of resolution the Council selects an alternate meeting date, time or another location. In the event the regular meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday. Where required, meetings that are closed to the public pursuant to Section 239 of the Municipal Act, may be scheduled no earlier than 5:00 p.m. on the day of a scheduled Council meeting.
- 2.3(b) Unless there is a quorum consisting of seven members of Council present within fifteen minutes after the time appointed for the meeting of the Council, the Council shall stand adjourned until the next meeting date, and the Clerk shall take down the names of the members present at the expiration of such fifteen minutes.
- 2.3(c) As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the members to order. In the absence of the Mayor or Acting Mayor, the Clerk shall call the members to order. A Chair shall be chosen from the members present and that person shall preside during the meeting or until the arrival of the Mayor or Acting Mayor.

2.4 Public Meetings Pursuant to Legislation

- 2.4(a) Where required, statutory public meetings under the Planning Act shall be held on the first Monday of the month. Reports on planning matters shall be made available to the public one week in advance of the regular agenda distribution date.
- 2.4(b) Notwithstanding Section 7.6 of this by-law, the time limitation for delegations at a public meeting for the purpose of informing the public of matters under the Planning Act, shall not exceed ten minutes. The ten minute time period may be extended by the Council by a majority vote of the Council members present. Such question shall be decided by Council without debate. Questions by Council of staff may be asked after the staff presentation and prior to delegations.
- 2.4(c) Once all registered delegations have spoken, the Mayor or Chair will ask if anyone present wishes to speak and they will be permitted to speak without advance notice.

2.5 Special Council Meetings

- 2.5(a) The Mayor may at any time summon a special meeting of Council and it shall be the duty of the Mayor to summon a special meeting when so requested in writing by a majority of members of Council.

- 2.5(b) Upon receipt of a petition of the majority of the members of the Council, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition.
- 2.5(c) The Clerk shall give notice of the time, place and the purpose thereof of every special meeting to all members not less than 48 hours prior to the time fixed for the meeting.
- 2.5(d) The notice calling a special meeting of the Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting, except with the unanimous consent of all members present at such meeting.
- 2.5(e) On urgent or extraordinary occasions, an emergency special council meeting may be called by the Mayor, and the notice provided in subsection 2.5(c) above shall not be required.

2.6 Standing Committee Meetings

- 2.6(a) Standing Committees shall meet on the dates and times as provided by the schedule as set by Council by resolution each year in the Council Chambers of City Hall unless otherwise agreed upon.
- 2.6(b) The Chair of the Standing Committee may call a meeting. The Mayor being an ex-officio member of each standing committee also has the authority to call a standing committee meeting. Lastly, the majority of members of a standing committee have the authority to call a meeting.
- 2.6(c) Once a request is made the arrangements for the meeting shall be made within the next day and a meeting scheduled for the first possible time when a quorum would be available.
- 2.6(d) At the direction of the Chair of a standing committee or special committee, the Clerk shall give notice of the time, place and the purpose thereof of every special meeting or cancellation to all members not less than 48 hours prior to the time fixed for the meeting.
- 2.6(e) The notice calling a special meeting of the Committee shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting, except with the unanimous consent of all members present at such meeting.
- 2.6(f) On urgent or extraordinary occasions, an emergency special committee meeting may be called by the Chair, and the notice provided in subsection 2.6(d) above shall not be required.
- 2.6(g) All resolutions passed at special standing committee meetings shall be forwarded to Council for consideration.

2.7 Closed Meetings

- 2.7(a) Meetings shall be open to the public. A meeting or part of a meeting may be closed to the public if the subject matter being considered meets the criteria set out in Appendix 1.
- 2.7(b) The Clerk and/or their designate shall attend closed meetings.
- 2.7(c) (i) The Clerk may delegate the Clerk duties with respect to recording minutes in a closed meeting of Council to a staff person only.
- (ii) Notwithstanding 2.7(c)(i) above for closed Audit Committee meetings, the Clerk may delegate the Clerk's duties with instructions to the external Auditor.

3. ORDER OF BUSINESS

3.1 Council Agendas

The Clerk shall have prepared and printed for the use of members at the regular meetings of Council, an agenda with the following headings:

Singing of O Canada
Silent Prayer
Declaration of possible Pecuniary Interest
Confirmation of previous Council Minutes
Presentations
Public Meetings pursuant to legislation including The Planning Act
Delegations
Matters arising out of Delegations heard
Consent Reports of Committees of Council and other Boards,
Committees and Commissions
Consent Agenda
Special Resolutions
By-laws
Announcements
Notice of Motions
Adjournment

3.2 Committee Agendas

The Clerk shall have prepared and printed for the use of members at the regular meetings of the Standing Committees, an agenda with the following headings:

Declaration of possible Pecuniary Interest
Confirmation of Minutes
Presentations
Consent Agenda
Next Meeting Date

4. DISCLOSURE OF PECUNIARY INTEREST

- 4.1 Where present at a meeting and a member of Council has a pecuniary interest as defined in the Municipal Conflict of Interest Act the Councilor shall, prior to any consideration of the matter, disclose the interest and the general nature thereof and not take part in the consideration or discussion of the matter nor vote on the matter.
- 4.2 Where the member of Council has a pecuniary interest and they are not present at the meeting where the matter was considered, the member of Council shall disclose the pecuniary interest and the general nature thereof at the first meeting attended by the member of council after the matter was considered.
- 4.3 In addition to complying with the requirements of 4.1, if the matter is being discussed or considered at a closed meeting, the Council member shall leave the meeting for the part of the meeting during which the matter is under consideration.
- 4.4 When a member of Council has participated in any matter despite having previously declared a possible pecuniary interest, Council may consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process.

5. MINUTES

- 5.1 The minutes of previous meeting(s) shall be presented by the Clerk for adoption.
- 5.2 When the minutes of the Council meeting have been adopted, they shall be signed by the Mayor and Clerk.

6. PRESENTATIONS

- 6.1 Presentations at meetings shall be limited to a maximum of 10 minutes.
- 6.2 Presentations providing information only are heard at the beginning of the meeting:
 - (i) by staff and outside organizations providing information with no accompanying report and may not require a Council decision;
 - (ii) recognition of achievements.
- 6.3 Where a City presentation involves an item on the Council agenda, the item is extracted from the Consent Report and/or Consent Agenda and shall be heard at the appropriate time in the agenda with the report brought forward for consideration immediately after the presentation has been made. If delegations are to be heard in addition to a presentation involving an item on the Council agenda, the item shall not be brought

forward for consideration until all delegations on the same have been heard.

7. DELEGATIONS

- 7.1 Council shall not permit any person to address Council at a meeting regarding litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals affecting the municipality or local board unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegation to be heard.
- 7.2 No person, except members of Council and appointed officials of the City of Guelph, shall be allowed to come within or behind the horseshoe during a meeting of the Council or Committees without the permission of Council.
- 7.3 No person shall make detrimental comments, or speak ill of, or malign the integrity of staff members or Council.
- 7.4 Delegations shall not be permitted to appear before Council or Committee for the sole purpose of generating publicity for an event.
- 7.5 No delegation shall speak on a matter that is not within the jurisdiction of the Council or Committee.
- 7.6(a) A person wishing to appear as a delegation, on an item on the agenda, may address the Council or Committee for a period of time not exceeding five minutes. The five minute timer period may be extended by the Council or Committee by a majority vote of the Council members present. Such question shall be decided by the Council without debate.
- 7.6(b) An organized body wishing to address Council or Committee as a delegation shall be limited to a maximum of ten minutes when the number of representatives of that group wishing to address Council or Committee is three or more.
- 7.6(c) Notwithstanding Clause 7.6(a), designated representatives of the County of Wellington appearing before the Community & Social Services Committee with respect to land ambulance service matters, will have no time imitations placed on their delegation.
- 7.7(a) Delegations wishing to address Council or Committee shall notify the Clerk no later than the Wednesday immediately preceding the regular Council meeting in order that they may be listed on the agenda along with the subject matter of their address. The delegation where possible, should provide a written copy of the submission before 4:00 p.m. on the Wednesday prior to the regular Council or Committee meeting.

- 7.7(b) Delegations have until 12 noon on the day of the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 5 p.m. or later.
- 7.7(c) Delegations have until 9 a.m. on the day of the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 12 noon or later.
- 7.7(d) Delegations have until 4 p.m. the business day prior to the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 11:59 a.m. or earlier.
- 7.8 In the event that the matter is of an urgent nature and requires a decision prior to the next Council meeting, the delegation shall be heard at the conclusion of all items of business on the agenda with the approval of a majority of those members present.
- 7.9 Notwithstanding public meetings pursuant to legislation, a person who is unable to attend a Council or Committee meeting and is listed on the agenda as a delegation, may appoint another person by notifying the Clerk's office one business day in advance of the meeting to appear as a delegation on such person's behalf and to read a prepared statement pertaining to an item listed on the Council agenda.
- 7.10 Except on matters of order, members of Council shall not interrupt a delegation while he or she is addressing Council or Committee.
- 7.11 Members of Council may only ask questions of delegations and shall not express an opinion or enter into debate or discussion with the delegations.
- 7.12 All delegations on an issue shall be heard before questions are asked of staff or discussion among Council or Committee.
- 7.13 Where delegations have appeared on an item on the Council agenda, the item shall be brought forward for consideration immediately after all delegations have been heard.

8. CONSENT REPORTS FROM COMMITTEES, BOARD AND COMMISSIONS

- 8.1 The reports from a Standing Committee to Council shall be submitted to Council in the form of a consent report, and shall be dealt with by Council in the manner as provided for in Clause 8.3.
- 8.2 Reports of Committees of Council and other Board, Committees and Commissions shall be submitted in the following order:
- (a) Standing Committees

- (b) Special Committees appointed from time to time by Council;
and
 - (c) Boards and Commissions
- 8.3(a) All reports from Committees of Council shall be presented by the Chair of the Committee or, in their absence, by a member of the Committee, who shall move the adoption of the Report.
- 8.3(b) Council Members shall identify any items contained on the Committee Consent Report, which they wish to speak to and the matter will be extracted from the Consent Report to be dealt with separately.
- 8.3(c) The balance of the items on the Committee Consent Report shall be voted on in one motion.
- 8.4 Reports from Boards and Commissions submitted in writing shall be signed by the Chair or Secretary. When the reports are such that action of Council is required, appropriate resolutions shall be presented for consideration.

9. CONSENT AGENDA

9.1 Council Consent Agenda

- 9.1(a) The Council Consent Agenda shall consist of the following items:
 - (a) Reports from Staff may be submitted;
 - (b) Correspondence for the direction of Council which may include:
 - i) correspondence for which a policy decision or approval of Council is required, and
 - ii) correspondence accompanied by a recommendation from staff
 - (c) Correspondence for the information of Council.
- 9.1(b) The consent agenda may be adopted in its entirety by a single resolution of Council. Members of Council who wish to address a specific matter on the consent agenda may identify such items, which shall then be extracted and dealt with separately. The balance of the consent agenda shall then be adopted in one resolution.
- 9.1(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or Committee.

9.2 Standing Committee Consent Agenda

- 9.2(a) Each Standing Committee shall use a consent agenda which shall consist of the following items:
 - (1) Reports from the staff of the divisions which report to the Standing Committee

- (2) Matters referred by City Council
 - (3) Correspondence for the direction of the Committee for which a policy or approval of Committee is required;
 - (4) Correspondence accompanied by a recommendation from staff.
 - (5) Correspondence for the information of the Committee.
- 9.2(b) The Standing Committee consent agenda may be adopted in its entirety by a single resolution of the Committee. Members of the Committee who wish to address a specific matter on the consent agenda may identify such items, which shall then be extracted and dealt with separately. The balance of the consent agenda shall then be adopted in one resolution.
- 9.2(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or Committee.

10. CONDUCT OF MEMBERS IN COUNCIL

- 10.1 Council and Committee members shall govern themselves according to their Code of Conduct.
- 10.2 The Mayor or Chair shall preserve order and decide questions of order and privilege.
- 10.3 Every member desiring to speak, shall raise his or her hand so as to be recognized by the Mayor or Chair.
- 10.4 Every member, on being recognized shall remain seated in their place, and address themselves to the Mayor or Chair.
- 10.5 A member called to order by the Mayor or Chair shall immediately cease stating further comment, and may appeal the calling to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor or Chair shall be final.
- 10.6 No member shall without leave of the Council:
- (a) speak to an issue for more than 5 minutes (cumulative);
 - (b) use offensive words or speak disrespectfully of Council or any person;
 - (c) speak on any subject other than the subject under debate;
 - (d) speak in contempt of any decision of the Council except when speaking in support of a motion for reconsideration;
 - (e) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared;

- (f) disobey the rules or decisions of Council or a decision of the Mayor or Chair on questions of order or practice or upon the interpretation of the rules of procedure, and in case a member persists in any such disobedience after having been called to order by the Mayor or Chair, such member may be ordered by Council or Committee to leave his or her seat for that meeting and, in case of their refusing to do so, they may, on the order of the head of Council or Chair, be removed there from by the police. In case of adequate apology being made by the member they may, by vote of the Council or Committee, be permitted to take their seat.

10.7 Section 10.6(a) shall not apply to Committee Chair when presenting the Committee's report to Council.

11. POINT OF ORDER OR PRIVILEGE

11.1 Point of Order

- 11.1(a) A member may raise a point of order at any time, whereupon the Mayor or Chair shall:
 - a) interrupt a matter of consideration on the agenda; and
 - b) ask the member raising the point of order to state the substance of and the basis for the point of order; and the applicable rule involved; and
 - c) and
 - d) rule on the point of order immediately without debate by Council or Committee.
- 11.1(b) A member of Council or Committee may appeal the ruling of the Mayor or Chair.
- 11.1(c) If there is no appeal, the decision of the Mayor or Chair is final. The Council or Committee, if appealed to, shall decide the question without debate and its decision is final.

11.2 Point of Privilege

- 11.2(a) A member may raise a point of privilege at any time if they consider that their integrity or the integrity of Council or the Committee as a whole has been impugned, whereupon the Mayor or Chair shall:
 - a) interrupt a matter of consideration on the agenda; and
 - b) ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
 - c) rule on the point of privilege immediately without debate by Council.
- 11.2(b) A member of Council or Committee may appeal the ruling of the Mayor or chair

- 11,2(c) If there is no appeal, the decision of the Mayor or Chair is final. The Council or Committee, if appealed to, shall decide the question without debate and its decision is final.
- 11.2(d) Where the Mayor or Chair considers that the integrity of any City employee has been impugned or questioned, the Mayor or Chair may permit the staff to make a statement to Council or Committee.

12. MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL

- 12.1 All motions shall be seconded before being debated. When a motion is seconded, it may upon request, be read or stated by the Mayor or Clerk at any time during the debate.
- 12.2 When a Councillor moves a main motion or amendment to a motion that is not recorded as part of the Agenda package, that Councillor must provide a written copy of the motion to the Mayor prior to the vote being taken.
- 12.3(a) Whenever the Mayor is of the opinion that a motion is contrary to the main motion, the Mayor shall apprise the members thereof immediately.
- 12.3(b) A member of Council may appeal the ruling of the Mayor
- 12.3(c) If there is no appeal, the decision of the Mayor is final. The Council if appealed to, shall decide the question without debate and its decision is final.
- 12.4 A motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order.
- 12.5 After a motion is moved and seconded, it shall be deemed to be possession of the Council but may, with the consent of the Council, be withdrawn at any time before decision or amendment.
- 12.6 When a motion is under consideration no other motion shall be received unless:
 - (a) to refer the motion to a standing committee, committee of council, administrative staff or any person or body and such motion:
 - (i) is open to debate;
 - (ii) is amendable; and
 - (iii) shall preclude amendment or debate of the preceding motion unless resolved in the negative.
 - (b) to amend the motion and such motion to amend:

- (i) is open to debate;
 - (ii) shall not propose a direct negative to the main motion;
 - (iii) shall be relevant to the main motion;
 - (iv) is subject to only one amendment, and any amendment more than one must be to the main question; and
 - (v) shall be put in the reverse order to that in which they are moved, and shall be decided or withdrawn before the main question is put to the vote.
- (c) to defer the motion to another time and such motion to defer:
- (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
- (d) to adjourn the meeting and such motion to adjourn:
- (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) shall always be in order, but no other such motion shall be made unless some intermediate proceeding has taken place.
- (e) to move the previous question and such motion:
- (i) cannot be amended;
 - (ii) cannot be proposed when there is an amendment under consideration;
 - (iii) shall preclude all amendments of the main question;
 - (iv) when resolved in the affirmative, the question is to be put forthwith, without debate or amendment;
 - (v) when resolved in the negative, the debate shall continue;
 - (vi) cannot be received in any committee of Council; and
 - (vii) may be voted against by the mover and seconder.

13. VOTING

13.1(a) When one or more of the motions set out in Section 12 has been made, the order of the vote shall be as follows:

- (i) to defer consideration of the motion;
- (ii) to refer the motion;
- (iii) upon the amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
- (iv) then, upon the main motion or upon the main motion as amended, if any amendments have been carried.

- 13.1(b) When the question under consideration contains distinct clauses, upon the request of any member of Council or Committee, the vote upon each clause shall be taken separately.
- 13.1(c) After a question is finally put by the Mayor or Chair, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.
- 13.1(d) After a question is finally put by the Mayor or Chair (other than motions regarding procedural matters) no members of Council or committee shall be recognised to speak by the Mayor or Chair.
- 13.1(e) Members of Council or Committee must distinguish their vote when voting on any matter by voting in favour or opposed using an electronic voting system.
- 13.1(f) Should Council or Committee meet in a place where there is no electronic voting system or should the electronic voting system in the Council Chambers be inoperable, the members of Council or Committee must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.
- 13.1(g) The Clerk shall for all motions, record the name and vote of every member voting on a matter of question.
- 13.1(h) The Clerk shall record in the minutes the name of any member of Council or Committee who is not present in the Chamber when such recorded vote is taken.
- 13.(i) The Mayor or Chair shall vote on any question while in possession of the Chair, however, if the Mayor or Chair wishes to propose a motion he or she must step down and shall not resume the Chair until the vote is taken.

13.2 Closed Meeting Voting

- 13.2(a) In closed session, Council or Committee is permitted to vote only on resolutions pertaining to a procedural matter or for giving directions or instructions to officers, agents or employees.
- 13.2(b) All other resolutions must be approved in open session. Council or Committee shall pass a resolution to rise and report and then introduce the motion under special resolutions on the Open Council Agenda.
- 13.2(c) Notwithstanding Clause 13.1(e), there shall be no recorded votes in closed meetings unless otherwise requested by a member of Council or Committee.

14. RECONSIDERATION OF A COUNCIL DECISION:

- 14.1 After a resolution is passed, any member of Council who voted with the majority in respect of such motion, may move a motion for reconsideration. The motion shall only be seconded by a member of Council who voted with the majority.
- 14.2 No discussion on the main motion shall be allowed unless the motion for reconsideration is carried in the affirmative by a vote of a minimum vote of seven of the entire Council.
- 14.3 Any member of Council who did not vote on the motion to be reconsidered by reason of not being a duly elected member of Council at the time the vote was taken or who was absent at the time a vote was taken on the motion, shall be deemed to be a member of Council who voted with the majority for the purposes of sub-section 14.(1).
- 14.4 Debate on a motion for reconsideration must be confined to reasons for or against the reconsideration, and no discussion on the main question shall be allowed until the motion for reconsideration is carried.
- 14.5 No question shall be reconsidered more than once during the term of Council, nor shall a vote to reconsider be reconsidered.
- 14.6 If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion for reconsideration calls for a future definite date. Debate on the motion to be reconsidered may proceed as though it had never previously been voted on.
- 14.7 A motion to reconsider may also be introduced by a Notice of Motion. The mover or seconder is not required to have voted with the majority of Council. This notice of motion shall appear on the agenda of a subsequent meeting or the meeting specified by the mover and seconder. This motion is deemed to have been passed in the affirmative if it received a vote of at least 7 of the entire Council.

15. BY-LAWS

- 15.1 The Clerk shall submit to Council a summary of all by-laws proposed for adoption, including the by-law numbers, titles and explanatory notes.
- 15.2 Every proposed by-law shall be at the Council Meeting and be available to any person interested in reviewing same.
- 15.3 Every by-law proposed for adoption shall be passed in one motion.
- 15.4 After the by-laws have been passed, the Clerk shall be responsible for their correctness should they be amended at the Council meeting.
- 15.5 Every by-law passed by Council shall:

- (i) be signed by the Mayor, or the presiding officer at the meeting;
- (ii) be signed by the Clerk;
- (iii) be sealed with the seal of the Corporation, and;
- (iv) indicate the date of passage.

15.6 Council shall, at each meeting, enact a by-law to confirm each motion, resolution and action passed and taken by the Council at that meeting.

16. ANNOUNCEMENTS

16.1 Announcements shall be provided to the Mayor in writing prior to the Council meeting, and the Mayor shall read the announcements at the end of the Council meeting.

17. NOTICE OF MOTION AND SPECIAL RESOLUTIONS

17.1 Any member may give notice of intent that he or she will introduce a motion at the next or a subsequent meeting of Council to initiate any measure or to make any change in the Council's established policy. At the time of giving of notice, members shall fully disclose the intent of the motion to Council. The giving of notice requires no seconder and is not at that time debatable.

17.2 Further to Section 17.1, all notices of motion submitted to Council, other than a notice for reconsideration of a Council decision, be in the form of a referral to a committee for a recommendation to Council, unless the matter is time sensitive and requires a more immediate decision of Council.

17.3 Notices of motion shall be in writing, and shall be submitted to the Clerk for inclusion in the Agenda of the next regular meeting of Council following the meeting at which notice was given or such other time as is specified in the notice. Notices received after the time of printing of the agenda for a Council meeting, shall be placed on the agenda for the next following regular Council Meeting.

17.4 Motions for which previous notice has been given shall be listed on the agenda under the heading "Special Resolutions". Special resolutions for which previous notice was given shall not be placed on supplementary or addendum agendas.

17.5 In introducing a special resolution to Council, a member shall be permitted the opportunity of providing material and information in support of the resolution for the benefit of Council.

17.6 If a notice of motion is introduced and not brought forward in the next 2 subsequent regular meetings of Council, the notice of motion expires.

- 17.7 Where Council has passed a resolution at a meeting closed to the public in accordance with Appendix #1 "Matters for Closed Meetings" which is not procedural in nature or direction to staff, such resolution shall be introduced in the Special Resolution section of the Council agenda.

18. ADDENDUM/SUPPLEMENTARY AGENDAS

- 18.1 An addendum or supplementary agenda shall be prepared by the Clerk to advise Council or Committee of names of persons who wish to speak to matters on the agenda who have contacted the Clerk after the agenda has been distributed.
- 18.2 Items or matters will not be added to the agenda after its distribution to Council or Committee by inclusion on the addendum unless directed by the Mayor or Chair, respectively, or CAO and/or Executive Directors if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

19. ADJOURNMENT

- 19.1 The Council shall adjourn at 11:00 p.m. if in session at that hour, unless otherwise decided before that hour by a two-thirds vote of the members present. When the Council is adjourned at 11:00 p.m., before the agenda is completed, a time and date shall be established for consideration of the balance of the agenda.
- 19.2 Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.
- 19.3 A motion to adjourn may be made by a member who has the floor, requires no seconder and need not be in writing. However, no motion to adjourn may be made during the taking of a vote on any other motion.
- 19.4 Notwithstanding Section 19.2, if a motion to extend the automatic adjournment time is required prior to the hearing of all delegations on a matter being considered at the time such motion to adjourn is made, the meeting shall not be adjourned until all listed delegations on the matter have been heard. Once the listed delegations have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

20. NOMINATING AND STRIKING COMMITTEE

- 20.1 Council as whole shall select Chairs of the standing committees annually prior to the selection of the standing committee members. The Chair

position shall be considered for rotation every two years when selecting a committee Chair. Consideration shall be given to workload balance, individual interests and Councillor development.

- 20.2 In the first year of a new term, the Council shall establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Committees, public agencies and any other body.
- 20.3 The Mayor shall Chair the Nominating Committee.
- 20.4 The Nominating Committee shall be composed of the Mayor and the Chairs of the Committees.
- 20.5 In the first year of a new term of Council, the Nominating Committee shall make recommendations to the Striking Committee of Council on all Council Member appointments.
- 20.6 In all other years of the Council term, the Nominating Committee shall make recommendations on Councillor Member appointments to Council prior to the last regularly scheduled Council meeting in November.
- 20.7 For Councillor vacancies that occur during the term of Council, the Nominating Committee shall make a recommendation to Council.
- 20.8 Council shall consider both qualifications as well as individual interests as committee members are selected. In order to balance committee workload, each ward councillor shall serve on at least two of the standing committees. The selected members of each standing committee shall be appointed by Council for a one year term. A quorum for a standing committee shall be three members.
- 20.9(a) In the first year of a new term, the Council shall meet as a striking committee for the purpose of making citizen appointments to Boards, Committees and Commissions.
- 20.9(b) In all other years of the Council term, the striking committee shall meet as part of the regularly scheduled Council meeting on the last regularly scheduled meeting in November.

21. STANDING COMMITTEES / ADVISORY AND AD HOC COMMITTEES

These rules shall apply to Standing Committees.

21.1 Standing Committee Procedures

- 21.1(a) A standing committee is a committee comprised of 5 members of City Council and deal with the subject matter specific to their mandate and charter and make recommendations to City Council for approval.

- 21.1(b) The role of the Standing Committee shall be:
- (i) to guide staff, through the CAO, on the direction and nature of the policy development, fact-finding, analysis, and generation of alternatives;
 - (ii) to receive public Delegations and establish mechanisms to receive further public input on public policy matters;
 - (iii) to establish ad hoc and sub-committees, including the establishment of terms of reference and memberships for same, to address specified policy issues for referral to the Committee;
 - (iv) to provide guidance and direction to staff through the CAO, where policy interpretation or clarification is required.
- 21.1(c) Council shall appoint the following standing committees:
- i) Audit Committee
 - ii) Community & Social Services Committee,
 - iii) Corporate Administration, Finance & Emergency Services Committee
 - iv) Planning & Building, Engineering and Environment Committee
 - v) Operations & Transit Committee
 - vi) Governance Committee
 - vii) Emergency Governance Committee
- 21.1(d) The following committees shall be composed of four Councillors and the Mayor:
- i) Audit Committee
 - ii) Community & Social Services Committee
 - iii) Corporate Administration, Finance & Emergency Services Committee
 - iv) Planning & Building, Engineering and Environment Committee
 - v) Operations & Transit Committee
- 21.1(e) The Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council and quorum shall be four members.
- 21.1(f) The Governance Committee shall be composed of the Chairs of the Community & Social Services Committee; Corporate Administration, Finance & Emergency Services Committee; Planning & Building, Engineering and Environment Committee; Operations & Transit Committee and the Mayor.
- 21.1(g) Notwithstanding Section 20.1 the Governance Committee shall be chaired by the Mayor.

21.1(h) Where a matter may fall under the responsibility of more than one standing committee, the Clerk shall consult with the Mayor and the committee chairs involved, for a determination of which standing committee shall deal with the matter.

21.2 Standing Committee Functions

21.2(a) The general responsibilities of the Audit Committee shall be to study and report on matters relating to, but not limited to the following:

- a) External Audit (Annual Audit)
- b) Annual Financial Statements
- c) Auditor Performance and Review
- d) Compliance
- d) Risk Management and Internal Control
- e) Reporting Responsibilities
- f) Adequacy of the City's Resources
- e) Internal Audit
- f) City Financial and Control Systems

21.2(b) The general service area responsibilities of the Community & Social Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Arts, Culture & Entertainment
- b) Community Engagement & Social Planning (Social Services, Child Care Services, Social Housing, and Homes for the Aged)
- c) Parks, Recreation Programming & Facilities
- d) Administration & Customer Service
- e) Corporate Building Maintenance

21.2(c) The general service area responsibilities of the Corporate Administration, Finance & Emergency Services Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Administration:
- b) Community Energy Initiative
- c) Downtown Renewal
- d) Economic Development & Tourism
- e) Emergency Services (including land ambulance)
- f) Financial Services
- g) Corporate & Human Resources
 - Clerks Services
 - Information Technology
 - Legal & Realty Services / Court Services

21.2(d) The general service area responsibilities of the Operations & Transit Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Operations
- b) Park Maintenance & Development
- c) Community Connectivity & Transit
- d) Public Works
- e) By-law Compliance & Security

21.2(e) The general service area responsibilities of the Planning & Building, Engineering and Environment Committee shall be to study and report on matters relating to but not limited to the following:

- a) Engineering Services
- b) Planning & Building Services
- c) Solid Waste Resources
- d) Wastewater Services
- e) Water Services

21.2(f) The general responsibilities of the Governance Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Effective Corporate Governance (review governance principles, policies and procedures)
- b) Accountability and Transparency
- c) Strategic Planning Processes
- d) Committee and Council Effectiveness
- e) CAO Performance and Review
- f) Oversight of Governance Policies
- g) Oversight of CAO and Senior Management Team
- h) Succession Planning
- i) Enterprise Risk Management
- j) Council Compensation
- k) Council Performance Reporting

21.2(g) Council hereby delegates to the Emergency Governance Committee authority to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, with such delegated authority to only be exercised:

- (i) for the duration of an emergency which has been declared by the Mayor and his/her designate, in accordance with the City's Emergency Response Plan; and
- (ii) at such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled meeting of Council; and
- (iii) for Council's normal decision making process and not for the management or co-ordination of emergency response activities.

21.3 Ad Hoc Committees and Advisory Committees Created for Special Purposes

21.3 Special Committees/Ad Hoc Committees

- 21.3(a) Council also appoints Special Committees/Ad Hoc Committees, with a defined ending, who consider a very specific matter and report to Council on the subject.
- 21.3(b) Notwithstanding Section 21.6(a) only members of any Ad Hoc Committee of Council created for a special purposes shall attend the Ad Hoc meetings;
- 21.3(c) Ad Hoc Committees of Council shall report back to Council.

21.4 Advisory Committees

- 21.4(a) Advisory Committees are created by Council with no defined ending, to report through the appropriate Standing Committee on a specific subject matter.
- 21.4(b) No members of Council shall be appointed to Advisory Committees.

21.5 Member Absent from Committee Meetings

- 21.5(a) The appointment of a member of Council to a committee may be terminated if the member is absent from meetings of the Committee for three consecutive months without being authorized to do so by a resolution of the committee entered upon its minutes.
- 21.5(b) The appointment of a citizen member to an Ad Hoc or Advisory Committee may be terminated if the member is absent from meetings of the Committee for three consecutive months without being authorized to do so by a resolution of the committee entered upon its minutes.

21.6 Non Committee Member Participation at Meetings

- 21.6(a) Members of Council who are not committee members are encouraged to attend both regular and closed meetings. They can ask questions for clarification, but cannot enter into the debate of the committee.
- 21.6(b) The Chairs of the standing committees shall recognize members of Council in the following order:
 - i. Standing Committee members
 - ii. Non Standing Committee members
- 21.6(c) All non members of the standing committees may ask questions regarding an issue for no more than 5 minutes (cumulative).

22. GENERAL RULES

- 22.1 No provision of this by-law shall be suspended except by affirmative vote of two-thirds of the entire Council.

- 22.2 The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and Committees and shall be the rules and regulations for the order and dispatch of business of the Council and wherever possible with the necessary modifications, for all Advisory committees of Council, unless otherwise prescribed.
- 22.3 All matters relating to the proceedings of Council and Committee for which rules have not been provided for in this By-law decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in Bourinot's Rules of Order.
- 22.4 Council Code of Conduct forms part of this by-law and shall apply to all Members of Council and is attached as, Appendix 2 to this By-law.
- 22.5 This By-law comes into force on _____, 2011.
- 22.6 The short title of this By-law is the Procedural By-law.
- 22.7 Appendix 3 "Motions Table" forms part of this By-law and shall be used as a reference.
- 22.8 Appendix 4 "Committee/Council/Closed Session Council Differences" forms part of this by-law and shall be used as a reference.

23. PROCEDURAL BY-LAWS FOR OTHER COMMITTEES

- 23.1 Where a board, committee or commission has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this procedural by-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council Meetings as set out herein.

24. MUNICIPAL CODE AMENDMENT

- 24.1 Municipal Code Amendment #_____, which amends Chapter 20 of the City of Guelph Municipal Code by removing Article II and substituting the aforementioned clauses is hereby adopted.

25. REPEAL OF PREVIOUS BY-LAWS

- 25.1 By-law Number (1996)-15200, and the accompanying amendments numbered By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095 and (2010)-19107 are hereby repealed.

PASSED THIS _____ DAY OF _____ , 2011.

KAREN FARBRIDGE, MAYOR

TINA AGNELLO, ACTING CLERK

MATTERS FOR CLOSED MEETINGS

239. (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

- (2) Meetings of Council as well as standing committees of Council shall be open to the public unless one of the following matters shall be discussed:
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

Other Criteria

- (3) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act. 2001, c. 25, s. 239 (3).

Educational or training sessions

- (3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
1. The meeting is held for the purpose of educating or training the members.
 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Prior to holding the meeting which is closed to the public, council or the committee must convene in a formal session and pass a resolution indicating which of the issues as identified in section 1 shall be discussed at the closed meeting.

Motions Table

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Simple Vote	Special Majority
adjourn		X		X	X	
amend a pending motion	X		X		X	
close debate (call the question)		X		X	X	
point of order		X		X	**	
point of privilege		X		X	**	
defer		X		X	X	
reconsideration	X			X		7 of 13 of Members of Council
refer	X		X		X	
rescind	X			X		2/3 of entire council
suspend the rules		X		X		2/3 of entire council

** The decision of the Mayor is final. The Council if appealed to, shall decide the question without debate and its decision is final.

Committee / Council / Closed Meeting Differences

Issue	Committee	Council	Closed Meeting
Delegations – length of time	5 minutes	5 minutes for Regular Meetings 10 minutes for Council Planning Public Meetings	Not permitted unless voted on by Council.
Presentations	10 minutes	10 minutes	Not permitted unless voted on by Council
Chair vote	Yes	Yes	for recorded votes
Motions	Motions must be written if not recorded as part of the agenda package	Motions must be written if not recorded as part of the agenda package	Motions must be written if not recorded as part of the agenda package
Motions – seconding	all motions must be seconded	all motions must be seconded	all motions must be seconded
Motion to close debate (call the question)	allowed	allowed	allowed
Notice of Motion	Not permitted.	Notice of motion required	Not permitted
Quorum	majority of the Committee	majority of Council	majority of Council
Recorded Vote	Yes	Yes	No – unless requested otherwise
Speaking – Councillor Length of time	5 minutes cumulative	cumulative	Cumulative
Speaking – manner	remain seated	remain seated	remain seated
Deference re: Bar of Council	No one may approach Council without permission	No one may approach Council without permission	Not applicable

Colour Key	
text in green	original location of items which were moved
text in yellow	new items
text in pink	new location of relocated items

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)-

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal Code Amendment _____, and to repeal By-laws By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095 and (2010)-19107.

WHEREAS it is necessary and expedient that there should be rules governing the order and procedure of the Council and its committees;

AND WHEREAS section 55 of The Municipal Act, R.S.O. 1990 c.M.45, as amended requires Council and every local board to adopt a procedure by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE the Corporation of the City of Guelph ENACTS AS FOLLOWS:

GENERAL (section moved to Section 22)

1. (1) The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of the Council and wherever possible with the necessary modifications, for all committees of Council, unless otherwise prescribed.

(2) Any reference to a member of Council shall include the Mayor.

1. DEFINITIONS

In this By-law,

"Acting Mayor" means each Councillor is appointed, in alphabetical order by last name, to serve one month each to act in the place instead of the Mayor when called upon to do so by the Mayor;

"Acting Chair" means a member of the Committee appointed by the Chair or by the members of the committee to act in the place and stead of the Chair in their absence.

"By-law" means a By-law, in a form approved by Council, passed for the purpose of giving general effect to a previous decision or proceedings of Council;

"CAO" means the Chief Administrative Officer of the City of Guelph;

"City" means the Municipal Corporation of the City of Guelph and includes the geographical area of the City of Guelph;

"Chair" means the Mayor or Acting Mayor of any meeting of Council or the Chair or Acting Chair of any Committee of Council.

"Clerk" means the City Clerk, or his or her designate;

"Closed Meeting" means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act;

"Committee" means a Standing Committee of Council and are comprised of the following standing committees:

- Audit Committee
- Community & Social Services Committee
- Corporate Administration, Finance & Emergency Services Committee
- Operations & Transit Committee
- Planning & Building Engineering and Environment Committee
- Governance Committee

"Advisory Committee" means a committee created by Council, with no definitive end, to report through the appropriate standing committee on a specific subject;

"Special/Ad Hoc Committee" means a committee, with a defined ending, that considers a very specific matter and report to Council on the subject;

"Committee Chair" means the Chair of a Committee;

"Consent Agenda" means a listing of Consent Items being presented to Council and Committee for their consideration;

"Consent Report" means a report from the Standing Committees outlining the items approved by Committee and being forwarded to Council for their consideration;

"Consent Item" is a report that is approved without debate and with no delegation or presentation and generally considered routine or time sensitive;

"Council" means the City Council and shall include the Mayor;

"Executive Directors" means the following staff who report to the CAO and are responsible for multijurisdictional areas: the Executive Director of Community and Social Services, the Executive Director of Corporate and Human Resources, the Executive Director of Operations and Transit, and the Executive Director of Planning & Building, Engineering & Environment;

"Delegate" means any person, group of persons, firm or organization that is neither a Member of Committee or Council nor an appointed Official of the City, wishing to address Committee or Council upon request to the Clerk;

"Local Board" means a local board as defined in the Municipal Act;

"majority" for the purpose of voting means more than half the total of members of Council or Committee present and not prohibited by statute from voting, unless otherwise specified;

"Mayor" means the Head of Council and in this By-law means the Acting Mayor when the Acting Mayor is acting in place and stead of the Mayor;

"meeting" means any regular or special meeting of Council or Committee;

"Member of Council" means a member of Council, including the Mayor;

"motion" means a proposal by a member for the consideration of Council or a Committee that is moved by a member and seconded by another member;

"resolution" means a motion that has been carried;

"rules of procedure" means the rules and procedures set out in this by-law;

2. MEETINGS

2.1 Public Notice of Meetings

5.(1) Public notice of all regular open and closed Council and Standing Committee meetings will be given by:

- including them on the general **City's website** calendar ~~on the City's website~~ at least 72 hours prior to the meeting,
- by posting a notice in City Hall at least 72 hours prior to the meeting; and
- by publication in a local paper at least 72 hours prior to the meeting.

(2) Public notice of all special open and closed Council and Standing Committee meetings will be given by:

- including them on the **City's website** calendar **as soon after the meeting is called and no later than** ~~general calendar on the City's webpage~~ at least 24 hours prior to the meeting,
- ~~wherever possible, 2 weeks in advance of the meeting,~~
- ~~wherever practicable, as soon after the meeting is called.~~

2.1(c) Notwithstanding Clause 2.1(a) and (b), legislated notice of items on any agenda are to be circulated in accordance with the applicable legislation.

2.2 Inaugural of Council

2. (1) The first Inaugural meeting of the Council following a regular election shall be held on the first Monday in December at 7:00 p.m. in the Council Chambers of City Hall or at such alternate location as may be named by City Council. If this day is a public holiday, the Council shall meet at the same hour on the next day, not being a public holiday.
- (2) At the inaugural meeting, all members present shall make their declaration of office and sign their Code of Conduct, and no regular business shall be proceeded with at this meeting.

2.3 Regular Meetings

3. (1) Council shall meet on the dates and times as provided by schedule as set by Council by resolution each year at ~~7:00 p.m.~~ in the Council Chambers of City Hall unless by way of resolution the Council selects an alternate meeting date, time or another location. In the event the regular meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday. Where required, meetings that are closed to the public pursuant to Section 239 of the Municipal Act, may be scheduled no earlier than 5:00 p.m. on the day of a regular scheduled Council meeting.
- (2) Unless there is a quorum consisting of seven members of Council present within fifteen minutes after the time appointed for the meeting of the Council, the Council shall stand adjourned until the next meeting date, and the City Clerk shall take down the names of the members present at the expiration of such fifteen minutes.
- (3) As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the members to order. In the absence of the Mayor or Acting Mayor, the City Clerk shall call the members to order. A Chair shall be chosen from the members present and that person shall preside during the meeting or until the arrival of the Mayor or Acting Mayor.

2.4 Public Meetings Pursuant to Legislation **(moved from section 8)**

8. Where required, statutory public meetings under the Planning Act shall be held on the first Monday of the month starting at ~~7:00 p.m.~~ Reports on planning matters shall be made available to the public one week in advance of the regular agenda distribution date. meeting.

- (b) Notwithstanding subsection (7.6) ~~9(2)~~ of this by-law, the time limitation for delegations at a public meeting for the purpose of informing the public of matters under the Planning Act, shall not exceed ten minutes. The ten minute time period may be extended by the Council by a majority vote of

the Council members present. Such question shall be decided by Council without debate. Questions by Council of staff may be asked after the staff presentation and prior to delegations.

- (c) Once all registered delegations have spoken, the Mayor or Chair will ask if anyone present wishes to speak and they will be permitted to speak without advance notice.

2.5 Special Council Meetings

- 4. (1) The Mayor may at any time summon a special meeting of Council and it shall be the duty of the Mayor to summon a special meeting when so requested in writing by a majority of members of Council.
- (2) Upon receipt of a petition of the majority of the members of the Council, the City Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition.
- (3) The City Clerk shall give notice of the time, place and the purpose thereof of every special meeting to all members not less than 48 hours prior to the time fixed for the meeting.
- (4) The notice calling a special meeting of the Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting, except with the unanimous consent of all members present at such meeting.
- (5) On urgent or extraordinary occasions, an emergency special council meeting may be called by the Mayor, and the notice provided in sub-section (2.5(c) {3} above shall not be required.

2.6 Standing Committee Meetings

- 2.6(a) Standing Committees shall meet on the dates and times as provided by the schedule as set by Council by resolution each year in the Council Chambers of City Hall unless otherwise agreed upon.

CALLING MEETINGS (moved from previous Section 28)

- 28. The Chair of the Standing Committee may call a shall establish regular meeting dates and be responsible for the calling of meetings. The Mayor being an ex-officio member of each standing committee also has the authority to call a standing committee meeting. Lastly, the majority of members of a standing committee have the authority to call a meeting.

- 2.6(c) Once a request is made the arrangements for the meeting shall be made within the next day and a meeting scheduled for the first possible time when a quorum would be available.

- 2.6(d) At the direction of the Chair of a standing committee or special committee, the City Clerk shall give notice of the time, place and purpose

thereof of every special meeting or cancellation to all members not less than ~~call a special meeting or cancel a scheduled meeting.~~ The City Clerk shall give at least forty-eight hours prior to the time fixed for the meeting . ~~notice of the calling or cancellation of any meetings.~~ (moved previous from Section 27(6))

- 2.6(e) The notice calling a special meeting of the Committee shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting, except with the unanimous consent of all members present at such meeting.
- 2.6(f) On urgent or extraordinary occasions, an emergency special committee meeting may be called by the Chair, and the notice provided in subsection 2.6(d) above shall not be required.
- 2.6(g) All resolutions passed at special standing committee meetings shall be forwarded to Council for consideration.

2.7 Closed Meetings

- 2.7(a) Meetings shall be open to the public. A meeting or part of a meeting may be closed to the public if the subject matter being considered meets the criteria set out in Appendix 1.
- 2.7(b) The Clerk and/or their designate shall attend closed meetings.
- 2.7(c)
 - (i) The Clerk may delegate the Clerk duties with respect to recording minutes in a closed meeting of Council to a staff person only.
 - (ii) Notwithstanding 2.7(c)(i) above for closed Audit Committee meetings, the Clerk may delegate the Clerk's duties with instructions to the external Auditor.

3 Order of Business

3.1 Council Agendas

- 5. The City Clerk shall have prepared and printed for the use of members at the regular meetings of Council, an agenda with the following headings:
 - Singing of O Canada
 - Silent Prayer
 - Declaration of possible Pecuniary Interest
 - Confirmation of previous Council Minutes
 - Presentations
 - Public Meetings pursuant to legislation including The Planning Act
 - Delegations
 - Matters arising out of Delegations heard
 - Consent Reports of Committees of Council and other Boards, Committees and Commissions
 - Consent Agenda

Special Resolutions
By-laws
Questions and Announcements
Notice of Motions
Adjournment

3.2 Committee Agendas

The Clerk shall have prepared and printed for the use of members at the regular meetings of the Standing Committees, an agenda with the following headings:

- Declaration of possible Pecuniary Interest
- Confirmation of Minutes
- Presentations
- Consent Agenda
- Next Meeting Date

4. DISCLOSURE OF PECUNIARY INTEREST

4.1 Where present at a meeting and a member of Council has a pecuniary interest as defined in the Municipal Conflict of Interest Act the Councilor shall, prior to any consideration of the matter, disclose the interest and the general nature thereof and not take part in the consideration or discussion of the matter nor vote on the matter.

4.2 Where the member of Council has a pecuniary interest and they are not present at the meeting where the matter was considered, the member of Council shall disclose the pecuniary interest and the general nature thereof at the first meeting attended by the member of council after the matter was considered.

4.3 In addition to complying with the requirements of 4.1, if the matter is being discussed or considered at a closed meeting, the Council member shall leave the meeting for the part of the meeting during which the matter is under consideration.

4.4 When a member of Council has participated in any matter despite having previously declared a possible pecuniary interest, Council may consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process. (moved from Section 24)

PUBLIC NOTICE OF MEETINGS (moved to Section 2)

5.(1) Public notice of all regular open and closed Council and Standing Committee meetings will be given by:

- including them on the general calendar on the City's website at least 72 hours prior to the meeting,
- by posting a notice in City Hall at least 72 hours prior to the meeting; and
- by publication in a local paper at least 72 hours prior to the meeting.

(3) Public notice of all special open and closed Council and Standing Committee meetings will be given by:

- including them on the general calendar on the City's webpage at least 24 hours prior to the meeting,
- wherever possible, 2 weeks in advance of the meeting,
- wherever practicable, as soon after the meeting is called.

5. MINUTES

6. (1) The minutes of the previous meeting(s) not yet adopted shall be presented by the City Clerk for adoption. ~~It shall not be necessary to have the minutes read where copies thereof have been provided to members of Council with the agenda.~~
- (2) When the minutes have been adopted, they shall be signed by the Mayor and City Clerk.

6. PRESENTATIONS

7. Presentations at regular meetings shall be limited to a maximum of 10.

6.2 Presentations providing information only are heard at the beginning of the meeting:

- (i) by staff and outside organizations providing information with no accompanying report and may not require a Council decision;
- (ii) recognition of achievements.

6.3 Where a City presentation involves an item on the Council agenda, the item is extracted from the Consent Report and/or Consent Agenda and shall be heard at the appropriate time in the agenda with the report brought forward for consideration immediately after the presentation has been made. If delegations are to be heard in addition to a presentation involving an item on the Council agenda, the item shall not be brought forward for consideration until all delegations on the same have been heard.

PUBLIC MEETINGS PURSUANT TO LEGISLATION (moved to section 2.4)

9. Where required, statutory public meetings under the Planning Act shall be held on the first Monday of the month starting at 7:00 p.m. Reports on planning matters shall be made available to the public one week in advance of the meeting. Notwithstanding subsection 9(2) of this by-law, the time limitation for delegations at a public meeting for the purpose of informing the public of matters under the Planning Act, shall not exceed ten minutes. The ten minute time period may be extended by the Council by a majority vote of the Council members present. Such question shall be decided by Council without debate. Questions by Council of staff may be asked after the staff presentation and prior to delegations.

7. DELEGATIONS

MATTERS BEFORE COURT, TRIBUNAL, ETC. (moved from previous Section 10 - Matters Before Court, Tribunal, etc.)

7.1 Council shall not permit any person to address Council at a meeting regarding litigation or potential litigation, including those matters during a closed meeting on litigation or potential litigation, including matters which are before and under the jurisdiction of any court or administrative tribunals affecting the municipality or local board unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegation to be heard.

9. (1) No person, except members of Council and appointed officials of the City of Guelph, shall be allowed to come within or behind the horseshoe during a meeting the sittings of the Council or Committee without the permission of Council.

7.3 No person shall make detrimental comments, or speak ill of, or malign the integrity of staff members or Council.

7.4 Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity for an event. (moved from section 9.6)

7.5 No delegation shall speak on a matter that is not within the jurisdiction of the Council or Committee.

(2) (a) Upon approval of the Council, A person wishing to appear as a delegation on an item on the agenda, may address the Council or Committee for a period of time not exceeding five minutes. The five minute timer period may be extended by the Council or Committee by a majority vote of the Council members present. Such question shall be decided by the Council without debate.

7.6(b) An organized body wishing to address Council or Committee as a delegation shall be limited to a maximum of five ten minutes when the regardless of the number of representatives of that group wishing to address Council or Committee is three or more. (moved from Section 9.(11))

7.6(c) Notwithstanding Clause 7.6(a) 9(2)(a), designated representatives of the County of Wellington individuals appearing before the Community & Social Services Committee on behalf of the County of Wellington with respect to land ambulance service matters, will have no time imitations placed on their delegation.

(3) Delegations wishing to address Council or Committee shall notify the City Clerk no later than the Wednesday immediately preceding the regular Council meeting in order that they may be listed on the agenda along with the subject matter of their address. The delegation where possible, should provide a written copy of the submission before 4:00 p.m. on the Wednesday prior to the regular Council or Committee meeting. Delegations notifying the

City Clerk after 4:00 p.m. on the Wednesday prior to the regular Council meeting who wish to address matters on the agenda have until 12:00 noon on the day of the Council meeting to have their name and written outline notated on the addendum.

7.7(b) Delegations have until 12 noon on the day of the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 5 p.m. or later.

7.7(c) Delegations have until 9 a.m. on the day of the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 12 noon or later.

7.7(d) Delegations have until 4 p.m. the business day prior to the meeting to notify the Clerk to be a delegation or submit a written comment for a meeting that takes place 11:59 a.m. or earlier.

~~(4) (a) — Delegations wishing to address Council on a matter not on the agenda, or on a matter clearly beyond Council's jurisdiction shall be directed by the City Clerk to the appropriate standing committee of Council to make representation. The delegation shall provide a written outline identifying the subject matter and the general nature of the request to the City Clerk for inclusion with the applicable agenda package.~~

7.8 In the event that the matter is of an urgent nature and requires a decision prior to the next Council meeting, ~~sub-section 9(4)(a) shall not apply and the delegation shall be heard at the conclusion of all items of business on the agenda~~ with the approval of a majority of those members present.

~~(5) In the case of special Council meetings the above rules will apply with the necessary modifications.~~

~~(6) Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity for an event. (moved up to section 7.4)~~

~~(7) Delegations that have previously appeared before Council on a subject matter shall provide new information only in any subsequent presentations relating to that matter.~~

(8) Notwithstanding public meetings pursuant to legislation, a person who is unable to attend a Council or Committee meeting and is listed on the agenda as a delegation, may arrange for appoint another person by notifying the Clerk's office one business day in advance of the meeting to appear as a delegation on such person's behalf and to read aloud a prepared statement pertaining to an item listed on the Council agenda.

(9) Except on matters of order, members of Council shall not interrupt a delegation while he or she is addressing Council or Committee.

(10) Members of Council may only ask questions of delegations and shall not express an opinion or enter into debate or discussion with the delegations.

(11) An organized body wishing to address Council as a delegation shall be limited to a maximum of five minutes regardless of the number of representatives of that group wishing to address Council. (moved to Section 7.6(b))

(12) All delegations on an issue shall be heard before questions are asked of staff or discussion among Council or Committee.

(13) Where delegations have appeared on an item on the Council agenda, the item shall be brought forward for consideration immediately after all delegations have been heard.

MATTERS BEFORE COURT, TRIBUNAL, ETC. (moved to Section 7 – Delegations)

10. Council shall not permit any person to address Council during a closed meeting on litigation or potential litigation, including matters which are before and under the jurisdiction of any court or administrative tribunals affecting the municipality or local board unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegation to be heard.

8. CONSENT REPORTS FROM COMMITTEES, BOARD AND COMMISSIONS

11. (1) The reports from a Standing to Council shall be submitted in the form of a consent report, and shall be dealt with by Council in the matter as provided for in Clause 8.3.

8.2 Reports of Committees of Council and other Board, Committees and Commissions shall be submitted in the following order:

- (a) Standing Committees
- (b) Special Committees appointed from time to time by Council;
and
- (c) Boards and Commissions

(2) All reports from Committees of Council shall be presented by the Chair of the Committee or, in their absence, by a member of the Committee, who shall move the adoption of the Report. ~~or that the Report be received.~~

8.3(b) Council Members shall identify any items contained on the Committee Consent Report, which they wish to speak to and the matter will be extracted from the Consent Report to be dealt with separately.

8.3(c) The balance of the items on the Committee Consent Report shall be voted on in one motion.

- (3) Reports from Boards and Commissions submitted in writing shall be signed by the Chair or Secretary. When the reports are such that action of Council is required, appropriate resolutions shall be presented for consideration.

9. CONSENT AGENDA

9.1 Council Consent Agenda

12. (1) The Council Consent Agenda shall consist of the following items:
- (a) Reports from Administrative Staff which are recommended by the City Administrator and may be submitted;
 - i) ~~on the initiative of the City Administrator or, through the City Administrator, a Department Head, or~~
 - ii) ~~as a result of correspondence received by any official of the City.~~
 - (b) Correspondence for the direction of Council which may shall include:
 - i) correspondence for which a policy decision or approval of Council is required, and
 - ii) correspondence accompanied by a recommendation from staff the City Clerk
 - iii) ~~correspondence where a member of Council has requested that the item be placed on the consent agenda~~
 - (c) Correspondence for the information of Council.
- 9.1(b) The consent agenda may be adopted in its entirety by a single resolution of Council. Members of Council who wish to address a specific matter on the consent agenda may identify such items, which shall then be extracted and dealt with separately. The balance of the consent agenda shall then be adopted in one resolution.

9.1(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or Committee.

9.2 Standing Committee Consent Agenda

- 9.2(a) Each Standing Committee shall use a consent agenda which shall consist of the following items: ~~{moved from previous Section 27(7)}~~
- (1) Reports from staff of the division which reports to the Standing Committee;
 - (2) Matters referred by City Council;
 - (3) Correspondence for the direction of the Committee for which a policy decision or approval of Committee Council is required;

- (4) Correspondence accompanied by a recommendation from staff the Clerk;
 - (5) Correspondence for the information of the Committee Council.
- (2) The Standing Committee consent agenda may be adopted in its entirety by a single resolution of the Committee. Members of the Committee who wish to address a specific matter on the consent agenda may identify such items, which shall then be extracted and dealt with separately. The balance of the consent agenda shall then be adopted in one resolution. (moved from previous Section 27.8)

9.1(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or Committee.

10. CONDUCT OF MEMBERS IN COUNCIL (moved from previous Section 14)

10.1 Council and Committee members shall govern themselves according to their Code of Conduct.

14. (1) The Mayor or Chair shall preserve order and decide questions of order and privilege.
 - (2) Every member desiring to speak, shall raise his or her hand so as to be recognized by the Mayor or Chair.
 - (3) Every member, on being recognized shall remain seated in their place, and address themselves to the Mayor or Chair.
 - (4) A member called to order by the Mayor or Chair shall immediately cease stating further comment, and sit down, but then may rise to explain and appeal the calling to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor or Chair shall be final.
 - (5) No member shall without leave of the Council:
 - (a) speak to an issue for more than 5 minutes (cumulative);
 - (b) use offensive words or speak disrespectfully of Council or any person;
 - (c) speak on any subject other than the subject under debate;
 - (d) speak in contempt of any decision of the Council except when speaking in support of a motion for reconsideration;
 - (e) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared;

- (f) disobey the rules or decisions of Council or a decision of the Mayor or Chair on questions of order or practice or upon the interpretation of the rules of procedure the Council, and in case a member persists in any such disobedience after having been called to order by the Mayor or Chair, such member may be ordered by Council or Committee to leave his or her seat for that meeting and, in case of their refusing to do so, they may, on the order of the head of Council or Chair, be removed there from by the police. In case of adequate apology being made by the member they may, by vote of the Council or Committee, be permitted to take their seat.
- (6) Section 10.6(a) 14(5)(a) shall not apply to any Committee Chair of a Standing Committee, or his or her designate, when presenting the Committee's report to Council.

11. POINT OF ORDER OR PRIVILEGE

11.1 Point of Order

13.(1) A member may raise a point of order at any time, whereupon the Mayor or Chair shall:

- a) interrupt a matter of consideration on the agenda; and
- b) ~~ask the member who has been speaking to be seated; and~~
- c) ask the member raising the point of order to state the substance of and the basis for the point of order; and the applicable rule involved; and
- d) ~~ask the member raising the point of order to be seated; and~~
- e) rule on the point of order immediately without debate by Council or Committee.

11.1(b) A member of Council or Committee may appeal the ruling of the Mayor or Chair.

11.1(c) If there is no appeal, the decision of the Mayor or Chair is final. The Council or Committee, if appealed to, shall decide the question without debate and its decision is final.

11.2 Point of Privilege

(2) A member may raise a point of privilege at any time if they consider that their integrity or the integrity of Council or the Committee as a whole has been impugned, whereupon the Mayor or Chair shall:

- a) interrupt a matter of consideration on the agenda; and
- b) ~~ask the member who has been speaking to be seated; and~~
- c) ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
- d) ~~ask the member raising the point of privilege to be seated; and~~
- e) rule on the point of privilege immediately without debate by Council.

11.2(b) A member of Council or Committee may appeal the ruling of the Mayor or Chair.

11.2(c) If there is no appeal, the decision of the Mayor or Chair is final. The Council or Committee, if appealed to, shall decide the question without debate and its decision is final.

11.2(d) Where the Mayor or Chair considers that the integrity of any City employee has been impugned or questioned, the Mayor or Chair may permit the staff City Administrator, department head or other city employee to make a statement to Council or Committee.

CONDUCT OF MEMBERS IN COUNCIL (moved to Section 10)

14. (1) The Mayor shall preserve order and decide questions of order and privilege.

(2) Every member desiring to speak, shall raise his or her hand so as to be recognized by the Mayor.

(3) Every member, on being recognized shall remain seated in their place, and address themselves to the Mayor.

(4) A member called to order by the Mayor shall immediately sit down, but then may rise to explain and appeal to the Council. The Council, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor shall be final.

(5) No member shall:

(g) without leave of the Council:

i) speak to an issue for more than 5 minutes (cumulative);

(h) use offensive words or speak disrespectfully of Council or any person;

(i) speak on any subject other than the subject under debate;

(j) speak in contempt of any decision of the Council except when speaking in support of a motion for reconsideration;

(k) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared;

(l) disobey the rules or decisions of Council or a decision of the Mayor on questions of order or practice or upon the interpretation of the rules of the Council, and in case a member persists in any such disobedience after having been called to order by the Mayor, such member may be ordered by Council to leave his or her seat for that meeting and, in case of their refusing to do so, they may, on the order of the head of Council, be removed therefrom by the police. In case of adequate apology being made by the member they may, by vote of the Council, be permitted to take their seat.

(6) Section 14(5)(a) shall not apply to any Chair of a Standing Committee, or his or her designate, when presenting the Committee's report to Council.

12. MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL

15. (1) All motions shall be seconded before being debated. When a motion is seconded, it may upon request, be read or stated by the Mayor or City Clerk at any time during the debate.

10.2 When a Councillor moves a main motion or amendment to a motion that is not recorded as part of the Agenda package, that Councillor must provide a written copy of the motion to the Mayor prior to the vote being taken.

13. Whenever the Mayor is of the opinion that a motion is contrary to the main motion rules and privileges of the Council, the Mayor shall apprise the members thereof immediately. and shall cite the rule or authority applicable to the case without argument or comment.

12.3(b) A member of Council may appeal the ruling of the Mayor

12.3(c) If there is no appeal, the decision of the Mayor is final. The Council if appealed to, shall decide the question without debate and its decision is final.

14. A motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order.

15. After a motion is moved and seconded, it shall be deemed to be possession of the Council but may, with the consent of the Council, be withdrawn at any time before decision or amendment.

16. When a motion is under consideration no other motion shall be received unless:

(a) to refer the motion to a standing committee, committee of council, administrative staff or any person or body and such motion:

- (i) is open to debate;
- (ii) is amendable; and
- (iii) shall preclude amendment or debate of the preceding motion unless resolved in the negative.

(b) to amend the motion and such motion to amend:

- (i) is open to debate;
- (ii) shall not propose a direct negative to the main motion;
- (iii) shall be relevant to the main motion;
- (iv) is subject to only one amendment at one time, and any amendment more than one must be to the main question; and

- (v) shall be put in the reverse order to that in which they are moved, and shall be decided or withdrawn before the main question is put to the vote.
- (c) to defer the motion to another time and such motion to defer:
 - (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
- (d) to adjourn the meeting and such motion to adjourn:
 - (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) shall always be in order, but no other such motion shall be made unless some intermediate proceeding has taken place.
- (e) to move the previous question and such motion:
 - (i) cannot be amended;
 - (ii) cannot be proposed when there is an amendment under consideration;
 - (iii) shall preclude all amendments of the main question;
 - (iv) when resolved in the affirmative, the question is to be put forthwith, without debate or amendment;
 - (v) when resolved in the negative, the debate shall continue;
 - (vi) cannot be received in any committee of Council; and
 - (vii) may be voted against by the mover and seconder.

13. VOTING

16. (1) When one or more of the motions set out in **Section 12** has been made, the order of the vote shall be as follows:
 - (a) to defer consideration of the motion;
 - (b) to refer the motion;
 - (c) upon the amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
 - (d) then, upon the main motion or upon the main motion as amended, if any amendments have been carried.
- (2) When the question under consideration contains distinct **clauses** propositions, upon the request of any member of Council **or Committee**, the vote upon each **clause** proposition shall be taken separately.
- (3) After a question is finally put by the Mayor **or Chair**, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

- (4) (i) After a question is finally put by the Mayor or Chair (other than motions regarding procedural matters) no members of Council or Committee shall be recognized to speak by the Mayor Chair.

13.1(e) Members of Council or Committee must distinguish their vote when voting on any matter by voting in favour or opposed using an electronic voting system.

- (ii) Should Council or Committee meet in a place where there is no electronic voting system or should the electronic voting system in the Council Chambers be inoperable, the members of Council or Committee must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.

17. The City-Clerk shall for all motions, record the name and vote of every member voting on a matter of question.
18. The City-Clerk shall record in the minutes the name of any member of Council or Committee who is not present in the Chamber when such recorded vote is taken.
19. The Mayor or Chair shall vote on any question while in possession of the Chair, however, if the Mayor or Chair wishes to propose a motion he or she must step down and shall not resume the Chair until the vote is taken.

13.2 Closed Meeting Voting

13.2(a) In closed session, Council or Committee is permitted to vote only on resolutions pertaining to a procedural matter or for giving directions or instructions to officers, agents or employees.

13.2(b) All other resolutions must be approved in open session. Council or Committee shall pass a resolution to rise and report and then introduce the motion under special resolutions on the Open Council Agenda.

13.2(c) Notwithstanding Clause 13.1(e), there shall be no recorded votes in closed meetings unless otherwise requested by a member of Council or Committee.

14. RECONSIDERATION OF A COUNCIL DECISION:

17. (1) After a resolution is passed, any member of Council who voted with the majority in respect of such motion, may move a motion for reconsideration. The motion shall only be seconded by a member of Council who voted with the majority.
- (2) No discussion on the main motion shall be allowed unless the motion for reconsideration is carried in the affirmative by a vote of a minimum vote of seven of the entire Council.

- (3) Any member of Council who did not vote on the motion to be reconsidered by reason of not being a duly elected member of Council at the time the vote was taken or who was absent at the time a vote was taken on the motion, shall be deemed to be a member of Council who voted with the majority for the purposes of sub-section 14.1.
- (4) Debate on a motion for reconsideration must be confined to reasons for or against the reconsideration, and no discussion on the main question shall be allowed until the motion for reconsideration is carried.
- (5) No question shall be reconsidered more than once during the term of Council, nor shall a vote to reconsider be reconsidered.
- (6) If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion for reconsideration calls for a future definite date. Debate on the motion to be reconsidered may proceed as though it had never previously been voted on.
- (7) A motion to reconsider may also be introduced by a Notice of Motion. The mover or seconder is not required to have voted with the majority of Council. This notice of motion shall appear on the agenda of a subsequent meeting or the meeting specified by the mover and seconder. This motion is deemed to have been passed in the affirmative if it received a vote of at least 7 of the entire Council.

15. BY-LAWS

18. (1) The ~~City~~ Clerk shall submit to Council a summary of all by-laws proposed for adoption, including the by-law numbers, titles and explanatory notes.
- (2) Every proposed by-law shall be at the Council Meeting and be available to any person interested in reviewing same.
- (3) Every by-law proposed for adoption shall be passed in one motion.
- (4) After the by-laws have been passed, the ~~City~~ Clerk shall be responsible for their correctness should they be amended at the Council meeting.
- (5) Every by-law passed by Council shall:
 - (a) be signed by the Mayor, or the presiding officer at the meeting;
 - (b) be signed by the ~~City~~ Clerk;
 - (c) be sealed with the seal of the Corporation, and;
 - (d) indicate the date of passage.

~~CONFIRMATORY BY-LAW~~

19. Council shall, at each meeting, enact a by-law to confirm each motion, resolution and action passed and taken by the Council at that meeting.

16. ~~QUESTIONS AND ANNOUNCEMENTS~~

20. ~~Any member of Council may ask questions relating to matters of general interest or benefit to the Council or the City. No argument or opinion is to be offered or facts to be stated, except as far as necessary to clarify the question. In answering any questions a member is not to debate the matter. All Announcements shall be provided to the Mayor in writing prior to the Council meeting, and the Mayor shall read the announcements at the end of the Council meeting.~~

17. NOTICE OF MOTION AND SPECIAL RESOLUTIONS

- 21.(1)(a) Any member may give notice of intent that he or she will introduce a motion at the next or a subsequent meeting of Council to initiate any measure or to make any change in the Council's established policy. At the time of giving of notice, members shall fully disclose the intent of the motion to Council. The giving of notice requires no seconder and is not at that time debatable.
- (b) Further to Section **17.1** ~~21(1)(a)~~, all notices of motion submitted to Council, other than a notice for reconsideration of a Council decision, be in the form of a referral to a ~~standing~~ committee for a recommendation to Council, unless the matter is time sensitive and requires a more immediate decision of Council.
- (4) Notices of motion shall be in writing, and shall be submitted to the City Clerk for inclusion in the Agenda of the next **regular** meeting of Council following the meeting at which notice was given or such other time as is specified in the notice. Notices received after the time of printing of the agenda for a Council meeting, shall be placed on the agenda for the next following regular Council Meeting.
- (5) Motions for which previous notice has been given shall be listed on the agenda under the heading "Special Resolutions". Special resolutions for which previous notice was given shall not be placed on supplementary or addendum agendas.
- (6) In introducing a special resolution to Council, a member shall be permitted the opportunity of providing material and information in support of the resolution for the benefit of Council.
- 17.3** If a notice of motion is introduced and not brought forward in the next 2 subsequent regular meetings of Council, the notice of motion expires.
- (7) Where Council has passed a resolution at a meeting closed to the public in accordance with Appendix #1 "Matters for Closed Meetings", **which is not procedural in nature or direction to staff**, such resolution shall ~~only be introduced~~ added to the agenda of a regular or special meeting by the Clerk when so directed by Council. This resolution shall be incorporated in the Special Resolution section of the Council agenda.

18. ADDENDUM/SUPPLEMENTARY AGENDAS

22. (1) An addendum or supplementary agenda shall be prepared by the City Clerk to advise Council or Committee of names of persons who wish to speak to matters on the agenda who have contacted the City Clerk after the agenda has been distributed.
- (2) Items or matters will not be added to the agenda after its distribution to Council or Committee by inclusion on the addendum unless directed by the Mayor or Chair, respectively, member of Council or CAO and/or Executive Directors senior staff if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

19. ADJOURNMENT

23. (1) The Council shall always adjourn at 11:00 p.m. if in session at that hour, unless otherwise decided before that hour by a two-thirds vote of the members present. When the Council is adjourned at 11:00 p.m., before the agenda is completed, a time and date shall be established for consideration of the balance of the agenda.
- (3) Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.
- (4) A motion to adjourn may be made by a member who has the floor, requires no seconder and need not be in writing. However, no motion to adjourn may be made during the taking of a vote on any other motion.
- (5) Notwithstanding Section 19.2 ~~Section 23(2)~~, if a motion to extend the automatic adjournment time is required prior to the hearing of all delegations on a matter being considered at the time such motion to adjourn is made, the meeting shall not be adjourned until all listed delegations on the matter have been heard. Once the listed delegations have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the City Clerk.

20. NOMINATING AND STRIKING COMMITTEE

- 20.1 Council as whole shall select Chairs of the standing committees annually prior to the selection of the standing committee members. The Chair position shall be considered for rotation every two years when selecting a committee Chair. Consideration shall be given to workload balance, individual interests and Councillor development. ~~moved from previous Section 27.3(b)~~

- 20.2 In the first year of a new term, the Council shall establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Committees, public agencies and any other body.
- 20.3 The Mayor shall Chair the Nominating Committee.
- 20.4 The Nominating Committee shall be composed of the Mayor and the Chairs of the Committees.
- 20.5 In the first year of a new term of Council, the Nominating Committee shall make recommendations to the Striking Committee of Council on all Council Member appointments.
- 20.6 In all other years of the Council term, the Nominating Committee shall make recommendations on Councillor Member appointments to Council prior to the last regularly scheduled Council meeting in November.
- 20.7 For Councillor vacancies that occur during the term of Council, the Nominating Committee shall make a recommendation to Council.
- 20.8 Council shall consider both qualifications as well as individual interests as committee members are selected. In order to balance committee workload, each ward councilor shall serve on at least two of the standing committees. The selected members of each standing committee shall be appointed by Council for a one year term. A quorum for a standing committee shall be three members. **(moved from previous Section 27.3(a))**
- 20.9(a) In the first year of a new term, the Council shall meet as a striking committee for the purpose of making citizen appointments to Boards, Committees and Commissions.
- 20.9(b) In all other years of the Council term, the striking committee shall meet as part of the regularly scheduled Council meeting on the last regularly scheduled meeting in November.

DISCLOSURE OF PECUNIARY INTEREST (moved to Section 4)

24. When a member of Council has participated in any matter despite having previously declared a possible pecuniary interest, Council may consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process.

21. STANDING COMMITTEES / ADVISORY AND AD HOC COMMITTEES

These rules shall apply to Standing Committees.

21.1 Standing Committee Procedures

21.1(a) A standing committee is a committee comprised of 5 members of City Council and deal with the subject matter specific to their mandate and charter and make recommendations to City Council for approval.

21.1(b) The role of the Standing Committee shall be:

- (i) to guide staff, through the CAO, on the direction and nature of the policy development, fact-finding, analysis, and generation of alternatives;
- (ii) to receive public Delegations and establish mechanisms to receive further public input on public policy matters;
- (iii) to establish ad hoc and sub-committees, including the establishment of terms of reference and memberships for same, to address specified policy issues for referral to the Committee;
- (iv) to provide guidance and direction to staff through the CAO, where policy interpretation or clarification is required.

~~STANDING AND SPECIAL COMMITTEES~~

27. (1) Council shall appoint the following standing committees:

- a) Audit Committee
- b) Community & Social Services Committee,
- c) Corporate Administration, Finance & Emergency Services Committee
- d) Planning & Building, Engineering and Environment Committee
- e) Operations & Transit Committee
- f) Governance Committee
- g) Emergency Governance Committee

(2) The following standing committees shall be composed of four councillors and the Mayor:

- a) Audit Committee
- b) Community & Social Services Committee
- c) Corporate Administration, Finance & Emergency Services Committee
- d) Governance Committee
- e) Planning & Building, Engineering and Environment Committee
- f) Operations & Transit Committee

(2) (a) Council shall consider both qualifications as well as individual interests as standing committee members are selected. In order to balance standing committee workload, each ward councilor shall serve on at least two of the standing committees. The selected members of each standing committee shall be appointed by Council for a one year term.

A quorum for a standing committee shall be three members. (moved to Section 20.8)

(b) Council as whole shall select a Chair from among the members of the standing committee annually at the same meeting at which standing committee members are appointed. The Chair position shall be considered for rotation every two years when selecting a standing committee Chair. Consideration shall be given to workload balance, individual interests and Councillor development. (moved to Section 20.1)

(4) ~~Notwithstanding Section 27(3)~~, The Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council and quorum shall be four members.

(5) a) ~~Notwithstanding Section 27(2)~~, The Governance Committee shall be composed of the Chairs of the Community & Social Services Committee; Corporate Administration, Finance & Emergency Services Committee; Planning & Building, Engineering and Environment Committee; Operations & Transit Committee and the Mayor.

b) Notwithstanding Section **20.1** ~~27(3)~~, the Governance Committee shall be chaired by the Mayor.

21.1(h) Where a matter may fall under the responsibility of more than one standing committee, the Clerk shall consult with the Mayor and the committee chairs involved, for a determination of which standing committee shall deal with the matter. (moved from Previous Section **30(8)**)

(8) At the direction of the Chair of a standing committee or special committee, the City Clerk shall call a special meeting or cancel a scheduled meeting. The City Clerk shall give at least forty-eight hours notice of the calling or cancellation of any meetings. (moved to Section 2.6(d))

(9) Each Standing Committee shall use a consent agenda which shall consist of the following items: (moved to Section 9.2(a))

- a) Reports from staff;
- b) Matters referred by City Council;
- c) Correspondence for which a policy decision or approval of Council is required;
- d) Correspondence accompanied by a recommendation from the Clerk;
- e) Correspondence for the information of Council.

(10) The Standing Committee consent agenda may be adopted in its entirety by a single resolution of the Committee. Members of the Committee who wish to address a specific matter on the consent agenda may identify such items, which shall then be extracted and dealt with separately. The balance of the consent agenda shall then be adopted in one resolution. (moved to Section 9.2(b))

- (9) The reports from a Standing Committee to Council shall also be submitted to Council in the form of a consent agenda, and shall be dealt with by Council in the same manner as the process provided for in Section 27(9). (see Section 9.2 Standing Committee Consent Agenda)

CALLING MEETINGS (moved to Section 2.6(b))

3. The Chair of the Standing Committee shall establish regular meeting dates and be responsible for the calling of meetings. The Mayor being an ex-officio member of each standing committee also has the authority to call a standing committee meeting. Lastly, the majority of members of a standing committee have the authority to call a meeting. Once a request is made the arrangements for the meeting shall be made within the next day and a meeting scheduled for the first possible time when a quorum would be available.

21.2 Standing Committee Functions (moved from previous Section 30)

- (5) The general responsibilities of the Audit Committee shall be to study and report on matters relating to, but not limited to the following:

- a) External Audit (Annual Audit)
- b) Annual Financial Statements
- c) Auditor Performance and Review
- d) Compliance
- d) Risk Management and Internal Control
- e) Reporting Responsibilities
- f) Adequacy of the City's Resources
- e) Internal Audit
- f) City Financial and Control Systems
- a) ~~Annual Audit~~
- b) ~~City Financial and Control Systems~~
- c) ~~Annual Financial Statements~~
- d) ~~Risk Assessment~~
- e) ~~Internal Audit~~

30. (1) The general service area responsibilities of the Community & Social Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Arts, Culture & Entertainment
- b) Community Engagement & Social Planning (Social Services, Child Care Services, Social Housing, and Homes for the Aged)
- c) Parks, Recreation Programming & Facilities
- d) Administration & Customer Service
- e) Corporate Building Maintenance
- a) ~~Community Services~~
- b) ~~Social Services~~
- c) ~~Child Care Services~~
- d) ~~Social Housing~~

~~———— e) ——— Homes for the Aged~~

(2) The general service area responsibilities of the Corporate Administration, Finance & Emergency Services Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Administration
- b) Community Energy Initiative
- c) Downtown Renewal
- d) Economic Development & Tourism
- e) Emergency Services (including land ambulance)
- f) Financial Services
- g) Corporate & Human Resources
 - Clerks Services
 - Information Technology
 - Legal & Realty Services / Court Services
- ~~h) Finance~~
- ~~i) Human Resources & Legal Services~~
- ~~j) Information Services~~

(6) The general service area responsibilities of the Operations & Transit Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Operations
- b) Park Maintenance & Development
- c) Community Connectivity & Transit
- d) Public Works
- e) By-law Compliance & Security
- ~~a) Operations~~
- ~~b) Transit~~

(3) The general service area responsibilities of the Planning & Building, Engineering and Environment Committee shall be to study and report on matters relating to but not limited to the following:

- a) Engineering Services
- b) Planning & Building Services
- c) Solid Waste Resources
- d) Wastewater Services
- e) Water Services
- ~~———— a) Engineering~~
- ~~———— b) Planning & Building Services~~
- ~~———— c) Environmental Services~~

(4) The general responsibilities of the Governance Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Effective Corporate Governance (review governance principles, policies and procedures)
- b) Accountability and Transparency
- c) Strategic Planning Processes
- d) Committee and Council Effectiveness
- e) CAO Performance and Review
- f) Oversight of Governance Policies
- g) Oversight of CAO and Senior Management Team
- h) Succession Planning
- i) Enterprise Risk Management
- j) Council Compensation
- k) Council Performance Reporting
- ~~l) Oversight of Governance Policies~~
- ~~m) Strategic Planning Processes~~
- ~~n) Council Performance Evaluation & Professional Development~~
- ~~o) Oversight of CAO and Senior Management Team~~
- ~~p) Succession Planning~~

(7) Council hereby delegates to the Emergency Governance Committee authority to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, with such delegated authority to only be exercised:

- (a) for the duration of an emergency which has been declared by the Mayor and his/her designate, in accordance with the City's Emergency Response Plan; and
- (b) at such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled meeting of Council; and
- (c) for Council's normal decision making process and not for the management or co-ordination of emergency response activities.

21.3 Ad Hoc Committees and Advisory Committees Created for Special Purposes

21.3 Special Committees/Ad Hoc Committees

21.3(a) Council also appoints Special Committees/Ad Hoc Committees, with a defined ending, who consider a very specific matter and report to Council on the subject.

21.3(b) Notwithstanding Section 21.6(a) only members of any Ad Hoc Committee of Council created for a special purposes shall attend the Ad Hoc meetings;

21.3(c) Ad Hoc Committees of Council shall report back to Council.

21.4 Advisory Committees

21.4(a) Advisory Committees are created by Council with no defined ending, to report through the appropriate Standing Committee on a specific subject matter.

21.4(b) No members of Council shall be appointed to Advisory Committees.

21.5 Member Absent from Committee Meetings

22 The appointment of a member of Council to a standing committee may be terminated if the member is absent from meetings of the Committee for three consecutive months without being authorized to do so by a resolution of the committee entered upon its minutes.

21.5(b) The appointment of a citizen member to an Ad Hoc or Advisory Committee may be terminated if the member is absent from meetings of the Committee for three consecutive months without being authorized to do so by a resolution of the committee entered upon its minutes.

21.6 Non Committee Member Participation at Meetings

21.6(a) Members of Council who are not committee members are encouraged to attend both regular and closed meetings. They can ask questions for clarification, but cannot enter into the debate of the committee.

21.6(b) The Chairs of the standing committees shall recognize members of Council in the following order:

- i. Standing Committee members
- ii. Non Standing Committee members

21.6(c) All non members of the standing committees may ask questions regarding an issue for no more than 5 minutes (cumulative).

STANDING COMMITTEE FUNCTIONS (moved to Section 21.2)

30. (1) The general service area responsibilities of the Community & Social Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Community Services
- b) Social Services
- c) Child Care Services
- d) Social Housing
- e) Homes for the Aged

(2) The general service area responsibilities of the Corporate Administration, Finance & Emergency Services Committee shall be to study and report on matters relating to, but not limited to, the following:

- k) Administration
- l) Community Energy Initiative
- m) Downtown Renewal

- n) Economic Development & Tourism
- o) Emergency Services (including land ambulance)
- p) Finance
- q) Human Resources & Legal Services
- r) Information Services

(3) The general service area responsibilities of the Planning & Building, Engineering and Environment Committee shall be to study and report on matters relating to but not limited to the following:

- a) Engineering
- b) Planning & Building Services
- c) Environmental Services

(4) The general responsibilities of the Governance Committee shall be to study and report on matters relating to, but not limited to, the following:

- q) Oversight of Governance Policies
- r) Strategic Planning Processes
- s) Council Performance Evaluation & Professional Development
- t) Oversight of CAO and Senior Management Team
- u) Succession Planning

(5) The general responsibilities of the Audit Committee shall be to study and report on matters relating to, but not limited to the following:

- a) Annual Audit
- b) City Financial and Control Systems
- c) Annual Financial Statements
- d) Risk Assessment
- e) Internal Audit

23 The general service area responsibilities of the Operations & Transit Committee shall be to study and report on matters relating to, but not limited to, the following:

- a) Operations
- b) Transit

(7) Council hereby delegates to the Emergency Governance Committee authority to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, with such delegated authority to only be exercised:

- (d) for the duration of an emergency which has been declared by the Mayor and his/her designate, in accordance with the City's Emergency Response Plan; and
- (e) at such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled meeting of Council; and

- (f) for Council's normal decision making process and not for the management or co-ordination of emergency response activities.
- (8) Where a matter may fall under the responsibility of more than one standing committee, the City Clerk shall consult with the Mayor and the committee chairs involved, for a determination of which standing committee shall deal with the matter. Moved to Section 21.(h)

SUSPENSION OF RULES

22 GENERAL RULES

31. No provision of this by-law shall be suspended except by affirmative vote of two-thirds of the entire Council.

22.2 The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and Committees and shall be the rules and regulations for the order and dispatch of business of the Council and wherever possible with the necessary modifications, for all Advisory committees of Council, unless otherwise prescribed. (moved from Previous Section 1(1))

~~(2) Any reference to a member of Council shall include the Mayor.~~

22.3 All matters relating to the proceedings of Council and Committee for which rules have not been provided for in this By-law decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in Bourinot's Rules of Order.

UNPROVIDED RULES

~~32.—In any unprovided case in the proceedings of Council, or a Committee, the procedure followed shall be as provided in Bourinot's Rules of Order.~~

22.4 Council Code of Conduct forms part of this by-law and shall apply to all Members of Council and is attached as, Appendix 2 to this By-law.

22.5 This By-law comes into force on _____, 2011.

22.6 The short title of this By-law is the Procedural By-law.

22.7 Appendix 3 "Motions Table" forms part of this By-law and shall be used as a reference.

22.8 Appendix 4 "Committee/Council/Closed Session Council Differences" forms part of this by-law and shall be used as a reference.

23 PROCEDURAL BY-LAWS FOR OTHER COMMITTEES

33. Where a board, committee or commission has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this procedural by-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council Meetings as set out herein.

24. MUNICIPAL CODE AMENDMENT

34. Municipal Code Amendment # 179, which amends Chapter 20 of the City of Guelph Municipal Code by removing Article II and substituting the aforementioned clauses is hereby adopted.

25. REPEAL OF PREVIOUS BY-LAWS

25.1 By-law Number (1996)-15200, and the accompanying amendments numbered By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095 and (2010)-19107 are hereby repealed.

~~35. By-law Number (1992) 14220, and the accompanying amendments numbered By-law (1994) 14522, (1994) 14627, (1995) 14771 are hereby repealed.~~

PASSED THIS _____ DAY OF _____, 2011.

KAREN FARBRIDGE, MAYOR

TINA AGNELLO, ACTING CLERK

APPENDIX

MATTERS FOR CLOSED MEETINGS

239. (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

- (2) Meetings of Council as well as standing committees of Council shall be open to the public unless one of the following matters shall be discussed:
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

Other Criteria

- (3) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act. 2001, c. 25, s. 239 (3).

Educational or training sessions

- (3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
- 1. The meeting is held for the purpose of educating or training the members.
 - 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Prior to holding the meeting which is closed to the public, council or the committee must convene in a formal session and pass a resolution indicating which of the issues as identified in section 1 shall be discussed at the closed meeting.

- ADDENDUM -
- Governance Committee -
Council Chambers
- July 11, 2011 -

Delegations:

GOV-2011 A.24 **Service Review” Executive Team Assessment -
Phase 1:**

- Revised Attachment #1

EXECUTIVE TEAM (ET) RECOMMENDATIONS SUMMMARY – List of 75 Services

Recommendation	Results
Maintain	37/75
Further Discussion	5 (Programming and Educational Activities – Parks/Recreation; Public drop-off facility – Solid Waste; Youth Development; Civic Precinct Management; Market Square Public Programming Activities).
Maintain + Further Discussion	7 (Provide Horticulture displays for Community Beautification; Strategic Planning and Corporate Initiatives; Bridge, Headwall and Retaining Wall Maintenance; Corporate Initiatives for Employee Engagement; Diversity – Staffing and Workforce Planning; Community Engagement Consultation Research and Public Policy; Christmas Tree Collection).
Service Reviews Completed (<i>on the list of 75 services</i>)	<p>3 (By-law Compliance; Conventional Transit Services; Mobility Transit Services).</p> <p><i>By-law compliance</i> – this 2008 Service Review resulted in efficiencies and greater effectiveness. An expenditure of \$64,000 for an additional by-law officer was prevented as a result of the review and the service is now available 24/7 to the community. As well, low priority noise complaints formerly handled by the Guelph Police Service are now managed through this service.</p> <p><i>Transit Growth Strategy</i> – several recommended short and long term improvement results as well as higher order transit initiatives were identified through the Service review component of this effort. Progress and plans are being regularly reported bi-monthly in 2011 through the Operations and Transit Committee.</p>
Service Reviews Underway	1 (Farmers' Market).
Service Review Recommended	<p>2012/13=6 (Service Guelph; Boulevard Maintenance; Seasonal Recreation Facilities; Corporate Publications + Graphic Design (linked); Legal Representation).</p> <p>2014/15=7 (Maintenance of Turf, Sports Fields, Trails; Development Engineering – Engineering Conditions; Consultant Approvals; Plan Review; Facilities Operation and Management - River Run + Facilities Operation and Management - Sleeman Centre (linked); Residential Solid Waste Collection; Visitor Information Centre and Tourism Marketing + Program Facilitation – Tourism (linked)).</p>
Operational Reviews Completed (<i>on the list of 75 services</i>)	<p>6 (guelph.ca; the Neighbourhood Support Coalition (NSC) and Neighbourhood Groups; By-law Compliance; Park Infrastructure Maintenance; Conventional Transit Services; and the Guelph Farmers' Market).</p> <p><i>Website Redesign Review</i> (guelph.ca)– implementation of the recommendations from this review is underway with expected improvements including greater productivity, faster and more efficient analysis of the website traffic, reduced development and support costs, improved security and usability and opportunities for system integration.</p>

Recommendation	Results
	<p><i>Sustainable Neighbourhood Engagement Framework (SNEF)</i> recommendations are being implemented to position the Neighbourhood Support Coalition with a new governance structure. Once achieved, the structure will offer greater opportunities for autonomy to make decisions and determine priorities that will help achieve a vision of sustainable neighbourhood engagement. As a result of this change, there is also an expectation of more effective use of existing resources (Human, Finance, CSS Staff) and greater opportunities for the Neighbourhood Groups to generate non-city based funds.</p> <p><i>Bylaw operational reviews</i> – to date, have resulted in proposed amendments to the Fireworks, Outside Water Use and Use of Firearms By-laws subject to public consultation.</p> <p><i>Parks Maintenance review</i> – this 2008 internal review identified a gap in maintenance activity between current and proposed service levels related to passive parklands, infrastructure, facilities and amenities. It also included a commitment to continued work on developing related service standards, adequate management tools to monitor staff performance against standards and dialogue with user groups on preferred maintenance standards for sports fields.</p> <p><i>Transit Growth Strategy</i> – this strategy contained both Service and operational review elements. Improvements include targets for 15 minute peak service and more direct routes, increases in efficiencies and ridership growth of 20% in conventional transit and 60% in mobility service. As well, it is estimated that the transit modal share will increase to 9% in five years by implementing the short-term strategic recommendations.</p> <p><i>Guelph Farmers’ Market</i> - a review of the Market operations began in March 2007. The purpose of the review was to realign the by-law governing the Guelph Farmers’ Market, revise policies and procedures, address inconsistencies and improve upon the administration of the operating process. Of the numerous tasks and issues that were undertaken, all have been resolved including the issue of vendor insurance.</p>
Operational Reviews Underway	<p>6 (Development Engineering-Engineering Conditions; Consultant Approvals; Plan Review; ACC Committee and Accessibility; Downtown Renewal - Community Improvement Plan; Implementation; Downtown Investment/Business retention and attraction; Development and Maintenance of the Urban Forest; City Building Maintenance; Business Advocacy/Investment Inquiries – Economic Development).</p>
Operational Review Recommended	<p>2011=2 (Guelph-Wellington EMS – Land Ambulance Division; Provision of Sanitary Sewer Management).</p> <p>2012/13=4 (Traffic Flow Management; Property Standards By-law; Procurement Process Development and Implementation; Business Systems Team (ITS)).</p> <p>2014/15=2 (Maintenance of Turf, Sports Fields, Trails (to follow Service Review); Residential Solid Waste Collection (to follow Service Review)).</p>

SERVICE REVIEWS		
2011 (underway)	2012/13	2014/15
Farmers' Market	Service Guelph	Maintenance of Turf, Sports Fields, Trails
	Boulevard Maintenance	Development Engineering – Engineering Conditions; Consultant Approvals; Plan Review
	Seasonal Recreation Facilities	Facilities Operation and Management - River Run +
	Corporate Publications + Graphic Design (linked)	Facilities Operation and Management - Sleeman Centre (linked)
	Legal Representation	Residential Solid Waste Collection
		Visitor Information Centre and Tourism Marketing + Program Facilitation – Tourism (linked)

OPERATIONAL REVIEWS			
2011 (underway)	2011	2012/13	2014/15
Development Engineering- Engineering Conditions; Consultant Approvals; Plan Review	Guelph-Wellington EMS – Land Ambulance Division	Traffic Flow Management	Maintenance of Turf, Sports Fields, Trails (to follow Service Review)
	Provision of Sanitary Sewer Management	Property Standards By-law	
ACC Committee and Accessibility		Procurement Process Development and Implementation	Residential Solid Waste Collection (to follow Service Review)
Downtown Renewal -Community Improvement Plan Implementation -Downtown Investment/Business		Business Systems Team (ITS)	

OPERATIONAL REVIEWS			
2011 (underway)	2011	2012/13	2014/15
retention and attraction			
Development and Maintenance of the Urban Forest			
City Building Maintenance			
Business Advocacy/Investment Inquiries – Economic Development			

FOR FURTHER DISCUSSION WITH COUNCIL
2011
Programming and Educational Activities – Parks/Recreation
Attendance Management
Youth Development
Horticultural Displays for Community Beautification
Strategic Planning and Corporate Initiatives
Bridge, Headwall and retaining Wall Maintenance
Civic Precinct Management
Corporate Initiatives for Employee Engagement
Diversity – Staffing and Workforce Planning
Market Square Public Programming Activities
Community Engagement Consultation, Research and Public Policy
Christmas Tree Collection

**The Corporation of the City of Guelph
Governance Committee
Monday July 11, 2011, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday July 11, 2011 in the Council Chambers at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Hofland, Laidlaw and Piper

Also Present: Councillors Bell, Dennis, Furfaro and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; Ms. T. Agnello, Acting City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on April 11, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Consent Agenda

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

- GOV-2011 A.21 Succession Planning
- GOV-2011 A.22 Second Quarterly Report 2011
- GOV-2011 A.23 Internal Audit Function – role Description and Reporting Structure
- GOV-2011 A.24 Service Review: Executive Team Assessment – Phase 1
- GOV-2011 A.25 Corporate Performance Measurement
- GOV-2011 A.26 Closed Meeting Protocol with Respect to Council and Committee Meetings
- GOV-2011 A.27 Library Board as Nominating Panel for Citizen Appointments to the Board
- GOV-2011 A.28 City of Guelph Procedural By-law Governing Council and Committee Meetings

- 2. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the balance of the Governance Committee July 11, 2011 Consent Agenda, as identified below be adopted:

a) **Program and Staffing Level Approvals (Full Time and Regular Part-Time)**

REPORT

THAT;

- The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no costs are incurred in the current or subsequent budget years.
- Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required.
- Where service level or program reductions are contemplated, Council approval is required.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Councillor Laidlaw arrived at 3:06 p.m.

Succession Planning

- 3. Moved by Councillor Findlay
Seconded by Councillor Hofland

Mr. M. Amorosi

THAT the Succession Planning Program as outlined in the report of the Executive Director of Corporate and Human Resources dated July 11, 2011, be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Second Quarterly Report 2011

Mayor Farbridge
Ms. B. Boisvert

4. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the second quarter report of the Governance Committee be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Internal Audit Function – Role Description and Reporting Structure

REPORT

5. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

THAT the governance role of an Internal Audit function within the corporation, reporting directly to the Chief Administrative Officer (CAO) with responsibilities to the Audit Committee be approved;

AND THAT staff present the Internal Auditor position in the 2012 budget presentation for Council consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Service Review: Executive Team Assessment – Phase 1

The Corporate Manager of Strategic Planning and Corporate Initiatives provided an overview of the Executive Team Assessment of the service review.

REPORT

6. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the the report entitled 'Service Review: Executive Team Assessment – Phase 1' be received;

AND THAT the Service Review Process principles as outlined in this report be approved and followed;

AND THAT the Executive Team commence work on a second phase which will result in detailed recommendations and estimated financial impacts;

AND THAT the tracking of the progress and results of the service review be consolidated on the City's website and updated on an ongoing basis.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Corporate Performance Measurement

7. Moved by Councillor Laidlaw
Seconded by Councillor Piper

Ms. B. Boisvert

THAT the Corporate Performance Measurement Report be received;

AND THAT a draft work plan detailing improvement plans and next steps for 2012 be submitted to the October 2011 Governance Committee meeting for review and Council consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Closed Meeting Protocol with Respect to Council and Committee Meetings

8. Moved by Councillor Findlay
Seconded by Councillor Laidlaw

REPORT

THAT the report entitled 'Closed Meeting Protocol with Respect to council and Committee Meetings' from the Acting Clerk dated July 11, 2011, be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Library board as Nominating Panel for Citizen Appointments to the Board

REPORT

9. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the Library Board be the nominating panel for the purpose of citizen appointments to Library Board.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

City of Guelph Procedural By-law Governing Council and Committee Meetings

Ms. T. Agnello

10. Moved by Councillor Findlay
Seconded by Councillor Laidlaw

THAT the draft Procedural By-law attached to the report of the Acting Clerk dated July 11, 2011, as "Appendix A", be circulated to members of Council for review and comment by September 6, 2011;

AND THAT a revised Procedural By-law be brought forth to the next meeting of the Governance Committee for consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Closed Meeting

11. Moved by Councillor Findlay
Seconded by Councillor Piper

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

Citizen Appointment to the Board of Directors of the Guelph Municipal Holding Company (GMHC)

Sec. 239 (2)(b) Personal matters about identifiable individuals.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

REPORT TO COUNCIL
IN CLOSED SESSION

The remainder of the meeting was held in closed session.

12. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT staff be given direction with respect to a citizen appointment to the Board of Directors of the Guelph Municipal Holding Company (GMHC).

Carried

The meeting adjourned at 4:00 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance Committee**

DATE October, 11, 2011

LOCATION Council Chambers

TIME 3 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES – July 11, 2011

PRESENTATIONS (Items with no accompanying report)

a)

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-29 Social Media Principles And Guidelines: A Reference For Elected Officials			
GOV-30 Service And Operational Review Plans			
GOV-31 Corporate Performance Governance			
GOV-32 Quarterly Report			
GOV-33 City Of Guelph Procedural By-Law Governing Council And Committee Meetings			

GOV-34 Integrity Commissioner, Complaints Process And Council And Local Boards Code Of Conduct			
GOV-35 2012 And January 2013 Council and Committee Meeting Schedule			
GOV-36 Chief Administrative Officer (CAO) By-Law Update			
GOV-37 CAO Employment Policies and Procedures			
GOV-38 Service Excellence Strategy And Standards			
GOV-39 Board Appointments – Guelph Non-Profit Housing Board			
GOV-40 First Bi-Annual Performance Report: City of Guelph Communications Plan			
GOV-41 Guelph Remastered: Communications Program Results			

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

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

NEXT MEETING –

**The Corporation of the City of Guelph
Governance Committee
Monday July 11, 2011, 3:00 p.m.**

A meeting of the Governance Committee was held on Monday July 11, 2011 in the Council Chambers at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Hofland, Laidlaw and Piper

Also Present: Councillors Bell, Dennis, Furfaro and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; Ms. T. Agnello, Acting City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the minutes of the Governance Committee meeting held on April 11, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Consent Agenda

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

- GOV-2011 A.21 Succession Planning
- GOV-2011 A.22 Second Quarterly Report 2011
- GOV-2011 A.23 Internal Audit Function – role Description and Reporting Structure
- GOV-2011 A.24 Service Review: Executive Team Assessment – Phase 1
- GOV-2011 A.25 Corporate Performance Measurement
- GOV-2011 A.26 Closed Meeting Protocol with Respect to Council and Committee Meetings
- GOV-2011 A.27 Library Board as Nominating Panel for Citizen Appointments to the Board
- GOV-2011 A.28 City of Guelph Procedural By-law Governing Council and Committee Meetings

- 2. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the balance of the Governance Committee July 11, 2011 Consent Agenda, as identified below be adopted:

a) **Program and Staffing Level Approvals (Full Time and Regular Part-Time)**

REPORT

THAT;

- The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no costs are incurred in the current or subsequent budget years.
- Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required.
- Where service level or program reductions are contemplated, Council approval is required.
- These recommendations be adopted as policy and be incorporated into Council’s Budget Policy which is currently under development and subsequent CAO by-laws.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Councillor Laidlaw arrived at 3:06 p.m.

Succession Planning

Mr. M. Amorosi

- 3. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the Succession Planning Program as outlined in the report of the Executive Director of Corporate and Human Resources dated July 11, 2011, be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Second Quarterly Report 2011

Mayor Farbridge
Ms. B. Boisvert

4. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the second quarter report of the Governance Committee be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Internal Audit Function – Role Description and Reporting Structure

REPORT

5. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

THAT the governance role of an Internal Audit function within the corporation, reporting directly to the Chief Administrative Officer (CAO) with responsibilities to the Audit Committee be approved;

AND THAT staff present the Internal Auditor position in the 2012 budget presentation for Council consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Service Review: Executive Team Assessment – Phase 1

The Corporate Manager of Strategic Planning and Corporate Initiatives provided an overview of the Executive Team Assessment of the service review.

REPORT

6. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the the report entitled 'Service Review: Executive Team Assessment – Phase 1' be received;

AND THAT the Service Review Process principles as outlined in this report be approved and followed;

AND THAT the Executive Team commence work on a second phase which will result in detailed recommendations and estimated financial impacts;

AND THAT the tracking of the progress and results of the service review be consolidated on the City's website and updated on an ongoing basis.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Corporate Performance Measurement

Ms. B. Boisvert

7. Moved by Councillor Laidlaw
Seconded by Councillor Piper

THAT the Corporate Performance Measurement Report be received;

AND THAT a draft work plan detailing improvement plans and next steps for 2012 be submitted to the October 2011 Governance Committee meeting for review and Council consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Closed Meeting Protocol with Respect to Council and Committee Meetings

REPORT

8. Moved by Councillor Findlay
Seconded by Councillor Laidlaw

THAT the report entitled 'Closed Meeting Protocol with Respect to council and Committee Meetings' from the Acting Clerk dated July 11, 2011, be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Library board as Nominating Panel for Citizen Appointments to the Board

REPORT

9. Moved by Councillor Hofland
Seconded by Councillor Piper

THAT the Library Board be the nominating panel for the purpose of citizen appointments to Library Board.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

City of Guelph Procedural By-law Governing Council and Committee Meetings

Ms. T. Agnello

10. Moved by Councillor Findlay
Seconded by Councillor Laidlaw

THAT the draft Procedural By-law attached to the report of the Acting Clerk dated July 11, 2011, as "Appendix A", be circulated to members of Council for review and comment by September 6, 2011;

AND THAT a revised Procedural By-law be brought forth to the next meeting of the Governance Committee for consideration.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Closed Meeting

11. Moved by Councillor Findlay
Seconded by Councillor Piper

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

Citizen Appointment to the Board of Directors of the Guelph Municipal Holding Company (GMHC)

Sec. 239 (2)(b) Personal matters about identifiable individuals.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

REPORT TO COUNCIL
IN CLOSED SESSION

The remainder of the meeting was held in closed session.

12. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT staff be given direction with respect to a citizen appointment to the Board of Directors of the Guelph Municipal Holding Company (GMHC).

Carried

The meeting adjourned at 4:00 p.m.

.....
Chairperson

**GOVERNANCE COMMITTEE
CONSENT AGENDA**

October 11, 2011

Members of the Governance Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>GOV-2011 A.29) SOCIAL MEDIA PRINCIPLES AND GUIDELINES: A REFERENCE FOR ELECTED OFFICIALS</p> <p>THAT the report titled, <i>Social media principles and guidelines; a reference for elected officials</i>, be received.</p>	Receive
<p>GOV-2011 A.30) SERVICE AND OPERATIONAL REVIEW PLANS</p> <p>THAT financial resource requirements necessary to initiate Council approved review activity be funded in 2011 through the Human Resource gapping Operational Reserve and that the resources be repaid over time through positive year end variance.</p>	Approve
<p>GOV-2011 A.31) CORPORATE PERFORMANCE GOVERNANCE</p> <p>THAT the Governance Committee receive the report “Corporate Performance Governance” for additional information on future directions for strengthening performance governance in the corporation.</p>	Receive
<p>GOV-2011 A.32) QUARTERLY REPORT</p> <p>THAT the third quarter report of the Governance Committee be received.</p>	Receive
<p>GOV-2011 A.33) CITY OF GUELPH PROCEDURAL BY-LAW GOVERNING COUNCIL AND COMMITTEE MEETINGS</p> <p>THAT the report from the Acting Clerk dated October 11, 2011 regarding the Procedural By-law be received;</p>	Approve

AND THAT a by-law be enacted to approve the Procedures Governing Council and Committee meetings as attached hereto as Appendix "A".

GOV-2011 A.34) **INTEGRITY COMMISSIONER, COMPLAINTS PROCESS AND COUNCIL AND LOCAL BOARDS CODE OF CONDUCT**

Approve

THAT a by-law appointing Robert Swayze as the Integrity Commissioner for the City of Guelph and its Local Boards be forwarded to Council for adoption;

AND THAT the Council and Local Boards Code of Conduct be updated and amended to include a complaints process to be followed by the Integrity Commissioner in the form attached to this report.

GOV-2011 A.35) **2012 AND JANUARY 2013 COUNCIL AND COMMITTEE MEETING SCHEDULE**

Approve

THAT the 2012 and January 2013 Planning and Regular Council and Committee meeting schedule be approved as outlined on the attached calendar.

GOV-2011 A.36) **CHIEF ADMINISTRATIVE OFFICER (CAO) BY-LAW UPDATE**

Approve

THAT the CAO by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer, attached hereto as Appendix "A", be approved and attached as part of the CAO Employment Policies and Procedures.

GOV-2011 A.37) **CAO EMPLOYMENT POLICIES AND PROCEDURES**

Approve

THAT the Governance Committee approve the revisions to the attached CAO Employment Policy.

GOV-2011 A.38) **SERVICE EXCELLENCE STRATEGY AND STANDARDS**

Receive

THAT the Governance Committee receive the report entitled "Service Excellence Strategy and Standards".

GOV-2011 A.39) **BOARD APPOINTMENTS – GUELPH NON-PROFIT HOUSING BOARD**

Approve

THAT report #CSS-CESS-1138 dated October 11, 2011, regarding Board

Appointments to non-profit housing corporations, be received;

AND THAT a Council member no longer be appointed to the Guelph Non-Profit Housing Board.

GOV-2011 A.40) **FIRST BI-ANNUAL PERFORMANCE REPORT: CITY OF GUELPH COMMUNICATIONS PLAN** Receive

THAT the report titled *First bi-annual performance report: City of Guelph Communications Plan* and its appendices be received.

GOV-2011 A.41) **GUELPH REMASTERED: COMMUNICATIONS PROGRAM RESULTS** Receive

THAT the report "Guelph Remastered: Communications Program Results" dated October 11, 2011 be received for information.

B Items for Direction of Committee

attach.

COMMITTEE REPORT



TO **Governance**

SERVICE AREA The Office of the CAO
DATE October 11, 2011

**SUBJECT Social media principles and guidelines; a reference for
elected officials**

REPORT NUMBER

RECOMMENDATION

That the report titled, *Social media principles and guidelines; a reference for elected officials* be received.

BACKGROUND

Earlier this year Council asked Corporate Communications to bring forward some current guidelines for Council that offer useful information for the use of social media. Principles and guidelines are included with this report.

Since then, a companion piece—a media policy for Council—has also been requested. It will be developed and brought to Council in 2012.

REPORT

The social media principles and guidelines, attached, have been compiled for Council's use based on best practices and with input from the City's Web Governance team—a cross departmental team of subject matter experts. They are intended to align with the City's *corporate* social media guidelines, policy framework and strategy, which will govern City staff's use of social media and which are currently under development.

CORPORATE STRATEGIC PLAN

Goal 5: A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

N/A.

DEPARTMENTAL CONSULTATION

Corporate Communications consulted with the City's Web Governance team in the development of this report.

COMMUNICATIONS

N/A.

ATTACHMENTS

Attachment 1: Social media principles and guidelines; a reference for elected officials

Attachment 2: City of Guelph social media guidelines

“original signed by Tara Sprigg”

“original signed by Ann Pappert”

Prepared By:

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Recommended By:

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Social Media Principles and Guidelines

A reference for City of Guelph elected officials

Introduction

Every day, people discuss, criticize, laud and debate the City of Guelph, its services, initiatives, and policies in hundreds of online conversations. The City of Guelph recognizes the importance of participating in these online conversations and is committed to ensuring we participate in social media the right way.

These social media principles have been developed as a starting point to help empower elected officials to participate in this realm of communication and effectively represent the municipality to their constituents, and the interests of their constituents to City administration.

Social media in the public sector is about participating in conversations with constituents and other stakeholders, and engaging audiences in an authentic way to provide helpful information and build relationships which, in turn, help achieve organizational and community goals.

What follows is a brief reference intended for elected officials of the City of Guelph. It is not intended as a 'how-to' or as steps to take towards creating a social media strategy.

Social media principles

Principles abound when it comes to social media. The five principles that follow are considered by City of Guelph staff to be a useful, sequential set of principles for elected officials engaged in or considering the use of social media.

1. Listen

Listen to what people are saying before joining the conversation. The most important lesson in social media is that, before engaging anyone, you should first observe and understand the cultures, behaviour, and immersion necessary to genuinely participate in online communities in which you don't already reside¹.

2. Engage

Invite ideas from your readers and encourage discussion. Social media is rooted in conversations, relationships, exchanges, shared ideas, and common interests.² Ask questions.

¹ Brian Solis, *Putting the Public Back in Public Relations*.

² Brian Solis, *Putting the Public Back in Public Relations*.

3. Enable

Enable people to share your content with their own networks. Herein lies the power of social media. Use simple keywords to improve interaction.

4. Share

Give and share your expertise, insight and questions with your audience. The more you do, the more likely you are to foster meaningful relationships. Be authentic and use your own voice.

5. Participate

As the experts say, social media isn't a spectator sport. To truly participate, organizations—and elected officials—must be inspired and compelled to do so.

Post regularly and be prepared to engage people when it suits them. This may mean checking comments or making edits after work hours and on weekends.

Share content that is an honest reflection of your thinking and position. At all times measure your actions against City of Guelph codes of conduct. If you think a post or comment could compromise your professional integrity or that of the City, check with someone who has some distance from the issue. Once it is published, there is no taking it back.

Finally, social media is about reciprocity. If you are going to engage and invite comment then you should accept the good with the bad. The City of Guelph invites community members to share and discuss their opinions provided that those discussions are respectful. The City expects some level of criticism, which presents an opportunity to correct misinformation and deliver excellent service. However, the City will not maintain posts that foster discrimination, condone illegal activity, or that are defamatory towards City employees (see Appendix 2: City of Guelph social media guidelines.) If you author or plan to author a blog, one of the best things to do is to post a very clear comments policy and stick to it.

Social media guidelines for elected officials

Social media presents a unique opportunity to engage in conversations with constituents, including those that may otherwise be difficult to reach. Social media is one of many communication tools at our disposal. While rarely effective if used in isolation, social media can be a useful *supplement* to traditional modes of communication.

Perhaps the best advice is to approach online worlds in the same way we do the physical one—by using sound judgment and common sense, by adhering to the City’s values, and by following relevant codes of conduct and sound business practices.

1. Follow the City of Guelph’s codes of conduct and corporate values

City of Guelph codes of conduct, corporate values and policies are the foundation for these principles and guidelines.

2. Give credit where credit is due

Be authentic. Write as an extension of your own voice. When you re-post something written by someone else, first ensure you have the proper permissions to do so. Then clearly state the material, letter, response, etc. has been authored by someone else. Do not use the copyrights, trademarks, publicity rights, or other rights of others without the necessary permissions of the rightholder(s).

3. Maintain confidentiality

Do not post information about the City of Guelph discussed in closed session. Do not post private or confidential information about fellow Councillors or City of Guelph employees.

4. Maintain privacy

Do not discuss situations involving named or pictured individuals without their permission. Do not post anything that you would not present in a public forum.

5. More isn’t more

Resist the urge to post *everything*. Refrain from cutting and pasting emails from staff or constituents into posts without clear context and permissions. These are written for a specific audience for a specific purpose that is probably different from your own. You could be doing your readers a disservice by merely copying them into your blog without context. Take the time to interpret the contents, and re-present them based on *your* audience and *its* needs.

6. Provide information when it counts

Should you decide to engage in social media, know that monitoring and responding in a timely way are crucial. Social media participants expect timely responses to requests and expect co-participants to monitor social media properties frequently and regularly.

7. When in doubt, do not post

Like City staff, elected officials have an obligation to ensure their posts are accurate and not misleading, and that they do not reveal non-public information about the City of Guelph.

8. Know that the Internet is permanent

Once information is published online, it becomes part of a permanent record. It is a good practice to provide a link to an online space where your thought or message can be expressed completely and accurately if it, along with its context, cannot fit within a character-restricted space (such as Twitter).

9. Social media needs maintenance. If you start it, commit to it

Be dynamic: update news feeds, post developments, upload new pictures. Social media participants are savvy; if your online property appears static, it is likely to quickly fall into disuse.

The following guidelines are posted on guelph.ca and are intended to convey to visitors to the site the circumstances under which the City of Guelph participates in social media:

Social Media Guidelines

When the City of Guelph uses a social media site which allows public comments and posts from its users, the following content will not be permitted:

- Comments/posts not related to a posted article/topic/information;
- Business solicitation;
- Profane or inappropriate language;
- Content considered to be defamatory, disrespectful or insulting to City staff or representatives
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Conduct or encouragement of illegal activity;
- Any content deemed inappropriate by the City of Guelph

The City of Guelph may post events where the City is involved as a participant, host or sponsor. If you have an event that meets this criteria you can send it to webmaster@guelph.ca.

Posts by the public promoting events will not be permitted.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE October 11, 2011

SUBJECT Service and Operational Review Plans

REPORT NUMBER

SUMMARY

Purpose of the Report: To provide the Governance Committee and Council with purpose and scope information, a funding strategy and a collaborative approach for conducting Council approved Service and Operational Reviews.

Committee Action: To receive and review the report for Council consideration.

RECOMMENDATION

THAT financial resource requirements necessary to initiate Council approved review activity be funded in 2011 through the Human Resource gapping Operational Reserve and that the resources be repaid over time through positive year end variance.

BACKGROUND

Service and Operational reviews are designed to provide Council and Management with the information necessary to understand a service or aspects thereof, how it compares to other municipalities, to explore alternative delivery options and best practices in terms of process or outcomes, and to identify what improvements can be made to realize valued change, efficiencies and/or effectiveness within approved service levels. Efficiencies and benefits can include cost savings, streamlined processes, improved service quality and increased levels of service satisfaction.

On July 25th, 2011 Council approved an Executive Team recommendation to conduct six Service Reviews and four Operational Reviews. In response, review plan elements have been developed for Council consideration along with a proposed strategy for completing the work that will result in strengthened internal capacity to support a sustainable efficiency focus.

REPORT

Minimizing Costs and Maximizing Returns

Plan elements, including purpose and scope, to guide Service and Operational reviews in the 2012/13 timeframe have been completed and are included in Appendix 1. In preparing the plans, staff also explored additional requirements including human and financial resources, methodologies, project timeframes and quality control measures. Internal assessment of the individually prepared review plans surfaced a number of opportunities that a more collaborative and centralized approach to completing the work will help to realize:

- Long term sustainable, efficiency gains;
- A replicable and innovative internal approach to solution building; and
- A stronger focus on productivity.

A Refocused Approach – Continuous Learning and Innovation

Many municipalities look to external support when conducting Service and Operational reviews. This assistance can provide benefits including new approaches, new ways of thinking, technical and skill expertise as well as an objective, third party viewpoint. A real risk of fully outsourcing ownership of review work, however, is that a limited legacy of learning is left within the organization. Engaging in joint activities and processes that are more inclusive of staff and the community will result in shared learning.

To complete the Council directed review projects, an interdepartmental team will be created utilizing existing staff expertise embedded within the organization. The team will bring leadership, subject and technical expertise. They will leverage the assistance of an external specialist to help guide the work. This approach will increase the investment in review activity, delivering not only review results but an increased internal capacity to conduct future reviews. Shared learning can be communicated, perspectives and recommendations can be challenged, and new techniques for service reviews and evaluations can be implemented (e.g. Lean Review, Public Stream Value Analysis, Source to Citizen evaluation and service re-design).

A team approach to Council directed Service and Operational Reviews will build and support a sustained change in approach towards continuous improvement and institute the practice of regular review and evaluation as a core aspect of work processes.

CORPORATE STRATEGIC PLAN

5.6 – Organizational excellence in planning and management.

FINANCIAL IMPLICATIONS

The projected financial cost to support Service and Operational Review activity for the 2012/13 time period is \$200,000.

It is recommended that the cost be funded through Human Resource gapping operating reserves that will be repaid with positive year end variances. This funding level will allow for assistance from a third party resource to provide oversight to an interdepartmental team of staff focused on continuous improvement. Conducted individually, instead of through the recommended centralized approach, this exercise could have incurred more significant costs and missed the opportunity for investing in staff learning and development.

DEPARTMENTAL CONSULTATION

The Executive Team was consulted in the development of this report.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix 1: Service and Operational Review Plans – Purpose and Scope.

- Service Guelph
- Special Events and Logistics Service Function
- Legal Representation
- Corporate Communications (formerly Corporate Publications and Graphic Design)
- Boulevard Maintenance
- Seasonal Recreation Facilities
- Business Systems Team
- Traffic Flow Management
- Procurement Process Development and Implementation
- Property Standards By-law

“original signed by Brenda Boisvert”

Prepared By:

Brenda Boisvert
Corporate Manager, Strategic Planning
and Corporate Initiatives

“original signed by Ann Pappert”

Recommended By:

Ann Pappert, CAO

2012/13 Service and Operational Review Plans – Purpose and Scope

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I – SERVICE REVIEWS

Service Guelph

Element	Description
Purpose:	To assist Council with the determination of whether ServiceGuelph is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	<p>The ServiceGuelph Service Review will focus on the following items and the method in which they are performed:</p> <ul style="list-style-type: none"> • Mandate/Objectives i.e. what is the service, who are the customers; • Services are delivered i.e. what are the criteria, how does a department or program get exempted to not offer their services thru the ServiceGuelph channel; • Service delivery relationship between ServiceGuelph and its internal customers i.e. agreements, fees; • Channels serviced e.g. in-person, phone, e-mail, live web chat, social media; • Levels of service delivered e.g. referral, first-level resolution, second level resolution; • Levels of decision-making for services delivered; • Resource requirements e.g. technology, financial, human; • Physical locations(s); • Hours; and • The role ServiceGuelph has in developing and implementing corporate customer service policy.

Special Events Coordination

Element	Description
Purpose:	To assist Council with the determination of whether Special Event Coordination is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	<p>The Special Event Coordination Service Review will focus on the following services/concepts and the method in which they are performed:</p> <ul style="list-style-type: none"> • Service mandates/Objectives – What is the service, What level of service should be provided, who should deliver the service, should the service be centrally provided(one stop delivery); • Which events or occurrences should be considered special events for purposes of this review? Criteria-based(# in attendance, required or requested amenities or permits) or location-based(on City owned or operated property/facilities); • Service delivery relationship and delineation of role and responsibility between C&SS staff and other internal departments(Traffic, Operations, EcDev) and external agencies (Health Unit, AGCO, Humane Society); • Service delivery relationship and delineation of role between C&SS staff and Event organizers; • How does this service tie in with events hosted by the City and its partners and external providers, is there duplication – ie Winterfest, Civic events; • How does this service tie in with the development of other strategies and initiatives (ie Events Framework, Community Investment Strategy); • How does this service relate to existing policies and processes? (ie Grants policy, Downtown Board letter of agreement re: St. Georges Square); • Should there be a fee for this service; and • What City controlled by-laws can be adjusted to accommodate event requirements.

Legal Representation

Element	Description
Purpose:	To determine whether Legal Services is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	<p>The Legal Services Service Review will focus on the provision of legal services, including realty services, to the Corporation and the method in which it is performed. It is anticipated that the Service Review will identify the appropriate service level and set parameters for the use of external counsel or consultants to supplement the services provided in house.</p> <ul style="list-style-type: none"> • Examine the positioning of Legal Services within the corporation and review the business plan to ensure alignment with strategic initiatives • Determine the services currently offered and interview primary users regarding services • Review other applicable practice information from comparator municipalities and options for delivery of this service • Create three year demand forecast for Legal Services, including the use of external counsel and consultants • Review workloads, workflow and standards for turnaround time and other performance measures • Develop performance indicators, goals and objectives, including service levels • Realign organization of resources • Assess use of external resources to supplement internal resources to achieve desired level of service

Corporate Communications

Element	Description
Purpose:	To assist Council with the determination of whether Corporate Communications is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	<p>The Corporate Communications Service Review will focus on the following:</p> <ul style="list-style-type: none"> • Mandate/objectives; • Services delivered (current services include strategic communications management, critical issues management, public opinion research, employee communications, public education and external communications, media relations, corporate identity and branding, corporate publications, graphic design, and public addresses and events.); • Level of service; and • Resource requirements.

Boulevard Maintenance

Element	Description
Purpose:	To assist Council with the determination of whether boulevard maintenance is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	The Boulevard Maintenance Service Review will focus on the service levels of the fine and rough-cutting turf operation of these public road allowance areas, including cul-de-sacs, corner lot flanks, abandoned/unmaintained boulevard frontages and the cutting standard and method that is performed.

Seasonal Recreation Facilities

Element	Description
Purpose:	To assist Council with the determination of whether Seasonal Recreation Facilities is a service that should be provided by the City and if so, the most appropriate way to provide the service and at what service level.
Scope:	<p>The Seasonal Recreation Facilities Service Review will focus on the service provision performed by Park Maintenance and Development staff and whether the recreational services are best provided by an operations group, including the following aspects:</p> <ul style="list-style-type: none"> • staffing recruitment, training and scheduling; • daily supervision of seasonal temporary staff ; and • daily operation and maintenance of the seasonal recreational facilities.

II – OPERATIONAL REVIEWS

Business Systems Team

Element	Description
Purpose:	The Operational Review of the Business Systems division will analyze the service delivery model for supporting the corporate application systems. It will affirm that the either current service delivery model is meeting the needs of the organization or if there are methods to update the model to ensure that Business Systems is not only service management, but also a strategic asset.
Scope:	<p>In focusing on the service delivery model for supporting corporate application systems the review scope and objectives will:</p> <ul style="list-style-type: none"> • Provide details of the services delivered including an understanding of the Business Systems division’s structure, costs, objectives, standards and outcomes as well as a historical perspective of our role in the organization; • Examine other municipal practices from the list of Council approved comparator municipalities; • Make informed recommendations for improvements for consideration by the ET that focus solely on the Business Systems division and serve to streamline processes, improve service quality or increase levels of satisfaction; and • Following ET approval, develop an implementation plan with timeframes and deliverables as well as a plan for monitoring, evaluating and reporting on outcomes.

Traffic Flow Management

Element	Description
Purpose:	The Operational Review of Traffic Flow will analyze the performance of the services, policies and programs that impact Traffic Flow Management in order to determine the most effective delivery of this requirement with a view to providing recommendations on increased efficiency.
Scope:	<p>The Traffic Flow Management operational review will include performance assessment and deficiency resolution on the following City of Guelph traffic network activities:</p> <ul style="list-style-type: none"> • Traffic Control Signal Analysis to include: <ul style="list-style-type: none"> ○ Corridor/network reviews ○ Traffic signal system management • Traffic Investigations regarding network deficiencies (collision analysis) to include:

Element	Description
	<ul style="list-style-type: none"> ○ Analysis methodology ○ Mitigation process and relationship to capital and operational budgets ● Review of staff handling of Public Requests ● Traffic impacts/traffic flow on the existing and future traffic network created by forecasted development ● Accommodation through the use of Transportation Demand Management (pedestrians, bicycles, transit) ● Review of Management of existing assets (e.g. traffic signals, signs) ● Review of Detour Management practices

Procurement Process Development and Implementation

Element	Description
Purpose:	The Procurement Process Development and Implementation operational review will analyze the performance of this service area with a view to identifying efficiencies and process improvements.
Scope:	<ul style="list-style-type: none"> ● Assess whether procurement policies and procedures are in place to ensure that the City acquires goods and services through an open, fair and transparent process; ● Assess whether appropriate internal controls exist to support the procurement process; ● Assess whether City processes ensure that we receive value for money from all acquired goods and services; ● Identify opportunities to support continual improvement and efficiency of all processes; and ● Further build on the previous operational review completed by BMA in November 2010.

Property Standards By-Law

Element	Description
Purpose:	The Operational Review of the Property Standards & Yard Maintenance By-law programs will focus on the content of both by-laws and the method in which these by-laws are administered and enforced.
Scope:	<ul style="list-style-type: none"> ● Assess the current Property Standards and Yard Maintenance By-law programs ● Detail the program, structure, costs, objectives, standards and outcomes; ● Analyze the relationship between staffing levels, workload and service levels; ● Determine preferred options for service delivery and address any

Element	Description
	implementation issues; <ul style="list-style-type: none"><li data-bbox="581 268 1463 338">• Identify efficiencies in the administration and enforcement of both of the Property Standards and Yard Maintenance by-laws;<li data-bbox="581 344 1463 413">• Identify opportunities to increase pro-active enforcement of the Yard Maintenance By-law; and<li data-bbox="581 420 1463 489">• Identify recommendations for improvements for consideration by the ET.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE October 11, 2011

SUBJECT Corporate Performance Governance

REPORT NUMBER

SUMMARY

Purpose of the Report: To provide the Governance Committee with additional information on intended directions for strengthening performance governance across the corporation.

Committee Action: To receive and review the report.

RECOMMENDATION

THAT the Governance Committee receive the report "Corporate Performance Governance" for additional information on future directions for strengthening performance governance in the corporation.

BACKGROUND

On July 11, 2011 the Governance Committee received an information report highlighting new efforts and achievements towards developing more comprehensive Corporate Performance Governance and related practices within the corporation. Examples highlighted included 1) the ongoing efforts of a cross-departmental team of specialized staff focused on exploring facets of effective performance management, 2) the inclusion of metrics in the 2012 operating budget, 3) measureable operating objectives in the Strategic Plan and 4) enhanced reporting of financial and performance information. These and future efforts will continue to work towards the commitment of excellence in our service and improve operational performance, accountability and transparency.

REPORT

Going forward into the coming year, staff will continue to focus on current and new opportunities for improved accountability and transparency through additional enhancements to performance governance. Two examples include:

Performance Reporting Innovations

Through the Strategic Plan Revision process, indicators to measure progress achieved in relation to goals embedded in the Mission, Vision and Corporate Values

will be determined. These measures will be connected to operating metrics and then further aligned with divisional and individual work plans. The effective communication of progress achieved in relation to the indicators will help to clearly demonstrate performance and the impact of related efforts in a holistic manner.

There are many leading examples of local government efforts in this regard, e.g. the 'Community Snapshot' of the Jacksonville Community Council (JCC) which can be found at www.jcci.org. JCC members report that real, lasting community change is built around knowing where you are, where you want to be and whether efforts are making a difference. They believe that easily accessible indicators are a necessary ingredient for sustainable change. A sample of their interactive map of indicators, is attached as Appendix 1. This tool allows residents to have full access and control over performance information related to their community. The database also provides information to compare an area over time, and/or in context with other geographic areas. Reports, graphs and charts are customizable upon request. Many options are available to explore and consider for application to ensure valued reporting of Council progress.

Integration and Collaboration for Performance Excellence

As the issues that local government deals with become increasingly complex over time, there is a greater need to leverage the combined efforts of internal talent by strengthening existing levels of integration and collaboration across the organization. Work places become more agile with integrated and collaborative work styles and are able to adapt to change more readily. It is anticipated that these approaches will be increasingly be applied to a number of opportunities including service and operational reviews, departmental performance reporting, process improvements and proactive issues management.

CORPORATE STRATEGIC PLAN

5.6 – Organizational excellence in planning and management.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

The Executive Team has previewed this report content.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix 1 – Community Snapshot – Jacksonville Community Council

“original signed by Brenda Boisvert”

Prepared By:

Brenda Boisvert
Corporate Manager, Strategic Planning
and Corporate Initiatives

“original signed by Ann Pappert”

Recommended By:

Ann Pappert, CAO

Population Demographics >> Total Population >> 2010

Community Snapshot by Jacksonville Community Council Inc.

- Summary Document (P... H...
- Reference Document (P... P...
- Scatterplot/Double Map
- Bubble Chart

Filter by Geogra...

Select Theme, then Indicators, then Ye

- ▶ Population Demographics
- ▶ Achieving Educational Excellence
- ▶ Growing a Vibrant Economy
- ▶ Preserving the Natural Environment
- ▶ Promoting Social Wellbeing and Harmony
- ▶ Enjoying Arts, Culture, and Recreation
- ▶ Sustaining a Healthy Community
- ▶ Maintaining Responsive Government
- ▶ Moving Around Efficiently and Safely

Legend (click pencil to change settings)

- Counties
- 8 - 22
- 23 - 58
- 59 - 172
- 173 - 397

County Comparisons

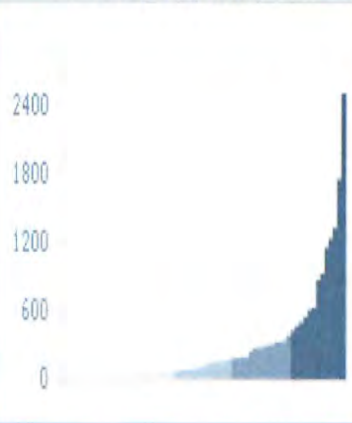
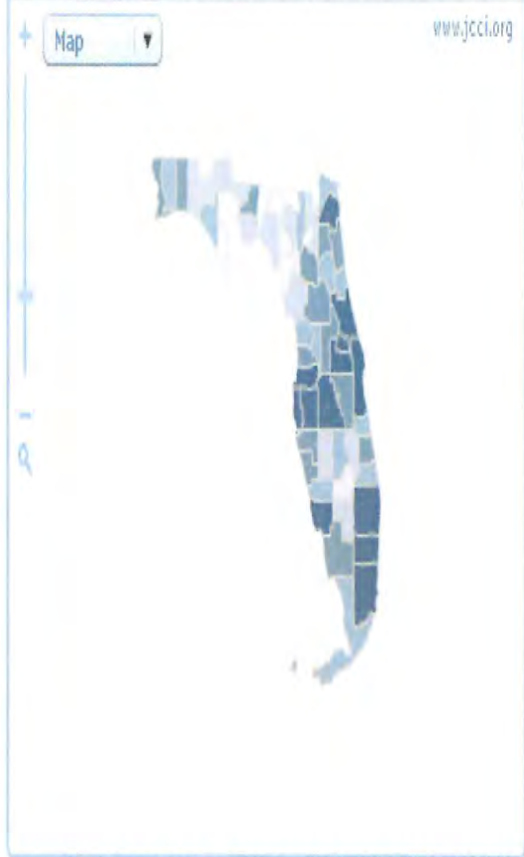


Table: Click One or More Counties

Name	Indicator	1-Yr Change
Alac...	247 people	1,262
Baker	27 people	100
Bay	169 people	428
Brad...	29 people	-501
Brev...	543 people	1,137
Brow...	1,748 people	9,973
Calh...	15 people	-31
Char...	160 people	118

Map: Select One or More Counties



What Does This Measure?

This is the estimated total population. Source: The Florida Legislature, Office of Economic and Demographic Research.

(Some indicators only available for Duval County or Northeast Florida)

Comparison Table

Name	Indicator
Florida	18,801
Jacksonville MSA	1,346

Time Series



Time Animation

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration

DATE October 11, 2011

SUBJECT Quarterly Report

REPORT NUMBER

SUMMARY

Purpose of Report: To provide Council with a third quarter update from the Governance Committee.

Committee Action: To receive and review the report.

RECOMMENDATION

THAT the third quarter report of the Governance Committee be received.

BACKGROUND

The Governance Committee completes quarterly reports on progress achieved consistent with the ongoing commitment to strengthened accountability and corporate governance practices.

REPORT

The following results have been achieved by the Governance Committee in the third quarter of 2011, consistent with the Council approved 2011 Annual Agenda:

Effective Corporate Governance

- ✓ City of Guelph Procedural By-law Governing Council and Committee Meetings

Accountability and Transparency Measures

- ✓ Closed Meeting Protocol with respect to Council and Committee Meetings
- ✓ Library Board as Nominating Panel for Citizen Appointments to the Board
- ✓ Program and Staffing Level Approvals (Full time and Regular Part time)

CAO Performance and Review

- ✓ Service Review: ET Assessment Phase 1
- ✓ Corporate Performance Measurement
- ✓ Succession Planning
- ✓ Internal Audit Function – Role Description and Reporting Structure

Committee Performance Reporting

- ✓ Second quarter Committee progress report

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business.

5.6 Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

The Clerks Department, Corporate Administration and the Mayor's Office were consulted in the development of this report.

COMMUNICATIONS

n/a

ATTACHMENTS

n/a



Approved By:

Mayor Karen Farbridge

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, City Clerk's Services
DATE October 11 , 2011

SUBJECT **City of Guelph Procedural By-law
Governing Council and Committee meetings**

SUMMARY

Purpose of Report:

To have committee review and consider a new procedural by-law for recommendation to Council which is current, comprehensive clear and concise.

Committee Action:

To recommended for approval a new By-law governing the proceedings of Council and Committee meetings.

RECOMMENDATION

That the report from the Acting Clerk dated October 11, 2011 regarding the Procedural By-law be received;

AND THAT a by-law be enacted to approve the Procedures Governing Council and Committee meetings as attached hereto as Appendix "A".

BACKGROUND

On July 27, 2011 a report came to the Governance committee with a proposed by-law governing the proceedings of Council and Committees for consideration. The draft by-law was introduced in order to solicit input from the members of council and to consider comments for this final draft.

The proposed by-law consolidates 20 amendments that have occurred represents an opportunity to clear up ambiguities and to clarify any areas of interpretation which may exist. Since the original by-law was adopted in 1996, governance and administrative structures have changed, and the format of the conduct of business at meetings has also changed.

This new procedural by-law, when approved, will replace By-law (1996)-15200 in its entirety.

REPORT

During the review period, comments were received by 4 members of council and as a result changes have been incorporated in response to comments. Further changes were incorporated following a review by Legal Services staff.

There were questions concerning section 21.6(a) regarding the proposed changes to the role of non committee Council members at Standing Committee meetings.

The City of Guelph has, as its decision making process, a standing committee structure of governance. This means that the Council, through recommendation of its Nominating Committee, appoints members of Council who are entrusted to deal specific subject matter pertaining to the purview of the standing committee as detailed in the procedural By-law. Therefore, those specific committee members are charged with the responsibility of deliberating and making recommendations to Council.

An alternate governance structure is the Committee of the Whole structure, wherein all members of council deal with all matters to be decided by council. In this scenario all members deliberate on all matters.

Since the City of Guelph has a standing committee structure, it is recommended that non members of the Standing committee are free to attend and ask questions for clarification, but not to enter into debate at the Standing Committee.

A list of material changes to the procedural by-law which are neither housekeeping not a result of current legislation and practices and are included as Appendix "B".

CORPORATE STRATEGIC PLAN

This report aligns with the following strategic objective:

5.3 Open accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

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

COMMUNICATIONS

Legal Service Staff conducted a comprehensive review of the proposed By-law.

ATTACHMENTS

Appendix "A" Draft Procedural By-law

Appendix "B" Material changes to proposed procedural by-law

“original signed by Tina Agnello”

Prepared and Recommended By:

Tina Agnello
Acting City Clerk

519 822-1260 X 2811
Tina.agnello@guelph.ca

“original signed by Mark Amorosi”

Recommended By:

Mark Amorosi
Executive Director, Corporate and
Human Resources

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mark.amorosi@guelph.ca

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)-

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal Code Amendment #_____ and to repeal By-laws (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095, (2010)-19107 and (2011)-19220

WHEREAS it is necessary and expedient that there should be rules governing the order and procedure of the Council and its Committees;

AND WHEREAS section 238(2) of the *Municipal Act*, requires Council and every local board to adopt a procedure by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE The Corporation of the City of Guelph ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law,

"Acting Chair" means a member of the Committee appointed by the Chair or by the members of the Committee to act in the place and stead of the Chair in his or her absence.

"Acting Mayor" means the Councillor is appointed, in alphabetical order by last name, to serve one month each, to act in the place and stead of the Mayor when called upon to do so by the Mayor;

"Advisory Committee" means a Committee created by Council, with no definitive end, to report through the appropriate Standing Committee on a specific subject;

"By-law" means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council;

"CAO" means the Chief Administrative Officer of the City;

“Chair” means the Mayor or Acting Mayor of any Meeting of Council or the Chair or Acting Chair of any Meeting of a Committee.

“City” means The Corporation of the City of Guelph and includes the geographical area of the City of Guelph;

“Clerk” means the City Clerk, or his or her designate;

“Closed Meeting” means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act;

“Committee” means a Committee of the City created by Council and includes an Advisory Committee, Special/Ad Hoc Committee and Standing Committee;

“Committee Chair” means the Chair of a Committee;

“Consent Agenda” means a listing of Consent Items being presented to Council and Committee for its consideration;

“Consent Item” means a report that is presented for approval without debate and with no delegation or presentation and is generally considered routine or time sensitive;

“Consent Report” means a report from a Standing Committees outlining items approved by the Committee and being forwarded to Council for its consideration;

“Council” means the Council of the City, comprised of the Mayor and Councillors;

“Councillor” means a member of Council, other than the Mayor;

“Delegate” means any person, group of persons, firm or organization, who is neither a Member of Committee or Council or an appointed Official of the City, wishing to address Committee or Council upon request to the Clerk;

“Executive Directors” means staff who report to the CAO and are responsible for multijurisdictional areas;

“Local Board” means a local board of the City as defined in the *Municipal Act*;

“Majority” means for the purpose of voting, unless otherwise specified, more than half the total number of Members of Council or Committee present at the vote and not prohibited by statute from voting;

“Mayor” means the head of Council and includes the Acting Mayor when the Acting Mayor is acting in place and stead of the Mayor;

“Meeting” means any regular or special meeting;

“Member” means, according to the circumstances, a member of Council, including the Mayor, or a member of the Committee including the Chair;

“Motion” means a proposal moved by a Member and seconded by another Member, for the consideration of Council or a Committee;

“Municipal Act” means the *Municipal Act, 2001, S.O. 2001, c.25* as amended or replaced from time to time;

“Resolution” means a Motion that has been carried;

“Rules of Procedure” means the rules and procedures set out in this By-law;

“Special/Ad Hoc Committee” means a Committee created by Council, with a defined ending, to report directly to Council on a very specific matter.

“Standing Committee” means a Committee appointed by and directly reporting to Council, created from time to time, and currently comprised of the following Committees:

- Audit Committee
- Community & Social Services Committee
- Corporate Administration, Finance & Emergency Services Committee
- Operations & Transit Committee
- Planning & Building Engineering and Environment Committee
- Emergency Governance Committee

2. MEETINGS

2.1 Public Notice of Meetings

- 2.1(a) Staff shall give public notice of all regular open and Closed Council and Standing Committee meetings by:
- inclusion on the City’s website calendar at least 72 hours prior to the Meeting,
 - posting in City Hall at least 72 hours prior to the Meeting; and
 - publication in a local newspaper at least 72 hours prior to the Meeting.
- 2.1(b) Staff shall give public notice of all special open and Closed Council and Standing Committee meetings by:
- inclusion on the City’s website calendar as soon as possible after the Meeting is called and no later than 24 hours prior to the Meeting;
- 2.1(c) Notwithstanding subsections 2.1(a) and (b), staff shall give legislated notice of items on any agenda, in accordance with the applicable legislation.

2.2 Inaugural Meeting of Council

- 2.2(a) The first meeting of Council following a regular election shall be held on the first Monday in December at 7:00 p.m. in the Council Chambers of City Hall or at such alternate location as determined by the Clerk. If this day is a public holiday, the Council shall meet at the same hour on the next day, not being a public holiday.
- 2.2(b) At the inaugural Meeting, each member present shall make his or her declaration of office and sign Council's Code of Conduct, and Council shall not proceed with any regular business at this Meeting.

2.3 Regular Meetings of Council

- 2.3(a) Council shall meet in the Council Chamber of City Hall on the dates and times set by Council by Resolution each year, unless by way of Resolution, the Council selects an alternate Meeting location, date, or time. In the event the regular Meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday. When a regular Closed meeting is required, staff shall schedule it no earlier than 5:00 p.m. on the day of a scheduled Council meeting.
- 2.3(b) Unless there is a quorum consisting of at least seven Members of Council present within fifteen minutes after the time appointed for the Meeting of the Council, the Council shall stand adjourned until the next Meeting date, and the Clerk shall take down the names of the Members present at the expiration of such fifteen minutes.
- 2.3(c) As soon after the hour of a Meeting of Council as there shall be a quorum present, the Mayor shall take the chair and call the Members to order. In the absence of the Mayor or Acting Mayor, the Clerk shall call the Members to order and the Council shall choose a Chair from the Members present and that person shall preside during the Meeting or until the arrival of the Mayor or Acting Mayor.

2.4 Public Meetings Pursuant to the *Planning Act*

- 2.4(a) Where a public meeting under the *Planning Act* is required, Council shall hold on the first Monday of the month. Staff shall make reports on planning matters available to the public at least one week in advance of the regular agenda distribution date.
- 2.4(b) Notwithstanding Section 7.6 of this By-law, the time limitation for delegations at a public meeting for the purpose of informing the public of matters under the *Planning Act*, shall not exceed ten minutes. Council may extend the ten minute time period by a Majority vote of the Council members present without debate. Council may ask questions of staff after the staff presentation and prior to the delegate addressing Council.

- 2.4(c) Once all delegates listed on the agenda have spoken, the Mayor or Chair shall ask if anyone present wishes to speak and any person will be permitted to speak without advance notice.

2.5 Special Council Meetings

- 2.5(a) The Mayor may at any time summon a special Meeting of Council the Mayor shall summon a special Meeting of Council when so requested in writing by a Majority of Members of Council.
- 2.5(b) Upon receipt of a petition of the Majority of the Members of the Council, the Clerk shall summon a special Meeting for the purpose and at the time and place mentioned in the petition.
- 2.5(c) The Clerk shall give notice of the time, place and purpose of every special Meeting to all Members not less than 48 hours prior to the time fixed for the Meeting.
- 2.5(d) The notice calling a special Meeting of the Council shall state the business to be considered at the special Meeting and Council shall consider no business other than that stated in the notice at such Meeting, except with the unanimous consent of all Members present at such Meeting.
- 2.5(e) On urgent or extraordinary occasions, the Mayor may call an emergency special Council Meeting without the notice provided in sub-section 2.5(c).

2.6 Standing Committee Meetings

- 2.6(a) Standing Committees shall meet in the Council Chamber of City Hall on the dates and times set by Council by Resolution unless otherwise agreed upon.
- 2.6(b) The Chair of the Standing Committee, the Mayor by reason of office, and the majority of members of a Standing Committee may call a special Standing Committee meeting.
- 2.6(c) Once a special Standing Committee meeting has been requested, staff shall make the arrangements for the special Meeting shall be made within the next day and shall schedule the Meeting for the earliest possible time when a quorum would be available.
- 2.6(d) At the direction of the Chair of a Standing Committee, the Clerk shall give notice of the time, place and purpose of every special Meeting or cancellation of a special Meeting to all members not less than 48 hours prior to the time fixed for the meeting.
- 2.6(e) The notice calling a special Meeting of the Standing Committee shall state the business to be considered at the special Meeting and the Standing Committee shall consider no business other than that stated in the notice

at such Meeting, except with the unanimous consent of all Members present at such Meeting.

- 2.6(f) On urgent or extraordinary occasions, an emergency special Standing Committee Meeting may be called without the notice provided for in subsection 2.6(d).
- 2.6(g) All Resolutions passed at Special Standing Committee Meetings shall be forwarded to Council for consideration.

2.7 Closed Meetings

- 2.7(a) Meetings shall be open to the public. A meeting or part of a meeting may be closed to the public if the subject matter being considered meets the permissive criterion set out in Appendix 1, and shall hold a Closed Meeting if the subject matter being considered meets the mandatory criterion set out in Appendix 1.
- 2.7(b) The Clerk or his or her designate shall attend Closed Meetings.
- 2.7(c)
 - (i) The Clerk may delegate the Clerk duties with respect to recording minutes in a Closed Meeting of Council to a staff person only.
 - (ii) For closed Meetings of the Audit Committee, the Clerk may delegate the Clerk's duties with instructions to the City's external Auditor.

3. ORDER OF BUSINESS

3.1 Council Agenda

The Clerk shall have prepared and printed for the use of Members at the regular Meetings of Council, an agenda with the following headings:

- Singing of O Canada
- Silent Prayer
- Declaration of possible Pecuniary Interest
- Confirmation of previous Council Minutes
- Presentations
- Public Meetings pursuant to legislation including The Planning Act
- Delegates
- Matters arising out of Delegates heard
- Consent Reports of Committees of Council and other Boards, Committees and Commissions
- Consent Agenda
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

3.2 Standing Committee Agenda

The Clerk shall have prepared and printed for the use of members at the regular Meetings of the Standing Committees, an agenda with the following headings:

- Declaration of possible Pecuniary Interest
- Confirmation of Minutes
- Presentations
- Consent Agenda
- Next Meeting Date

4. DISCLOSURE OF PECUNIARY INTEREST

- 4.1 When a Member present at a Meeting has a pecuniary interest as defined in the *Municipal Conflict of Interest Act, 2001, S.O. 2001, c.25*, as amended or replaced from time to time, the Member shall, prior to any consideration or discussion of the matter, disclose the pecuniary interest and the general nature thereof and not take part in the consideration or discussion of the matter nor vote on the matter.
- 4.2 When a member has a pecuniary interest and is not present at the meeting when the matter is considered or discussed, the Member of Council shall disclose the pecuniary interest and the general nature thereof at the first meeting attended by the Member after the matter was considered or discussed.
- 4.3 In addition to complying with the requirements of section 4.1, if the Member shall, if the matter is being considered or discussed at a Closed Meeting, leave the Meeting for the part of the meeting during which the matter is being discussed, under consideration, or being voted on.
- 4.4 When a Member of Council has participated in any matter despite having previously declared a possible pecuniary interest regarding such matter, Council may consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process.

5. MINUTES

- 5.1 The Clerk shall present the minutes of previous Meeting(s) to Council for adoption.
- 5.2 When the minutes of a Council Meeting have been adopted, the Mayor and Clerk shall sign them.

6. PRESENTATIONS

- 6.1 Presentations at meetings shall be limited to a maximum of 10 minutes.
- 6.2 The following types of presentations shall provide information only and shall be heard at the beginning of a Meeting:
- (i) Presentations by staff and outside organizations providing information with no accompanying report and usually not requiring a decision;
 - (ii) Presentations recognizing achievements.
- 6.3 Where a City presentation involves an item on an agenda, the item shall be extracted from the Consent Report and/or Consent Agenda and shall be heard at the appropriate time in the agenda with the report brought forward for consideration immediately after the presentation has been made. If delegates wish to speak in addition to a presentation involving an item on the agenda, the item shall not be brought forward for consideration until all delegates on the same have been heard.

7. DELEGATIONS

- 7.1 Council shall not permit any person to address Council at a Meeting regarding litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals affecting the City or Local Board unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegate to be heard.
- 7.2 No person, except members of Council and appointed officials of the City of Guelph, shall be permitted to come within or behind the horseshoe during a Meeting of the Council or Committee without the permission of Council or Committee.
- 7.3 No person shall make detrimental comments, or speak ill of, or malign the integrity of staff members or Council.
- 7.4 Delegates shall not be permitted to appear before Council or Committee for the sole purpose of generating publicity for an event.
- 7.5 No Delegate shall speak on a matter that is not within the jurisdiction of the Council or Committee.
- 7.6(a) A delegate may address the Council or Committee for a period of time not exceeding five minutes regarding an item on the agenda. Council or Committee may extend the five minute time period by a Majority vote of the Members present. Such question shall be decided without debate.

- (b) An organized body of three or more representatives wishing to address Council or Committee as a delegate shall be limited to a maximum of ten minutes when addressing Council or Committee.
 - (c) Notwithstanding Subsection 7.6(a), designated representatives of the County of Wellington appearing before the Community & Social Services Committee with respect to land ambulance service matters, shall have no time imitations placed on their delegation.
- 7.7(c) Delegates have until 9 a.m. on the day of the Meeting to notify the Clerk to be a delegate or to submit a written comment for a Meeting that takes place at 12 noon or up to 5:59 p.m.
- (d) Delegates have until 4 p.m. the business day prior to the Meeting to notify the Clerk to be a delegate or to submit a written comment for a meeting that takes place at 11:59 a.m. or earlier.
- 7.8 For a Meeting other than a public meeting pursuant to legislation, a delegate who is listed on the agenda and is unable to attend the Meeting, may, by notifying the Clerk at least one business day prior to the Meeting, submit a written statement.
- 7.9 Except on matters of order, Members of Council shall not interrupt a Delegate while he or she is addressing Council or Committee.
- 7.10 Members may address a Delegate only to ask questions and not to express opinions or enter into debate or discussion with the delegate.
- 7.11 All Delegates on an issue shall be heard before questions are asked of staff or discussion takes place among Council or Committee.
- 7.12 After all delegations have been heard, the item shall immediately be brought forward for consideration.

8. CONSENT REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

- 8.1 The reports from a Standing Committee to Council shall be submitted to Council in the form of a Consent Report, and shall be dealt with by Council in the manner as provided for in Clause 8.3.
- 8.2 Council shall consider reports of Committees of and other boards, committees and commissions in the following order:
- (a) Standing Committees
 - (b) Special/Ad Hoc Committees; and
 - (c) Boards, and commissions

- 8.3(a) Committees reports shall be presented by the Chair of the Committee or, in his or her absence, by a member of the Committee, who shall move the adoption of the Report.
 - (b) Council Members shall identify any items contained in a Committee Consent Report, which they wish to speak to and the matter shall be extracted from the Consent Report to be dealt with separately.
 - (c) The balance of items on the Committee Consent Report, which have not been extracted, shall be voted on in one motion.
- 8.4 Reports from boards and commissions submitted in writing shall be signed by the Chair or Secretary. When such reports are requesting Council action, they shall include appropriate Resolutions for consideration.

9. CONSENT AGENDA

9.1 Council Consent Agenda

- 9.1(a) The Council Consent Agenda shall consist of the following items:
 - (a) Reports from staff;
 - (b) Correspondence for the direction of Council, which may include:
 - i) correspondence for which a policy decision or approval of Council is required;
 - ii) correspondence accompanied by a recommendation from staff; and,
 - (c) Correspondence for the information of Council.
- 9.1(b) Council may, by one single Resolution adopt the Council Consent Agenda in its entirety. Members of Council who wish to address specific items on the Consent Agenda may identify such items, which shall be extracted and dealt with separately. The balance of the Council Consent agenda, which was not extracted, shall be adopted in one resolution.
- 9.1(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or the Standing Committee.

9.2 Standing Committee Consent Agenda

- 9.2(a) Each Standing Committee shall use a Consent Agenda which shall consist of the following items:
 - (1) Reports from the staff of the divisions which report to the Standing Committee;
 - (2) Matters referred by City Council;
 - (3) Correspondence for the direction of a Standing Committee for which a policy decision or approval of the Standing Committee is required;

- (4) Correspondence accompanied by a recommendation from staff;
and,
 - (5) Correspondence for the information of the Standing Committee.
- 9.2(b) The Standing Committee may, by one single Resolution adopt the Consent Agenda in its entirety. Members of the Standing Committee who wish to address specific items on the Consent Agenda may identify such items, which shall be extracted and dealt with separately. The balance of the Consent Agenda which was not extracted, shall then be adopted in one resolution.
- 9.2(c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council or the Standing Committee.

10. CONDUCT OF MEMBERS

- 10.1 Council and Committee Members shall govern themselves according to Council's Code of Conduct.
- 10.2 The Mayor or Chair shall preserve order and decide questions of order and privilege.
- 10.3 Every Member desiring to speak, shall raise his or her hand so as to be recognized by the Mayor or Chair.
- 10.4 Every Member, on being recognized, shall remain seated in his or her place, and address themselves to the Mayor or Chair.
- 10.5 A member called to order by the Mayor or Chair shall immediately cease stating further comment, and may appeal the calling to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor or Chair shall be final.
- 10.6 No member shall without leave of the Council or Committee:
- (a) speak to an issue for more than 5 minutes (cumulative);
 - (b) use offensive words or speak disrespectfully of Council or any person;
 - (c) speak on any subject other than the subject under debate;
 - (d) speak in contempt of any decision of the Council except when speaking in support of a Motion for reconsideration;
 - (e) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,

- (f) disobey the rules or decisions of Council or a decision of the Mayor or Chair on questions of order or privilege, or upon the interpretation of the rules of procedure, and in case a Member persists in any such disobedience after having been called to order by the Mayor or Chair, such Member may be ordered by Council or Committee to leave his or her seat for that Meeting and, in case of their refusing to do so, they may, on the order of the Mayor or Chair, be removed therefrom by the police. In case of adequate apology being made by the member they may, by vote of the Council or Committee, be permitted to take their seat.

10.7 Subsection 10.6(a) shall not apply to a Committee Chair, or his or her designate when presenting the Committee's report to Council.

11. POINTS OF ORDER OR PRIVILEGE

11.1 Point of Order

- 11.1(a) A Member may raise a point of order at any time, whereupon the Mayor or Chair shall:
 - a) interrupt the matter under consideration; and,
 - b) ask the Member raising the point of order to state the substance of and the basis for the point of order; and the applicable rule involved; and,
 - c) rule on the point of order immediately without debate by Council or Committee.
- 11.1(b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee.
- 11.1(c) If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.

11.2 Point of Privilege

- 11.2(a) A Member may raise a point of privilege at any time if he or she considers that their integrity or the integrity of Council or the Committee as a whole has been impugned, whereupon the Mayor or Chair shall:
 - a) interrupt the matter under consideration; and,
 - b) ask the Member raising the point of privilege to state the substance of and the basis for the point of privilege; and,
 - c) rule on the point of privilege immediately without debate by Council or Committee.
- 11.2(b) A member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee.

- 11,2(c) If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.
- 11.2(d) Where the Mayor or Chair considers that the integrity of any City employee has been impugned or questioned, the Mayor or Chair may permit staff to make a statement to Council or Committee.

12. MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL

- 12.1 Council shall not debate any motion until it has been seconded. When a Motion has been seconded, it may upon request, be read or stated by the Mayor or Clerk at any time during the debate.
- 12.2 When a Councillor moves a Main motion or an amendment to a Motion that is not recorded as part of the Agenda package, that Councillor shall provide a written copy of the Motion to the Mayor prior to the vote being taken.
- 12.3(a) Whenever the Mayor is of the opinion that an amending Motion is contrary to the main Motion, the Mayor shall apprise the Members thereof immediately.
 - (b) A member of Council may appeal the ruling of the Mayor to Council.
 - (c) If there is no appeal, the decision of the Mayor shall be final. The Council, if appealed to, shall decide the question without debate and its decision shall be final.
- 12.4 A Motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order.
- 12.5 After a motion has been moved and seconded, it shall be deemed to be possession of the Council. Council may consent to the withdrawal of the Motion at any time before amendment or decision.
- 12.6 When a Motion is under consideration no other Motion shall be received unless it is a Motion:
 - (a) to refer the Motion to a Committee, staff or any person or body and such motion to refer:
 - (i) is open to debate;
 - (ii) is amendable; and
 - (iii) shall preclude amendment or debate of the preceding motion unless resolved in the negative.
 - (b) to amend the Motion and such Motion to amend:

- (i) is open to debate;
 - (ii) shall not propose a direct negative to the main Motion;
 - (iii) shall be relevant to the main Motion;
 - (iv) is subject to only one amendment, and any amendment more than one must be to the main question; and
 - (v) if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main question is put to the vote.
- (c) to defer the Motion to another time and such Motion to defer:
- (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) applies to the main Motion and any amendments thereto under debate at the time the Motion to defer is made.
- (d) to adjourn the meeting and such Motion to adjourn:
- (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) shall always be in order.
- (e) to call the question and such Motion to call the question:
- (i) cannot be amended;
 - (ii) cannot be proposed when there is an amendment under consideration;
 - (iii) shall preclude all amendments to the main Motion
 - (iv) when resolved in the affirmative, shall be followed by putting the question , without debate or amendment;
 - (v) when resolved in the negative, shall be followed by resumption of debate.
 - (vi) shall always be in order.

12.7(a) Once all Motions relating to the main motion have been dealt with, and once main Motion is put there shall be no further discussion or debate and the Motion shall be immediately voted on.

(b) A Motion once put may be voted against by the mover and seconder.

13. VOTING

Open Meeting Voting

13.1(a) When one or more of the Motions set out in Section 12 has been made, the order of the vote shall be as follows:

- (i) to defer the Motion;
- (ii) to refer the Motion;

- (iii) upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
 - (iv) then, upon the main Motion or upon the main Motion as amended, if any amendments have been carried.
- 13.1(b) When the question under consideration contains distinct clauses, upon the request of any Member, the vote on each clause shall be taken separately.
- 13.1(c) After a question is finally put by the Mayor or Chair, no member shall speak to the question, or make any other Motion after the result of the vote has been declared.
- 13.1(d) After a question is finally put by the Mayor or Chair, no members of Council or Committee shall be recognized to speak by the Mayor or Chair.
- 13.1(e)
 - (i) Members shall distinguish their vote by voting in favour or opposed using an electronic voting system.
 - (ii) Notwithstanding (e) above, no recorded vote is required for an adjournment.
- 13.1(f) Should Council or Committee meet in a place where there is no electronic voting system or should the electronic voting system in the Council Chambers be inoperable, each Member must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.
- 13.1(g) The Clerk shall for all motions, record the name and vote of every Member voting on a matter of question.
- 13.1(h) The Clerk shall record in the minutes the name of any Member of Council or Committee who is not present in the Chamber when such recorded vote is taken.
- 13.(i) The Mayor or Chair shall vote on any question while in possession of the Chair, however, if the Mayor or Chair wishes to propose a Motion he or she shall step down and shall not resume the Chair until the vote is taken.

13.2 Closed Meeting Voting

- 13.2(a) In a Closed Meeting, Council or Committee may vote only on resolutions pertaining to a procedural matter or for giving directions or instructions to officers, agents, employees or contracted persons to the City.
- 13.2(b) Council shall vote upon all other Motions in open session. Council or Committee shall, in the Closed Meeting, pass a Resolution to rise and report and the motion shall be introduced under special resolutions on the open Meeting Agenda.

13.2(c) Notwithstanding subsection 13.1(e), there shall be no recorded votes in closed meetings unless otherwise requested by a Member.

14. RECONSIDERATION OF A COUNCIL DECISION:

- 14.1 Council may, in accordance with these reconsideration provisions of this By-law, reconsider a Motion that was decided in a previous decision.
- 14.2 Any member of Council who voted with the majority in respect of a previous decision may move a Motion for reconsideration. The Motion shall only be seconded by a member of Council who voted with the majority.
- 14.3 No discussion on the main motion shall be allowed unless the Motion for reconsideration is carried in the affirmative by a vote of a minimum vote of seven of the entire Council.
- 14.4 Any Member of Council who did not vote on the motion to be reconsidered by reason of not being a duly elected member of Council at the time the vote was taken or who was absent at the time a vote was taken on the Motion, shall be deemed to be a member of Council who voted with the Majority for the purposes of sub-section 14.2 .
- 14.5 Debate on a Motion for reconsideration must be confined to reasons for or against the reconsideration, and no discussion on the main question shall be allowed until the motion for reconsideration is carried.
- 14.6 If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business unless the Motion for reconsideration called for a future definite date.
- 14.7 Once the motion to reconsider has been passed, Council shall proceed with the original motion as though it had never previously been voted on.
- 14.8 No question shall be reconsidered more than once during the term of Council, nor shall a vote to reconsider be reconsidered.
- 14.9 A motion to reconsider may be introduced by a Notice of Motion. The mover or seconder of the Notice of Motion is not required to have voted with the Majority of Council when the previous decision was made. This notice of motion shall appear on the agenda of a subsequent Meeting or the Meeting specified by the mover and seconder.

14 BY-LAWS

- 15.1 The Clerk shall submit to Council a summary of all By-laws proposed for adoption, including the By-law numbers, titles and explanatory notes.

- 15.2 Every proposed by-law shall be at the Council Meeting and be available to any person interested in reviewing same.
- 15.3 Unless otherwise requested or separated, all by-laws proposed for adoption shall be passed in one single motion.
- 15.4 After the By-laws have been passed, the Clerk shall be responsible for their correctness should they be amended at the Council Meeting.
- 15.5 Every By-law passed by Council shall:
- (i) be signed by the Mayor, or the presiding officer at the meeting;
 - (ii) be signed by the Clerk;
 - (iii) be sealed with the seal of the City, and;
 - (iv) indicate the date of passage.
- 15.6 Council shall enact a By-law to confirm each Motion, Resolution and action passed and taken by the Council at that Meeting.

16 ANNOUNCEMENTS

- 16.1 Announcements shall be provided to the Mayor in writing prior to the Council Meeting, and the Mayor shall read the announcements at the end of the Council Meeting.

17 NOTICE OF MOTIONS AND SPECIAL RESOLUTIONS

17.1 Notice of Motions

- 17.1(a) Any Member may give notice of intent that he or she intends to introduce a Motion at the next or a subsequent Meeting of Council to initiate any measure or to make any change in the Council's established policy. At the time of giving of notice, the Member shall fully disclose the intent of the Motion to Council. The giving of notice requires no seconder and is not at that time debatable.
- 17.1(b) Further to Section 17.1, every Notice of Motion submitted to Council, other than a notice for reconsideration of a Council decision, shall be in the form of a referral to a Committee for a recommendation to Council, unless the matter is time sensitive and requires a more immediate decision of Council.
- 17.1(c) Every Notice of Motion shall be in writing, and shall be submitted to the Clerk for inclusion in the Agenda of the next regular meeting of Council.
- 17.1(e) If a Notice of Motion is introduced and not brought forward in the next 2 subsequent regular meetings of Council, the Notice of Motion expires.

17.2 Special Resolutions for Notice of Motion

- 17.2(a) Motions for which previous notice has been given shall be listed on the agenda under the heading "Special Resolutions". Special resolutions for which previous notice has been given shall not be placed on any supplementary or addendum agenda.
- 17.2(b) In introducing a special Resolution to Council, a member shall be permitted the opportunity of providing material and information in support of the resolution for the benefit of Council.

17.3 Special Resolutions for Closed Meetings

- 17.3(a) Where Council has passed a resolution at a meeting closed to the public in which is not procedural in nature or direction to staff, such resolution shall be introduced in the Special Resolution section of the Council agenda.
- 17.3(b) Such resolution shall be presented in the following manner:
"That Council rise and report the following motion as a special resolution in Council open session."

18 ADDENDUM/SUPPLEMENTARY AGENDA

- 18.1 The Clerk shall prepare an addendum or supplementary agenda shall be prepared by to advise Council or Committee of names of persons who wish to speak to matters on the agenda who have contacted the Clerk after the agenda has been distributed.
- 18.2 Items or matters will not be added to the agenda after its distribution to Council or Committee by inclusion on the addendum unless directed by the Mayor or Chair, respectively, or CAO and/or Executive Director(s) if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

19 ADJOURNMENT

- 19.1 The Council shall adjourn at 11:00 p.m. if in session at that hour, unless otherwise decided before that hour by a two-thirds vote of the members present. If the Council is adjourned at 11:00 p.m., before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.
- 19.2 Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.

- 19.3 A Motion to adjourn may be made by a member who has the floor, requires no seconder and need not be in writing. However, no Motion to adjourn may be made during the taking of a vote on any other Motion.
- 19.4 Notwithstanding section 19.2, if a Motion to extend the automatic adjournment time is required prior to the hearing of all Delegates on a matter being considered at the time such Motion to adjourn is made, Council shall not adjourn the meeting until all listed Delegates on the matter have been heard. Once the listed Delegates have been heard, Council shall deal with the matter being considered at the time the Motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

20 NOMINATING AND STRIKING COMMITTEE

- 20.1 Council as whole shall select the Chairs of the Standing Committees annually prior to the selection of the Standing Committee Members. The Council shall consider rotating the Standing Committee Chair position every two years when selecting a committee Chair. In appointing the Standing Committee Chair, consideration shall be given to workload balance, individual interests and Councillor development.
- 20.2 In the first year of each new term, the Council shall establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Committees, public agencies and any other bodies.
- 20.3 The Mayor shall chair the Nominating Committee.
- 20.4 The Nominating Committee shall be composed of the Mayor and the Chairs of the Standing Committees.
- 20.5 In the first year of each new term of Council, the Nominating Committee shall, as soon as possible, make recommendations to Council on all Council Member appointments.
- 20.6 In all other years of the Council term, the Nominating Committee shall make recommendations on Councillor Member appointments to Council prior to the last regularly scheduled Council meeting in November.
- 20.7 For Councillor vacancies that occur during the term of Council, the Nominating Committee shall make a recommendation to Council.
- 20.8 Council shall consider both qualifications as well as individual interests when selecting Committee Members. In order to balance Committee workload, each Councillor shall serve on at least two of the Standing Committees. The selected members of each Standing Committee shall be appointed by Council for a one year term. A quorum for a Standing Committee shall be three Members.

20.9(a) In the first year of each new term, the Council shall meet as a Striking committee for the purpose of making citizen appointments to Boards, Committees and Commissions.

(b) In all other years of the Council term, the Striking Committee shall meet as part of the last regularly scheduled Council meeting in November.

21 STANDING COMMITTEES,SPECIAL/ AD HOC COMMITTEES AND ADVISORY COMMITTEES

21.1 Standing Committee Procedures

21.1(a) A Standing Committee, shall be comprised of 5 Members of Council and deal with the subject matter specific to its mandate and charter, and shall make recommendations to Council for approval.

21.1(b) A Standing Committee is an advisory body to Council established by Council. Standing Committees are composed of Councillors only and are supported by City staff.

21.1(c) Standing Committees shall deal with matters relating to the specific area of jurisdiction regarding municipal functions as detailed in Section 21.2.

21.1(d) The Role of each Standing Committee shall be to:

(i) guide and direct staff, through the CAO, on the direction and nature of policy development, including policy interpretation and clarification, fact-finding, analysis, and generation of alternatives;

(ii) receive Delegates and establish mechanisms to receive further public input on public policy matters;

(iii) establish Special/Ad hoc committees and sub-committees, including the establishment of terms of reference and memberships for same, to address specified policy issues for referral to the Standing Committee;

(iv) consider the well-being and interests of the municipality;

(v) evaluate the policies and programs of the municipality;

(vi) ensure the accountability and transparency of the operations of the municipality; and,

(vii) support and maintain the financial integrity of the municipality.

21.1(e) Council shall appoint the following Standing Committees:

i) Audit Committee

ii) Community & Social Services Committee,

- iii) Corporate Administration, Finance & Emergency Services Committee
- iv) Governance Committee
- v) Operations & Transit Committee
- vi) Planning & Building, Engineering and Environment Committee
- vii) Emergency Governance Committee

21.1(f) The following Standing Committees shall be composed of four Councillors and the Mayor:

- i) Audit Committee
- ii) Community & Social Services Committee
- iii) Corporate Administration, Finance & Emergency Services Committee
- iv) Planning & Building, Engineering and Environment Committee
- v) Operations & Transit Committee

21.1(g) The Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council and quorum shall be four members.

21.1(h) The Governance Committee shall be composed of the Chairs of the Community & Social Services Committee; Corporate Administration, Finance & Emergency Services Committee; Planning & Building, Engineering and Environment Committee; Operations & Transit Committee and the Mayor.

21.1(i) Notwithstanding Section 20.1 the Mayor shall chair the Governance Committee.

21.1(j) Where a matter may fall under the responsibility of more than one Standing Committee, the Clerk shall consult with the Mayor and the Standing Committee Chairs involved, for a determination of which Standing Committee shall deal with the matter.

21.2 Standing Committee Responsibilities

21.2(a) The general responsibilities of the Audit Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) External Audit (Annual Audit)
- b) Annual Financial Statements
- c) Auditor Performance and Review
- d) Compliance
- d) Risk Management and Internal Control
- e) Reporting Responsibilities
- f) Adequacy of the City's Resources
- e) Internal Audit
- f) City Financial and Control Systems

21.2(b) The general service area responsibilities of the Community & Social Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Arts, Culture & Entertainment
- b) Community Engagement & Social Planning (Social Services, Child Care Services, Social Housing, and Homes for the Aged)
- c) Parks, Recreation Programming & Facilities
- d) Administration & Customer Service
- e) Corporate Building Maintenance

21.2(c) The general service area responsibilities of the Corporate Administration, Finance & Emergency Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Administration
- b) Community Energy Initiative
- c) Downtown Renewal
- d) Economic Development & Tourism
- e) Emergency Services (including land ambulance)
- f) Financial Services
- g) Corporate & Human Resources
 - Clerks Services
 - Information Technology
 - Legal & Realty Services / Court Services

21.2(d) The general responsibilities of the Governance Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Effective Corporate Governance (review governance principles, policies and procedures)
- b) Accountability and Transparency
- c) Strategic Planning Processes
- d) Committee and Council Effectiveness
- e) CAO Performance and Review
- f) Oversight of Governance Policies
- g) Oversight of CAO and Senior Management Team
- h) Succession Planning
- i) Enterprise Risk Management
- j) Council Compensation
- k) Council Performance Reporting

21.2(d) The general service area responsibilities of the Operations & Transit Committee shall be to study and report to Council on matters relating to, but not limited to, the following:

- a) Operations
- b) Park Maintenance & Development
- c) Community Connectivity & Transit
- d) Public Works

e) By-law Compliance & Security

21.2(e) The general service area responsibilities of the Planning & Building, Engineering and Environment Committee shall be to study and report to Council on matters relating to but not limited to, the following:

- a) Engineering Services
- b) Planning & Building Services
- c) Solid Waste Resources
- d) Wastewater Services
- e) Water Services

21.2(g) Council hereby delegates to the Emergency Governance Committee authority to exercise Council's legislative, quasi-judicial and administrative powers, subject to the limitations of the *Municipal Act*, with such delegated authority to be exercised only:

- (i) for the duration of an emergency which has been declared by the Mayor or his/her designate, in accordance with the City's Emergency Response Plan;
- (ii) at such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled Meeting of Council; and
- (iii) for Council's normal decision making process and not for the management or co-ordination of emergency response activities.

21.3 Special /Ad Hoc Committees

21.3(a) Council may appoint Special /Ad Hoc Committees, with a defined ending, each of which shall consider a very specific matter and report to Council on that matter.

21.3(b) Notwithstanding subsection 21.6(a) only the members of a Special/ Ad Hoc Committee shall participate in debate or ask questions at the Special/Ad Hoc Committee meetings;

21.3(c) Special/Ad Hoc Committees shall report back to Council.

21.4 Advisory Committees

21.4(a) Advisory Committees are created by Council with no defined ending, to report through the appropriate Standing Committee on a specific subject matter.

21.4(b) No members of Council shall be appointed to Advisory Committees.

21.5 Member Absent from Committee Meetings

- 21.5(a) The appointment of a Member of Council to a Committee may be terminated if the Member has been absent from Meetings of the Committee for three consecutive months without being authorized to do so by a Resolution of the Committee entered upon its minutes.
- 21.5(b) The appointment of a citizen member to an Special/Ad Hoc committee or Advisory Committee may be terminated if the citizen is absent from Meetings of the Committee for three consecutive months without being authorized to do so by a Resolution of the Committee entered upon its minutes.
- 21.6 Non Committee Member Participation at Meetings
- 21.6(a) Members of Council who are not Committee members are encouraged to attend both regular and closed meetings. They may ask questions for clarification, but shall not enter into the debate of the Committee.
- 21.6(b) The Chairs of the Standing Committees shall recognize members of Council in the following order:
- i. Standing Committee Members
 - ii. Non Standing Committee Members
- 21.6(c) All non Members of the Standing Committees may ask questions regarding an issue for no more than 5 minutes (cumulative).

22 GENERAL RULES

- 22.1 No provision of this by-law shall be suspended except by affirmative vote of at least two-thirds of the entire Council.
- 22.2 Council and Committees shall observe the rules of procedure contained in this By-law in all proceedings of the Council and Committees these Rules of Procedure shall be the rules for the order and dispatch of business of the Council and wherever possible, with the necessary modifications, for all Committees of Council, including Advisory Committees and Special/Ad Hoc Committees unless otherwise provided.
- 22.3 Council shall decide all matters relating to the proceedings of Council and Committees for which Rules of Procedure have not been provided in this By-law, with reference, as far as is reasonably practicable, to the parliamentary rules as contained in Bourinot's Rules of Order.
- 22.4 This By-law comes into force on _____, 2011.
- 22.5 The short title of this By-law is the Procedural By-law.
- 22.6 Appendix 1 "Matters for Closed meetings" forms part of this By-law.
- 22.7 Council's Code of Conduct forms part of this By-law and shall apply to all Members of Council and is attached as, Appendix 2 to this By-law.

- 22.8 Appendix 3 "Motions Table" forms part of this By-law and shall be used as a reference.
- 22.9 Appendix 4 "Committee/Council/Closed Session Council Differences" forms part of this by-law and shall be used as a reference.

23 PROCEDURAL BY-LAWS FOR OTHER BOARDS, COMMITTEES OR COMMISSIONS

- 23.1 Where a board, committee or commission of the City has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this Procedural by-law with necessary modifications including the requirement that all Meetings be open to the public, subject to the same exceptions applicable to Council Meetings as set out herein.

24 MUNICIPAL CODE AMENDMENT

- 24.1 Municipal Code Amendment #_____, which amends Chapter 20 of the City of Guelph Municipal Code by removing Article II and substituting the aforementioned clauses is hereby adopted.

25 REPEAL OF PREVIOUS BY-LAWS

- 25.1 By-law Number (1996)-15200, and the accompanying amendments numbered By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095 and (2010)-19107 are hereby repealed.

PASSED THIS _____ DAY OF _____, 2011.

KAREN FARBRIDGE, MAYOR

TINA AGNELLO, ACTING CLERK

MATTERS FOR CLOSED MEETINGS

Permissive Criteria:

A meeting may be a Closed Meeting if:

1. The subject matter considered is:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under an Act other than the *Municipal Act*; or

1. The following two conditions are both satisfied:

- 1. The meeting is held for the purpose of educating or training the members; and,
- 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Mandatory Criteria:

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act R.S.O. c. M.56*, as amended or replaced from time to time, if the council, board, commission or other body is the head of an institution for the purposes of that Act. 2001, c. 25, s. 239 (3).

Prior to holding the meeting which is closed to the public, Council or Committee must convene in a formal session and pass a resolution indicating which of the issues as identified in section 1 shall be discussed at the Closed meeting.

COUNCIL'S CODE OF CONDUCT
(Updated Code of Conduct to be attached)

Motions Table

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Simple Vote	Special Majority
adjourn		X		X	X	
amend a pending motion	X		X		X	
close debate (call the question)		X		X	X	
point of order		X		X	**	
point of privilege		X		X	**	
defer		X		X	X	
reconsideration	X			X		7 Members of Council
refer	X		X		X	
to continue Council Meeting beyond 11 pm	X			X		2/3 of entire council
suspend the rules		X		X		2/3 of entire council

** The decision is of the Mayor. The Council if appealed to, shall decide the question without debate and its decision is final.

Committee / Council / Closed Meeting Differences

Issue	Committee	Council	Closed Meeting
Delegate – length of time	5 minutes	5 minutes for Regular Meetings 10 minutes for Council Planning Public Meetings	Not permitted unless voted on by Council.
Presentations	10 minutes	10 minutes	Not permitted unless voted on by Council
Chair vote	Yes	Yes	Yes
Motions -writing	Motions must be written if not recorded as part of the agenda package	Motions must be written if not recorded as part of the agenda package	Motions must be written if not recorded as part of the agenda package
Motions – seconding	all motions must be seconded	all motions must be seconded	all motions must be seconded
Motion to close debate (call the question)	Allowed	Allowed	Allowed
Notice of Motion	Not permitted.	Permitted	Not permitted
Quorum	Majority of the Committee	Majority of Council	Majority of Council
Recorded Vote	Yes	Yes	No – unless requested otherwise
Speaking – Councillor Length of time	5 minutes cumulative	5 minutes cumulative	Cumulative
Speaking – manner	remain seated	remain seated	remain seated
Deference re: Bar of Council	No one may approach Committee without permission	No one may approach Council without permission	Not applicable

**Material Changes
(Additions/deletions/replacements)
to proposed procedural by-law**

- add7.6(b) An organized body of three or more representatives wishing to address Council or Committee as a delegate shall be limited to a maximum of ten minutes when addressing Council or Committee.
- 7.8 For a Meeting other than a public meeting pursuant to legislation, a delegate who is listed on the agenda and is unable to attend the Meeting, may, by notifying the Clerk at least one business day prior to the Meeting, submit a written statement. **Replaces**
- 9.(8) A person who is unable to attend a council meeting may arrange for another person to appear as a delegation on such person's behalf and to read aloud a prepared statement pertaining to an item listed on the Council agenda.
- add10.1 Council and Committee Members shall govern themselves according to Council's Code of Conduct.
- add12.2 When a Councillor moves a Main motion or an amendment to a Motion that is not recorded as part of the Agenda package, that Councillor shall provide a written copy of the Motion to the Mayor prior to the vote being taken.
- add13.1(d) After a question is finally put by the Mayor or Chair, no members of Council or Committee shall be recognized to speak by the Mayor or Chair.
- add21.3 Special /Ad Hoc Committees
- (a) Council may appoint Special /Ad Hoc Committees, with a defined ending, each of which shall consider a very specific matter and report to Council on that matter.
- (b) Notwithstanding subsection 21.6(a) only the members of a Special/ Ad Hoc Committee shall participate in debate or ask questions at the Special/Ad Hoc Committee meetings;
- (c) Special/Ad Hoc Committees shall report back to Council.
- add21.6 Non Committee Member Participation at Meetings
- (a) Members of Council who are not Committee members are encouraged to attend both regular and closed meetings. They may ask questions for clarification, but shall not enter into the debate of the Committee.

(b) The Chairs of the Standing Committees shall recognize members of Council in the following order:

- i. Standing Committee Members
- ii. Non Standing Committee Members
- (c) All non Members of the Standing Committees may ask questions regarding an issue for no more than 5 minutes (cumulative).

add22.7 Council's Code of Conduct forms part of this By-law and shall apply to all Members of Council and is attached as, Appendix 2 to this By-law.

add22.8 Appendix 3 "Motions Table" forms part of this By-law and shall be used as a reference.

add22.9 Appendix 4 "Committee/Council/Closed Session Council Differences" forms part of this by-law and shall be used as a reference.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, Office of the City Clerk
DATE October 11, 2011

SUBJECT Integrity Commissioner, Complaints process and Council and Local Boards Code of Conduct

SUMMARY

Purpose of Report:

To provide a framework for the processing of complaints regarding Council and Local Boards Code of Conduct through a City Integrity Commissioner.

Committee Action:

To recommend approval of a process for complaints regarding Council and Local Boards Code of Conduct and direct adoption of a by-law to appoint an Integrity Commissioner.

RECOMMENDATION

That a by-law appointing Robert Swayze as the Integrity Commissioner for the City of Guelph and its Local Boards be forwarded to Council for adoption; and

That the Council and Local Boards Code of Conduct be updated and amended to include a complaints process to be followed by the Integrity Commissioner in the form attached to this report.

BACKGROUND

As a result of the Bill 130 amendments to the Municipal Act in 2006, accountability and transparency provisions were introduced in legislation. Under the new provisions relating to accountability and transparency in the *Municipal Act*, a Council is required to appoint a Meeting Investigator and develop a code of conduct, develop policies for accountability & transparency, and develop Public Notice provisions.

In addition, there is the discretion to appoint 4 positions. One of these positions, the Integrity Commissioner, reports to Council and would be responsible for

performing the functions assigned by the municipality regarding violations of the code of conduct for members of Council and for Local Boards and for adjudicating rules and policies governing ethical behavior.

In 2007 an Accountability and Transparency advisory committee was established as a special committee of Council with the following mandate:

- To review the Accountability & Transparency Provisions of the Municipal Act
- To review the existing policies, procedures and , code of ethics governing the conduct of Council
- To develop a Code of Conduct
- To develop an Accountability and Transparency policy
- To make recommendations to Council relating to the appointment of an Integrity Commissioner, an Ombudsman, and Auditor General, a Lobbyist Registrar and a Special Investigator

Accordingly, a meeting Investigator was appointed through the Association of Municipalities of Ontario LAS service. An Accountability and Transparency Policy, a Public Notice Provision Policy and a New Code of Ethics were also adopted. In addition, a Governance Manual for Council was established.

The four discretionary positions were reviewed and in the 2011 Budget the position of Integrity Commissioner was approved on a retainer basis.

On September 22, 2008, City Council adopted a new Code of Conduct for Council and certain local boards. At that time, Council directed staff to develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred. In March of 2010, Council approved a process for Complaints under Council's Code of Conduct which allocated responsibility for complaints to the Chief Administrative Officer.

Consequently, Council referred the appointment of an Integrity Commissioner to the 2011 Budget process. The position of Integrity Commissioner was approved in the 2011 Budget on a retainer basis.

REPORT

The Corporation of the City of Guelph issued an RFP in May, 2011 and has awarded the bid of Robert Swayze, Barrister & Solicitor as the Integrity Commissioner in accordance with Section 223.3 of the *Municipal Act, 2001* to assist the City in continuing to provide good governance in an accountable and transparent manner, in particular with respect to contraventions to the Code of Conduct for Council and Local Boards.

Accordingly, it is necessary to amend the Council and Local Boards Code of Conduct to include the addition of the procedure as included in the revised Code attached to this report.

The *Municipal Act* provides that the Integrity Commissioner reports directly to Council and is responsible for performing in an independent manner the functions assigned by the municipality. Staff are recommending that his duties include both an advisory role as well as conducting inquiries into contraventions of the Code at the request of members of Council, employees of the City and members of the public. It is hoped that the advisory role will assist members with guidance on the applicability of the Code so that the need for inquiries can be mitigated.

It will be the discretion of the Integrity Commissioner to commence an inquiry after a request, and this will be preceded by an information report to Council. The Integrity Commissioner is required to report findings to an open meeting of Council including possible recommendations for sanctions against members of Council and local boards if it is concluded that a contravention of the Code has occurred.

Under the Act, Council makes the final decision whether any penalties are imposed against members.

CORPORATE STRATEGIC PLAN

This report supports goal 5 of the Strategic Plan to have a community focused, responsive and accountable government, and in particular, strategic objective 5.2: a consultative and collaborative approach to community decision making.

FINANCIAL IMPLICATIONS

The Cost of retaining the Integrity Commissioner is included in the 2011 operating budget.

DEPARTMENTAL CONSULTATION

Consultation with Robert Swayze

COMMUNICATIONS

Not Applicable

ATTACHMENTS

Appendix "1" Revised Code of Conduct for Elected Officials and Local Board Members

Appendix "2" Complaint Protocol *To Code of Conduct for Council and Local Boards*

Appendix "A" Integrity Commissioner Complaint form

Appendix "B" Integrity Commissioner Advice form

"original signed by Tina Agnello"

"original signed by Mark Amorosi"

Prepared and Recommended by:

Tina Agnello

Acting City Clerk

519-8221260 X2811

tina.agnello@guelph.ca

Recommended by:

Mark Amorosi,

Executive Director,

Corporate and Human

Resources

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Code of Conduct for Council and Local Boards

Tab	CITY COUNCIL
Authority	S. 223.2(1) Municipal Act
Subject	CODE OF CONDUCT FOR COUNCIL & LOCAL BOARDS
Related Policies	Accountability and Transparency
Approved by	COUNCIL
Review Date	Annually

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

- all members shall serve and be seen to serve their constituents in a conscientious and diligent manner;
- members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent;
- members are expected to perform their duties in office in a manner that promotes public confidence

-
- and will bear close public scrutiny;
 - members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.

PURPOSE

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

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

DEFINITIONS

Members - include the Mayor and Members of Guelph City Council and the following local boards:

- Accessibility Advisory Committee
- Board of Trustees of the Elliott
- Committee of Adjustment
- Downtown Board of Management
- Guelph General Hospital Commission
- Heritage Guelph
- Municipal Election Compliance Audit Committee
- Property Standards/Fence Viewers Committee

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

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

Integrity Commissioner – The person appointed by City Council By-Law in accordance with Section 223.3 of the *Municipal Act, 2001* and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the application of the Code of Conduct for members of Council and Local Boards.

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

- a) compensation authorized by by-law;
- b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- c) a political contribution otherwise reported by law;
- d) services provided without compensation by persons volunteering their time;
- e) a suitable memento of a function honouring the member;
- f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by

-
- the Federal government or by a foreign country;
- g) food and beverages consumed at banquets, receptions or similar events, if:
- I. attendance is in keeping with his or her representative role;
 - II. the person extending the invitation or a representative of the organization is in attendance; and,
 - III. the value is reasonable and attendance at events sponsored by the same entity is infrequent.
- h) communication to the offices of a member, including subscriptions to newspapers and periodicals.

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

The disclosure statement must indicate:

- the nature of the gift or benefit;
- its source and date of receipt;
- the circumstances under which it was given or received;
- its estimated value;
- what the recipient intends to do with the gift; and,
- whether any gift will at any point be left with the City.

Any disclosure statements will be a matter of public record.

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

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

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

This list is provided as an example and is not exhaustive. Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

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

**USE OF CITY
PROPERTY**

No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or

supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:

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

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

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

WORK OF A
POLITICAL OR
PERSONAL
NATURE

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

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

those persons receive compensation from the City.

CONDUCT
RESPECTING
CURRENT AND
PROSPECTIVE
EMPLOYMENT

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

BUSINESS
RELATIONS

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

INFLUENCE ON
STAFF

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

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

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

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

IMPROPER USE OF INFLUENCE

No member of Council shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties.

Examples of prohibited conduct are the use of one's status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence within Council in return for present actions or inaction.

For the purposes of this provision:

"private advantage" does not include a matter:

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

COMPLAINTS ALLEGING
VIOLATION OF THIS
CODE

Where a member of Council or local board, an employee of the City or a member of the public has reasonable grounds to believe that a Member has breached this code, a complaint may be submitted to the Clerks Department in prescribed form which will be forwarded to the City Integrity Commissioner who will process it in accordance with the Complaint Protocol attached hereto as Appendix "1".

**Complaint Protocol for
Code of Conduct for Council
and Local Boards**

Application

1. This process applies to members of Guelph City Council and its local boards as defined in Section 223.1 of the *Municipal Act*. ("Members")

Integrity Commissioner

The City of Guelph Integrity Commissioner shall be responsible for the provision of services as established by Council which will include the following:

1. To provide written and oral advice to Members, City staff and members of the public concerning the interpretation of and compliance with, the Code of Conduct Council for Council and Local Boards governing the ethical behaviour of Members.(the "Code")
2. To provide Council and its local boards, with specific and general opinions and advice on the interpretation of the Code, including revisions thereto.
3. To conduct enquiries into a request made by Council, a local board, a Member, a member of City staff or a member of the public into whether a Member has contravened any applicable provision of the Code.
4. To attempt to settle any complaint between the complainant and the Member before commencing an enquiry.

Procedure for Making a Complaint

1. All complaints or requests for inquiries shall be submitted to the Clerks Department and sworn before a commissioner of oaths in the form provided in Appendix "A" and the Clerk shall forthwith forward them to the Integrity Commissioner.
2. All complaints or requests for inquiries must clearly state:
 - a. the Member to whom the complaint relates;
 - b. the nature of the alleged contravention;
 - c. the specific provision(s) of the Code allegedly contravened;
 - d. names of any witnesses to the alleged contravention; and
 - e. written material in support of the alleged contravention.
3. Upon receipt of a complaint or request for enquiry, the Integrity Commissioner shall first determine if it is within his/her jurisdiction and whether there is a procedure under other legislation or City policy to deal with the complaint. If it is determined that other procedures apply, the Integrity Commissioner shall refer the complainant to the appropriate person or agency to follow that process. This would include such matters as:
 - a. the grievance provisions of a collective agreement;
 - b. the complaint provisions under the *Ontario Human Rights Code*;
 - c. a complaint of alleged criminal activity;
 - d. procedures in the *Municipal Act*, *the Municipal Conflict of Interest Act* or *the Municipal Elections Act*;
 - e. the complaint provisions of the *Workplace Violence Prevention*

Policy; or

- f. the complaint provisions of *the Harassment and Discrimination Policy*.

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

4. Upon receipt of a complaint or request to conduct an enquiry within his/her jurisdiction, the Integrity Commissioner will deliver a preliminary information report to an open meeting of Council including the following:
 - a. The opinion of the Commissioner as to whether the enquiry is appropriate and whether it can be conducted within the law applicable to such an enquiry.
 - b. An indication as to whether it is the Commissioner's intention to conduct the enquiry under the *Public Inquiries Act*.
 - c. A preliminary indication of the members of staff and/or consultants needed to assist the Commissioner.
 - d. An estimated cost of the enquiry.
 - e. The estimated time required to complete the enquiry and prepare a final report.
 - f. Where appropriate, the Commissioner may recommend that the alleged infraction be reported to the police and that the enquiry be suspended until the police investigation is completed.
5. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith or that there are no grounds or insufficient grounds for an enquiry, the Integrity Commissioner shall not conduct an enquiry and shall state the reasons for not doing so in the preliminary report.

Procedure for Obtaining Advice:

- i. Where a Member, an employee or a member of the public is seeking to obtain advice from the Integrity Commissioner, he/she shall submit to the City Clerk the completed form provided (Appendix B).
- ii. All advice of the Integrity Commissioner to Members, employees and the public shall be confirmed in writing. No Solicitor/Client relationship will exist in the giving of such advice.
- iii. Where the Integrity Commissioner learns of a violation through the request for advice from any Member, he or she is required to report such a violation to Council.
- iv. The Integrity Commissioner may decline to give advice if he/she determines that it will put him in conflict with his/her duty to Council as a whole.

Confidentiality

1. The Integrity Commissioner shall carry out all enquiries in a manner which will ensure that the individual to whom the complaint relates is treated fairly and all complaints shall be treated as confidential to the extent possible and in accordance with the *Municipal Act*.
2. All records of investigations shall be kept confidential and access limited to those in the City with a need to know for the purposes of conducting a full

investigation.

Intake Procedures

- 1 Upon receipt of a complaint involving a Member other than the Mayor, the Clerk shall immediately advise the Mayor and Chief Administrative Officer (“CAO”).
- 2 Upon receipt of a complaint involving the Mayor, the Clerk shall immediately advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor.
3. The Integrity Commissioner may attempt to settle any complaint. Except where otherwise required by the *Public Inquiries Act*, the Commissioner shall provide a copy of the complaint and supporting material to the member with a request for a written response to the allegation within ten days and provide a copy of such response to the complainant with a request for a written response also within ten days.

Investigations

After the presentation of the information report to Council, the Integrity Commissioner shall take all steps necessary to promptly investigate the complaint within his or her jurisdiction, including entering any City office for such purpose and consultation with City staff with access to all information and records described in subsections 3 and 4 of Section 223.4 of the *Municipal Act* and may retain independent professional services if required.

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

Reporting the Results of an Investigation

1. The Integrity Commissioner shall report his/her findings to an open meeting of Council and where the enquiry relates to a local board the report will be submitted to both Council and the local board.
2. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
3. The Commissioner shall give a copy of the final report to the complainant and the Member whose conduct is concerned prior to the Council meeting at which it will be considered.
4. The Member to whom the complaint relates shall be given an opportunity to

address Council and respond to the complaint.

5. The Member shall be permitted to introduce information not already in evidence including witnesses to support his or her position, and shall have the option of attending with legal counsel.

Actions by Council

1. In reviewing the final report, Council will determine whether it will impose any of the following penalties on a Member if the Integrity Commissioner reports that it is his/her opinion that the Member has contravened the Code:
 - a. Issue a motion of reprimand
 - b. Suspension of the remuneration paid to the Member in respect of his services as a Member for a period of up to 90 days
 - c. request the member involved to return any gift or benefit received in contravention of the Code of Conduct;
 - d. request the member involved to repay the value of the benefit;
 - e. remove the member from committee or local board appointments;
 - f. request an apology; or
 - g. withhold confidential materials/matters for a period of time.
2. All reports to Council by the Integrity Commissioner on the investigation of complaints are public documents.
3. The Integrity Commissioner shall be responsible for ensuring the above procedures are followed with respect to requests for enquiries and for conducting investigations. City Council shall be responsible for determining penalties where appropriate.

Protection from Retaliation

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

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

Limitation Period

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

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

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

Where the Integrity Commissioner decides not to proceed with an investigation of a complaint received more than 60 days after the date when the event(s) occurred, the Integrity Commissioner shall prepare and file a report to Council setting out that decision.

Complaints in Municipal Election Years

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

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

Complaint Form to the Integrity Commissioner

Please note that signing a false affidavit
May expose you to prosecution under
Sections 131 and 132 or 134 of the Criminal Code,
R.S.C. 1985, c. C-46, and also to civil
liability for defamation.

Affidavit

AFFIDAVIT OF _____ [full name]

I, _____ [full name], of the [City, Town, etc of] _____
[municipality of residence] in the Province of Ontario

MAKE OATH AND SAY [or AFFIRM]:

1. I have personal knowledge of the facts as set out in this affidavit, because _____
[inser reasons e.g. I work for . . . I attended the meeting at which . . . etc].

2. I have reasonable and probable grounds to believe that a member of City of Guelph Council or a local board__
[specify name of member], has contravened
section(s)_____ [specify section(s)] of the code of
conduct for Members of Council and Local Boards (the "Code of Conduct"). The particulars of which are as
follows:

[Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular
statement of fact. If you require more space, please use the attached Schedule A form and check the appropriate box below. If you wish to include exhibits to support
this complaint, please refer to the exhibits as Exhibit A, B, etc .and attach them to this affidavit.]

Multiple horizontal lines for writing the statements of fact.

Please see the attached Schedule A ()

1. This affidavit is made for the purpose of requesting that this matter be reviewed and for no other purpose.

SWORN [or AFFIRMED] before me at the

_____)
[City, Town, etc.])
in the Province of Ontario, on)
_____)
[date])

[Signature of commissioner]
A Commissioner for taking affidavits, etc.

)
)
)
)

[Signature]

**Integrity Commissioner Inquiry
Formal Complaint Procedure**

**Please note that signing a false affidavit
May expose you to prosecution under
Sections 131 and 132 or 134 of the Criminal Code,
R.S.C. 1985, c. C-46, and also to civil
liability for defamation.**

[Signature of Requestor]

[Date Received by Integrity Commissionerr]

[Date]

[Date Reply Issued]

[File no.]

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate & Human Resources – Clerk’s Office
DATE October 11, 2011

SUBJECT **2012 and January 2013 Council and Committee Meeting Schedule**

SUMMARY

Purpose of Report:

To provide the proposed 2012 and January 2013 Council and Committee meeting schedule for approval.

Committee Action:

To approve the 2012 and January 2013 Council and Committee meeting schedule.

RECOMMENDATION

THAT the 2012 and January 2013 Planning and Regular Council and Committee meeting schedule be approved as outlined on the attached calendar.

BACKGROUND

Pursuant to the City of Guelph Procedural By-law Council is to establish their planning and regular Council meetings by resolution.

REPORT

To assist with the preparation of reports and scheduling of other meetings, it is recommended that the 2012 and January 2013 meeting schedule for Council and the Standing Committee meetings be approved at this time

Due to potential City Hall holiday closure of December 26th to January 2nd, 2012, inclusive, it is recommended that the Council Planning meeting be held on January 16th rather than the first Monday where City Hall will be closed and the first regular meeting of Council being held on January 30th, 2012.

In order to schedule the preparation of reports for January of 2013, staff are recommending that we adopt a 13 month meeting schedule which sets out the Council and Standing Committee meeting dates. In January 2013 the regular meeting scheduled is able to be accommodated.

Staff are also recommending that the 2012 and January 2013 Standing Committee meeting schedule be adopted as per the attached calendar reflecting the following:

- Audit Committee – meet quarterly or as required, at the call of the Chair
- Community & Social Services Committee – 2nd Tuesday at 5 p.m.
- Corporate Administration, Finance & Emergency Services Committee – 2nd Monday at 5 p.m.
- Operations & Transit – 3rd Monday at 5 p.m.
- Planning & Building, Engineering and Environment Committee – 3rd Monday at 12:30 p.m.
- Governance –quarterly on the 2nd Monday of January, April, July & October
- Nominating Committee – as required

The Federation of Canadian Municipalities Annual Conference is scheduled for June 1st – 4th. As members of Council may wish to attend this conference, staff are recommending that the Council Planning meeting for June be held on Tuesday June 5th.

CORPORATE STRATEGIC PLAN

This report support strategic goal 5: "A community-focused, responsive and accountable government".

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

ATTACHMENTS

2012 and 2013 January Meeting Calendar
Meeting Calendar

Prepared By:

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“original signed by Tina Agnello”

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“original signed by Mark Amorosi”

Recommended By:

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2012 Council and Committee Meeting Schedule

Audit – Audit Committee

CSS - Community & Social Services @ 5 p.m. (2nd Tuesday)

CAFES - Corporate Administration, Finance & Emergency Services Committee @ 5 p.m. (2nd Monday)

PEES – Planning, Engineering & Emergency Services Committee @ 12:30 p.m. (3rd Monday)

OP – Operations & Transit Committee @ 5 p.m. (3rd Monday)

Gov - Governance Committee @ 3 p.m. (2nd Monday of January, April, July & October)

January					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1 New Year's Day
2 City Hall Closed	3	4	5	6	7 8
9 GOV CAFES	10 CSS	11	12	13	14 15
16 Council Planning	17	18	19	20	21 22
23 PBEE OT	24	25	26	27	28 29
30 Council	31				

February					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1	2	3	4 5
6 Council Planning	7	8	9	10	11 12
13 CAFES	14 CSS	15	16	17	18 19
20 Family Day	21 PBEE OT	22	23	24	25 26
27 Council	28	29			

March					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1	2	3 4
5 Council Planning	6	7	8	9	10 11
12 CAFES	13 CSS	14	15	16	17 18
19 PBEE OT	20	21	22	23	24 25
26 Council	27	28	29	30	31

April					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
2 Council Planning	3	4	5	6 Good Friday	7 8 Easter
9 Easter Monday	10 GOV CAFES	11 CSS	12	13	14 15
16 PBEE OT	17	18	19	20	21 22
23 Council	24	25	26	27	28 29
30					

May					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1	2	3	4	5 6
7 Council Planning	8 CSS	9	10	11	12 13
14 CAFES	15	16	17	18	19 20
21 Victoria Day	22 PBEE OT	23	24	25	26 27
28 Council	29	30	31		

June					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
				1 FCM Annual Conference	2/3 Annual Conference
4 FCM Annual Conference	5 Council Planning	6	7	8	9 10
11 CAFES	12 CSS	13	14	15	16 17
18 PBEE OT	19	20	21	22	23 24
25 Council	26	27	28	29	30

July					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1 Canada Day
2 City Hall Closed	3 Council Planning	4	5	6	7 8
9 GOV CAFE	10 CSS	11	12	13	14 15
16 PBEE OT	17	18	19	20	21 22
23 Council	24	25	26	27	28 29
30	31				

August					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1	2	3	4 5
6 John Galt Day / Civic Holiday	7	8	9	10	11 12
13	14	15	16	17	18 19 AMO Annual Conference
20 AMO Annual Conference	21 AMO Annual Conference	22 AMO Annual Conference	23	24	25 26
27	28	29	30	31	

September					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
					2
3 Labour Day	4 Council Planning	5	6	7	8
					9
10 CAFES	11 CSS	12	13	14	15
					16
17 PBEE OT	18	19	20	21	22
					23
24 Council	25	26	27	28	29
					30

October					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
1 Council Planning	2	3	4	5	6
					7
8 Thanksgiving Day	9 GOV CAFES	10 CSS	11	12	13
					14
15 PBEE OT	16	17	18	19	20
					21
22 Council	23	24	25	26	27
					28
29	30	31			

November					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1	2	3
					4
5 Council Planning	6	7	8	9	10
					11 Remembrance Day
12 CAFES	13 CSS	14	15	16	17
					18
16 PBEE OT	20	21	22	23	24
					25
26 Council	27	28	29	30	

December					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
					2
3 Council Planning	4 CAFES	5	6	7	8
					9
10 PBEE OT	11 CSS	12	13	14	15
					16
17 Council	18	19	20	21	22
					23
24	25 Christmas Day	26 Boxing Day	27	28	29
					30
31					

January 2013

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1 New Year's Day	2	3	4	5 6
7 Council Planning	8	9	10	11	12 13
14 GOV CAFES	15 CSS	16	17	18	19 20
21 PBEE OT	22	23	24	25	26 27
28 Council	29	30	31		

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration

DATE October 11, 2011

SUBJECT Chief Administrative Officer (CAO) By-law Update

REPORT NUMBER

SUMMARY

Purpose of the Report: To provide an updated CAO by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer.

Committee Action: To adopt/approve the CAO By-law.

RECOMMENDATION

THAT the CAO by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer, attached hereto as Appendix A be approved and attached as part of the CAO Employment Policies and Procedures.

BACKGROUND

The *Municipal Act* requires the passing of a by-law to appoint a CAO. Section 5(3) of the *Municipal Act* states:

Powers exercised by by-law

(3) A municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.

Section 229 of the *Municipal Act* states:

Chief administrative officer

229. A municipality may appoint a chief administrative officer who shall be responsible for,

(a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and

(b) performing such other duties as are assigned by the municipality.

REPORT

The new CAO by-law incorporates recent developments that impact the role of the CAO in the Guelph municipal administration.

The incorporation of the GMHI was realized on August 16, 2011. Consistent with the Council approved business case for the new holding company, the CAO will act as the Chief Executive Officer, providing leadership and direction as a non-voting member of the Board of Directors without additional remuneration or compensation, other than as expressly approved by Council. This role is now reflected in the updated CAO by-law attached as Appendix A.

In addition, in July 2008 Council directed programming and staffing level approvals for full and part-time employees wherein the CAO authority was more clearly defined.

The attached Appendix to the CAO by-law highlights the above changes.

CORPORATE STRATEGIC PLAN

5.6 Organizational excellence in planning and management.

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

Legal Services, Corporate Administration and Human Resources were consulted in the development of this report.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix A – CAO By-law

“original signed by Mark Amorosi”

Recommended By:

Mark Amorosi

Executive Director Corporate and Human Resources

519-822-1260 ext 2281

mark.amorosi@guelph.ca

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)- *[Insert Data]*

A by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH
ENACTS AS FOLLOWS:**

THAT Council shall appoint *[Insert Data]* as Chief Administrative Officer who shall be responsible to Council for exercising general control and management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality, in accordance with Schedule “A” attached.

PASSED this *[Insert Data]* day of *[Insert Data]*, 2011.

KAREN FARBRIDGE – MAYOR

***[Insert Data]* – CITY CLERK**

Appendix 'A'

General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer (CAO) shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by Council.

Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act which shall in any manner or extent whatsoever encroach upon the legislative powers of Council.

1. General Duties and Responsibilities

Subject to the provisions of the Municipal Act, and as herein provided, the duties and responsibilities of the CAO shall be as follows:

- (a) To report to, be accountable to, and receive authority from the Council of the Corporation of the City of Guelph and to perform his/her duties in conformity with Council decisions;
- (b) To coordinate, lead and direct the Executive Team in the administration of the business affairs of the Corporation;
- (c) To delegate appropriate duties and responsibilities to the Executive Team within the organizational structure for the purpose of establishing an efficient and effective administrative structure;
- (d) To be responsible for motivating and developing the skills of the Executive Team members and fostering productivity, professionalism, adherence to the corporate values and open communications;
- (e) To provide hands-on direction and assistance in planning and implementing difficult and complex tasks which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- (f) To provide information and advice, in co-operation with the Executive Team, as required or as might be useful to Council for purposes of decision making and by-law approvals;
- (g) To attend meetings of Council and Committees of Council as required with the right to speak, but not to vote;
- (h) To present to Council, in co-operation with the Executive Team, reports and information regarding progress and accomplishments of programs and projects, the status of revenue and expenditures and the general administrative management of the Corporation;
- (i) To direct the co-ordination of all policy decisions of Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to Council except to regularly report to Council upon action taken. Also, to develop and maintain, for reference purposes, a comprehensive manual of policies approved by Council;

(j) To guide the strategic planning process for the Corporation which includes departmental work plan development, as established by Council;

(k) To attend to the interests of the Corporation on federal, provincial, regional or local municipal intergovernmental issues and with boards, agencies and commissions at the administrative level;

(l) To serve as the Chief Executive Officer of Guelph Municipal Holdings Inc. providing leadership and direction as a non-voting member of the Board of Directors without additional remuneration or compensation, other than as expressly approved by Council. Reasonable expenses for travel and/or training in respect to this role may be incurred in accordance with policies established by the Board and approved by Council. To act as the City's "Shareholder Representative" for purposes of communicating Council decisions to the Board; and

(m) To perform any additional responsibilities and to exercise the powers incidental thereto which may, from time to time, be assigned to the CAO by Council.

2. Human Resource Management & Administration

(a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of an Executive Team member reporting directly to the CAO;

(b) To have authority and responsibility to appoint, promote, demote, suspend or dismiss any employees of the Corporation below the position of Executive Director/CFO in accordance with the lines of authority defined in the organization structure;

(c) To have authority to appoint, promote, demote, dismiss any other employees of the Corporation in accordance with procedures contained in all collective agreement and in accordance with the lines of authority that are defined in the organization structure;

(d) To oversee the collective bargaining process with all unionized Corporation employees and to recommend to Council collective agreements concerning wages, benefits, and terms of service and upon approval of Council, to direct the administration of such collective agreements;

(e) To administer all salaries and performance review of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and

(f) To carry out an annual performance evaluation of all Executive Team members recognizing achievements, correcting deficiencies and improving overall individual or departmental performance in consultation with Council, as required.

3. Financial Management

(a) To direct, in co-operation with the Chief Financial Officer and the Executive Team, the preparation and presentation of operating and capital budgets on an annual basis;

(b) To exercise financial control over all Corporate operations in conjunction with the Chief Financial Officer, to ensure compliance with the annual estimates of revenue and expenditure approved by Council;

-
- i. to adjust staffing levels to maintain the level of Council approved programs and services provided that no new costs are incurred in the current or subsequent budget years;
 - ii. where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, to secure Council approval;
 - iii. where service level or program reductions are contemplated, to secure Council approval;
- (c) To direct the review of fiscal policy and its management;
- (d) To approve all purchasing with authority to enter into contracts;
- (e) To approve all tenders and quotation awards where funds are provided in the budget and established purchasing policies have been observed; and
- (f) To approve all tenders and quotation awards when Council is unavailable, where funds are provided in the budget and established purchasing policies have been observed.

4. Administrative Organization and Management

- (a) To create and re-organize, in consultation with the Executive Team, such departments of the City as may be considered necessary and proper to fulfil obligations for the Corporation, and will report to Council on the changes;
- (b) To annually meet with Council to review and assess performance during the past year and review and discuss the salary and benefit provisions as well as priorities to be pursued during the following year; and
- (c) To hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such Committee therefore as Council may by by-law authorize in respect of such suspension or dismissal, if so requested by the CAO.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources
DATE October 11, 2011

SUBJECT CAO Employment Policies and Procedures
REPORT NUMBER CHR – 2011 - 10

RECOMMENDATION

That the Governance Committee approve the revisions to the attached CAO Employment Policy

BACKGROUND

City Council approved the CAO Employment Policy in July 2008, with the intention that it be reviewed and where necessary revised at the beginning of each term of Council to ensure that the policy and appendices reflect current practices and Human Resource policy in the organization.

The attached policy and appendices have been updated to reflect changes that have occurred since the original approval of the policy.

REPORT

The CAO Employment Policy and appendices form part of the City's Governance Manual and require updating as circumstances warrant.

Since the approval of the Policy, a new CAO has been hired. The recruitment process included a revision to the position mandate. Also, since 2008, Council has approved the compensation/remuneration practice for the CAO, as well as a Non Union Termination Policy.

These changes have been incorporated as revisions to the CAO Employment Policies and Procedures (highlighted in yellow). Other changes are editorial (i.e. Executive Team rather than Senior Management Team).

CORPORATE STRATEGIC PLAN

[Reference Strategic Plan]

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

The revised CAO Employment Policy and appendices are included as part of the City's Governance Manual.

ATTACHMENTS

- Appendix 8.1 – CAO Employment Policy
- Appendix 8.2 – Procedure for Hiring the CAO
- Appendix 8.3 – CAO Position Profile
- Appendix 8.4 – CAO Employment Agreement Template
- Appendix 8.5 – Delegation of CAO Duties

“original signed by Mark Amorosi”

Recommended By:

Mark Amorosi
Executive Director, Corporate and Human Resources
X2281
mark.amorosi@guelph.ca

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE 1 of 5

EFFECTIVE DATE

REVISION

Tab	City Council – Appendix 8.1
Authority	City Council
Subject	Chief Administrative Officer (CAO) Employment Policy
Related Policies	Procedure for Hiring the CAO, Delegation of CAO Duties, City Purchasing policy
Approved by	City Council (INSERT DATE)
Revision Date	Beginning of New Term of Council

POLICY STATEMENT As part of administrative governance for the City of Guelph, Council acknowledges the requirement for a policy outlining all aspects of employment of a Chief Administrative Officer.

PURPOSE The purpose of this policy is to establish criteria for the recruitment, selection/offer of employment, terms and conditions of employment, performance development, compensation and termination of employment.

PROCEDURE **Recruitment (Council Approval June 18, 2007)**

At such time the CAO position becomes vacant, the Mayor shall notify the Executive Director, Corporate and Human Resources to commence the recruitment process to fill the vacancy as per the Procedure for Hiring a CAO. Appendix 8.2

Options

- 1) (Future) Succession Management - Where the City of Guelph has demonstrated a 'robust' succession management program (i.e. where available 'high' potential candidates have been identified within the City, a well established program exists where candidate skills/competencies are measured against those required for the CAO position, and where development plans are in place, regular reviews are conducted and assessments are made to determine a candidate's readiness for the CAO position), Council may opt to limit the CAO vacancy internally amongst only those identified 'high' potential candidates.
- 2) Executive Search Firm – Where Council has determined that there are no internal candidates through a succession management program that are deemed to be 'ready' to assume the CAO role OR at any time should Council wish to evaluate internal candidates to the external job market, they may decide that the position may be filled utilizing the services of an external executive search firm. The firm would be selected following an RFP process. The successful firm would be selected on the basis

of 'lowest acceptable bid' – reference Purchasing Policy. The position would be available to both internal and external candidates.

Selection

As per the Procedure for Hiring the CAO (Appendix 8.2), the Search Committee shall be comprised of the Mayor and four Chairs of the Standing Committees, or delegates, to a maximum of 6 individuals (i.e. the Mayor, Chairs of four Standing Committees and optional community member). Due to the importance of this position to the City of Guelph, consultation with the Executive Team, City staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process.

Hiring/Offer of Employment

As per the template in Appendix 8.4, the following categories will be included in a CAO Employment Contract – Effective Date and Term of Agreement, Duties, City Policies (i.e. adherence to), Remuneration inclusive of salary, car allowance, parking, applicable moving allowance, professional memberships, Confidentiality, Vacation/Overtime, Termination (see below), Voluntary Resignation, Return of Property, Severability, Release and Acknowledgement, Assignment of Rights, Notices, Applicable Law, and Independent Legal Advice

Tenure of Employment

During the tenure of the CAO, the duties and responsibilities will be governed by a CAO By-Law and a Position Profile – Appendix 8.3.

Performance Development and Appraisal

On an annual basis, performance goals and objectives will be set for the CAO that are aligned to Council's Strategic Plan. The performance of CAO will be reviewed by the Mayor and Chairs of the Standing Committees at least once annually and will include a development plan for the proceeding year. Areas of evaluation will include, but are not limited to: leadership, management, communication, and technical functions. It is recommended that the performance review period commence in January of each year and end no later than March (i.e. a three month process).

The Performance Appraisal portion of the review shall be inclusive and evaluative of work results expected versus achieved as well as an evaluation of how the CAO has modelled and lived the Corporate Values (i.e. what and how work has been accomplished). The development plan referenced above should include areas for development, including but not limited to – strategic planning, relationship management, team leadership, and communication.

A process of 360 degree feedback shall also form part of the development plan, subject to participants having received appropriate

training on the process. The 360 degree process shall be a separate process from the performance review (i.e. to commence after the performance review period). It should be structured in such a way as to provide feedback for personal, professional and leadership development to augment development that had been identified through the performance review period. Results of the 360 feedback shall be shared only with the CAO. The CAO shall provide a summary of the feedback to the Mayor. Results may alter the development plan established during the performance review, and will be confirmed by the Mayor and Chairs of the Standing Committees. Typically, the 360 degree feedback process is managed through an external Human Resources Consultant with expertise in this area.

Compensation (Council approval September 17, 2007)

Compensation for the CAO is based on an annual review to ensure that the range remains competitive at the Council approved competitive position (i.e. currently at the 55th percentile of the Council approved municipal comparator group).

Governing factors that determine the comparator group are:

1. Size of municipality
2. Organization Structure and scope of services (Tier)
3. Average family income for residents within the municipality
4. Number of Employees working for the municipality
5. Operating Budget size
6. Geographic location/employment market/labour pool/market competition within 60km of Guelph

Pay for Performance

Where Council has approved a pay for performance compensation approach for the CAO position, movement through the salary range shall be in accordance with the approved policy. Where the CAO is at job rate i.e. top of the range, pay for performance shall be in the form of a re-earnable lump sum. In the absence of a pay for performance system, movement through the range, subject to satisfactory performance, shall be in accordance with the current Human Resource policy for Non Union employees i.e. movement from one step in the range to the next. Movement of more than one step shall not occur.

Acting/Interim/Assistant CAO (Council Approval – January 28, 2008)

Appendix 8.5

The CAO may appoint an Assistant CAO in accordance with the Council approved policy where temporary administrative responsibilities are given to a member of the Executive Team for a specified period of time to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves of absence and/or mentoring for members of the ET. The CAO may also appoint an Acting CAO in accordance with the policy for a period of less than 1 month due to the absence of the CAO.

Authority to appoint an Interim CAO for a specified period of time, due to

a vacancy in the CAO position, rests with City Council.

Termination of Employment (See CAO Employment Agreement Template Appendix 8.4)

Resignation

In the event the CAO resigns his/her position from the City, the CAO would be required to provide a minimum of eight weeks written notice. The City may waive or reduce this requirement, by Council resolution at any point within the eight weeks notice period. The CAO would receive any unpaid salary and vacation accrual up to the date of resignation.

With Cause

In cases of termination with cause, no severance payments are provided. The CAO would receive any unpaid salary earned to the date of termination and any unused vacation accrual.

Without Cause

Council may opt to negotiate separate terms and conditions for termination without cause within the employment contract contingent on the length of the contract. Typically, for tenure less than 2 years, common law principles would dictate severance provisions for up to 10 months. For contract duration that extend beyond 2 years, severance provisions for termination without cause provide for:

- 1) Payment of 12 months salary plus 1 month for each completed year of service to a maximum of 20 months, in the form of salary continuation.
- 2) Benefit continuation with the exception of short and long term disability.
- 3) OMERS pension contributions
- 4) Car allowance and vacation accrual for the Employment Standards notice period only
- 5) Reimbursement of moving expenses if termination occurs within the first year of employment
- 6) Career Outplacement services for up to six months
- 7) Mitigation of employment – in the event the departing CAO secures alternate employment during the severance period, the City would pay, in the form of a lump sum, one half of the balance of the remaining severance payments owing.

DEFINITIONS

CHIEF ADMINISTRATIVE OFFICER – LONG TERM CONTRACTUAL POSITION REPORTING DIRECTLY TO COUNCIL AS PER THE MUNICIPAL ACT, 2000

ASSISTANT CAO – MEMBER OF EXECUTIVE TEAM APPOINTED BY CAO FOR A SPECIFIED PERIOD TO ALLOW THE CAO TO ENGAGE IN CORPORATE BUSINESS OPPORTUNITIES, SABBATICALS/LEAVES OF ABSENCE, AND/OR MENTORING OF MEMBERS OF ET.

ACTING CAO - MEMBER OF EXECUTIVE TEAM APPOINTED BY CAO FOR A PERIOD OF UP TO 1 MONTH DUE TO ABSENCE OF THE CAO

INTERIM CAO – APPOINTMENT BY COUNCIL OF A CAO ON A TEMPORARY BASIS, FOR A SPECIFIED TIME PERIOD DUE TO A VACANCY IN THE CAO POSITION.

RECRUITMENT – THE PROCESS OF ADVERTISING A POSITION VACANCY TO ATTRACT QUALIFIED CANDIDATES

SUCCESSION MANAGEMENT – A PROGRAM TO DEVELOP HIGH POTENTIAL TALENT IN AN ORGANIZATION TO FILL KEY LEADERSHIP ROLES

SELECTION – THE PROCESS OF CHOOSING THE MOST QUALIFIED APPLICANT FROM A POOL OF APPLICANTS FOR AN ADVERTISED VACANCY

CAO BY-LAW –NOT PRESCRIBED BY THE MUNICIPAL ACT, 2001. OPTIONAL TO DESCRIBE THE GENERAL DUTIES AND RESPONSIBILITIES OF THE CAO.

POSITION DESCRIPTION/PROFILE/MANDATE – AN OFFICIAL INTERNAL DOCUMENT THAT PROVIDES DETAILED DESCRIPTION OF A POSITION’S ROLES, RESPONSIBILITIES AND QUALIFICATIONS.

PERFORMANCE DEVELOPMENT/APPRaisal – AN ANNUAL PROCESS WHEREBY A POSITION’S DIRECT REPORT ASSESSES AND EVALUATES THE PRECEEDING TERM ACCOMPLISHMENTS AND PROGRESS REGARDING PRE-DETERMINED GOALS AND OBJECTIVES FOR THE REVIEW PERIOD.

360 DEGREE FEEDBACK – A PROCESS WHEREIN A POSITION’S DIRECT REPORTS, PEERS AND SUB-ORDINATES PROVIDE FEEDBACK TO AN INCUMBENT ON DEVELOPMENT OPPORTUNITIES.

PAY FOR PERFORMANCE – A PRACTICE WHEREBY AN EMPLOYEE IS PROVIDED VARIABLE REMUNERATION (EITHER THROUGH MOVEMENT WITHIN A SALARY RANGE OR IN ADDITION TO BASE SALARY) BASED ON AN ASSESSMENT OF DEGREE OF ACHIEVEMENT ACCOMPLISHMENTS AND PROGRESS TOWARD PRE-DETERMINED GOALS AND OBJECTIVES.

TERMINATION WITH CAUSE – TERMINATION OF EMPLOYMENT BASED ON A REPUDIATION OF THE EMPLOYMENT CONTRACT E.G. SERIOUS MISCONDUCT, BREACH OF TRUST, INSUBORDINATION, CONFLICT OF INTEREST, BREACH OF HARASSMENT/HUMAN RIGHTS POLICY, FRAUD

TERMINATION WITHOUT CAUSE – TERMINATION OF EMPLOYMENT AT THE DISCRETION OF AN EMPLOYER THAT IS NOT DONE IN AN ARBITRARY MANNER, WHERE THERE ARE INSUFFICIENT GROUNDS TO SUBSTANTIATE A WITH CAUSE TERMINATION

COMMON LAW - LAW DEVELOPED THROUGH DECISIONS OF COURTS AND SIMILAR TRIBUNALS, RATHER THAN THROUGH LEGISLATIVE STATUTES OR EXECUTIVE ACTION.

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE

1 of 1

EFFECTIVE DATE

SUPERSEDES

Procedure for Hiring the Chief Administrative Officer (CAO)

1. The recruitment of a CAO reporting to Council will include a thorough and comprehensive analysis of the position requirements and a thorough assessment of the skills, experience, knowledge and qualifications of both *internal* and *external* candidates.
2. The Search Committee shall be comprised of the Mayor and four Chairs of the Standing Committees, or delegates, to a maximum of 6 individuals (i.e. the Mayor, Chairs of four Standing Committees and optional community member). Due to the importance of this position to the City of Guelph, consultation with the Executive Team, City staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process.
3. The recruitment process will be determined by the Search Committee with the assistance of a recruitment consultant and/or recruitment search firm. The position will be advertised both internally and externally.
4. Based on the results of an RFP, the Search Committee will recommend a preferred recruitment consultant and/or recruitment search firm to Council for approval. Selection of a recruitment consultant and/or recruitment search firm will be consistent with the City of Guelph's purchasing policy.
5. The recruitment consultant and/or recruitment search firm will screen prospective candidates and develop a short list of candidates to be interviewed by the Search Committee.
6. Appropriate further testing and evaluations as required will be completed, along with reference verification.
7. Based on the results of testing, evaluation, reference checking and input and evaluation, the Search Committee will make a recommendation on a preferred candidate to Council.
8. A summary of the process, the overall evaluations of all candidates and the final decision will be presented by the Search Committee to Council prior to offering the position to the candidate.

Chief Administrative Officer Position Profile

PROFILE

The CAO candidate must possess a progressive track record of success in a leadership role within a multi stakeholder organization. The ideal candidate will have significant and varied leadership and executive experience.

- A strategic communicator; able to adapt and tailor the conversation / presentation to a variety of audiences and contexts; understands the importance of both formal and informal communications.
- Ability to break down organizational silos and exhibit a strong horizontal style of leadership - lead initiatives across the organization, rather than using the more traditional up and-down approach.
- Talented broker and strategic negotiator in both an "at the table" sense as well as behind the scenes.
- An entrepreneurial, transformational leader who has the ability to vision and explore innovative service delivery models.
- A bold decision maker, who is not afraid to make a mistake and have the ability to learn from it. Track record as a decision maker - absolute results oriented and performance driven; links short term actions and long term goals.
- Believes in and drives for results and accountability at all levels; pragmatic, believes in delegating responsibility and holding individuals accountable for results/performance; encourages the establishment of high standards and stresses the importance of continuous improvement; is prepared to ask tough questions and address sub-standard performance quickly and effectively; assumes responsibility for decisions / results.
- Excellent interpersonal skills, capable of relating effectively to a diverse range of people, personalities and styles (both internal and external) - demonstrated ability to work collaboratively with stakeholder across the City and in establishing and building relationships with all stakeholder groups; an objective sounding board and voice, able to listen to vested interest groups and make objective recommendations that are best for Guelph; ability to speak the 'partners' language, establishing rapport immediately; exhibits a character of integrity and develops trust easily; willingly accepts the trust delegated by Council.
- Exhibits a "Boardroom" presence - credible and articulate, able to present and sell concepts and plans to Council, the Executive Team and other external stakeholders.
- Track record of building strong teams; demonstrates the ability to energize, motivate and lead an organization to achieve objectives; demonstrates the ability to build a sense of confidence and consensus, and create a positive and constructive work environment; sensitive to team needs, shows honesty and genuine interest in their concerns, avoids arrogance and defensiveness, develops sound solutions or approaches; requests, listens, and responds to feedback.
- A solid strategic visionary and implementer of plans; experience in the development of strategic plans including developing operational priorities and associated resource allocation requirements - ability to translate strategic vision into plans for implementation and execution.

- Enhanced analytical problem solving skills; an ability to think critically; a realist who exhibits a common sense approach to problem resolution.
- High energy level, a self-starter who exhibits high adaptability and flexibility to changing systems, conditions, or priorities; responds quickly to requests, meets deadlines and budgets.
- Utilizes a variety of management styles, depending on the situation, with a capacity to facilitate groups through issues; leads by example; action oriented, generates original and innovative ideas and solutions – a continuous improvement perspective; high tolerance for change.
- Has a solid personal awareness – capacity to build an executive team to capitalize on strengths and minimize limitations.
- Wants to have fun and enjoy their role in the community - has a sense of humour.

CORE COMPETENCIES

- **Strategic Orientation**
The ability to link long-range vision and concepts to daily work. Strategic orientation moves from understanding business fundamentals and strategies to a sophisticated awareness of the impact of the external environment on strategies and how external factors affect choices.
- **Shaping the Organization**
The ability to work effectively within structures, stakeholders and relationships within the City. The ability to identify the decision-makers and the individuals who can influence them and work with them to achieve objectives. The ability to predict how new events or situations will affect individuals and groups both within and external to the City and to utilize that knowledge to achieve the organization's objectives.
- **Leadership**
The ability to create and communicate a vision and engage others in its achievement. It is the ability to demonstrate behaviours that model and support the organization's aspirations and values and ensure its success.
- **Leading Change**
The ability to initiate, facilitate or implement change. Helping staff and stakeholders understand what the change means to them, building a shared vision and providing the ongoing guidance and support which will generate and maintain enthusiasm and commitment to the change process:
- **Political Acuity**
Dealing with the culture of the City. Navigating the formal and informal channels and networking with Council, the Executive Team, management groups, the media and the private sector.
- **Innovation**
An effort to enhance performance by being creative, promoting new ideas and introducing new solutions or processes.

- **Communication**
High degree of interpersonal skill, tact and diplomacy. Ongoing contact and dialogue with members of Council and various stakeholders at all levels. External contact with Community stakeholders and partners, the provincial and federal governments, the media and related organizations to provide and exchange information and solve problems. Able to adapt and tailor the conversation / presentation to a variety of audiences and contexts.
- **Relationship Building**
Establishing, building, and maintaining strong and reciprocal relationships and a network of contacts to keep a pulse on the City's, political and internal issues and to make informed decisions. Identifying who to involve and when and how to involve them in order to accomplish objectives and minimize obstacles.
- **Partnering**
Creating an organizational environment that is open to alliances and attracting partnerships. Able to strategically identify and then approach potential partners – understands what's in it" for the other partner. Negotiating and managing the strategic nature of alliances and determining when adjustments, fine tuning or termination of partnerships is required.
- **Customer First Orientation**
A desire to identify and meet/exceed the requirements of both internal AND external customers / clients. Clear emphasis on service to customer groups:
 - Recognizing the variety of "customers" within the City and at all levels of the organization and accommodating their diverse needs;
 - Recognizing the variety of external customers including residents, community groups and other stakeholders.
- **Results Orientation**
The desire or drive to achieve or surpass identified goals. Establishes performance objectives and measures to continuously improve performance and the standard of excellence across the City. Includes innovative or entrepreneurial behaviours.
- **Holding People Accountable**
Ensuring others meet objectives and expectations in an appropriate and effective manner. Ensuring the performance management process is conducted throughout the year. Provides clear direction, appropriate tools, resources and authority to support success.
- **Fiscal Accountability**
The ability to effectively manage and optimize human, financial and physical resources, undertake qualitative and quantitative measurement, planning and control of resources to maximize results.
- **Teamwork**
Being part of a team and working co-operatively with others. "Team" is broadly defined as any task or process-oriented group of individuals working towards a common goal.

EMPLOYMENT AGREEMENT

BETWEEN:

NAME

(hereinafter called the “Employee”)

and

THE CORPORATION OF THE CITY OF GUELPH

(hereinafter called “the Employer”)

WHEREAS the *Municipal Act*, S.O. 2001, as amended, authorizes a municipal council to appoint a Chief Administrative Officer (“CAO”);

AND WHEREAS the Employer wishes to employ the Employee and the Employee wishes to accept this employment with the Employer as its Chief Administrative Officer (CAO);

NOW THEREFORE, in consideration of mutual covenants set out in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each of the Parties, the Parties covenant and agree as follows:

1. Effective Date and Term of Agreement

1.01 Subject to the provisions for earlier termination as hereinafter provided, the term of this Agreement shall begin on *[Insert Data]* and shall terminate at midnight on *[Insert Data]* (to represent length of contract such in years).

1.02 The Employer and the Employee shall give consideration to the renewal of this Agreement during its final year. Each party shall advise the other not later than the last day of *[Insert Data]* (DATE WHICH IS 60 DAYS IN ADVANCE OF LAST DAY OF CONTRACT) whether or not they wish to extend or renew this Agreement and the Parties shall thereafter meet to determine the terms, if any, under which they might be willing to extend or renew this Agreement but neither party shall be obligated to agree to any such renewal or extension and may terminate any renewal discussions at any time in their absolute discretion.

1.03 The term of this Agreement cannot be extended or renewed without a further Agreement in writing under which this Agreement is extended or renewed.

1.04 In the event that the Employer does not wish to exercise its option to renew this Agreement or the Parties cannot agree upon the terms and conditions for the renewal, the Agreement shall terminate at the expiration of the existing term and the Employee will be entitled to receive notice in accordance with Clause 7.02.

2. Duties

2.01 The duties of the Employee shall be those duties set forth in the *Municipal Act* and any amendments thereto, and those duties set forth in City of Guelph By-law Number (2002) – #####, and such other duties as Council may, from time to time, assign. The Employee shall report to the Mayor and City Council.

2.02 The Employee undertakes to fully and faithfully discharge the duties and responsibilities of the Chief Administrative Officer to a high standard of professional competence.

2.03 The Employee will devote the whole of his/her time; effort and attention to the business and well-being of the Corporation of the City of Guelph. Without limiting the generality of the foregoing, the Employee:

- (i) will not engage in or accept any office or position or business that might interfere with the business and well-being of the Employer, except with the prior written consent of Council; and
- (ii) will not engage in or accept any office or position or business for gain, except with the prior written consent of Council.

2.04 At the initiative of the Mayor of the City of Guelph, the performance of the Chief Administrative Officer shall be reviewed annually, at a minimum, by a designated committee of Councillors, inclusive of the Mayor as Chair of said committee. The performance evaluation shall be conducted in a manner generally consistent with the performance evaluation process employed for all senior management of the Employer. The completed written performance evaluation shall be confidential and it shall include goals and expectations for the following year.

3. City Policies

3.01 Except as specifically provided for in this Agreement, the terms and conditions of the Chief Administrative Officer's employment shall be governed by the Employer's human resource policies and practices.

4. Remuneration

Salary

4.01 Effective (insert date) the Employer will pay the Employee an annual salary of (insert amount) (subject to any deductions required under the Employer's policies and by law). The Employee's salary will be reviewed annually to ensure that the range remains competitive at the Council approved competitive position (i.e. currently at the 55th percentile of the Council approved municipal comparator group). Future increases where required to maintain the Council approved competitive position will be reviewed and approved by Council. The Parties further agree that if the City implements a Pay for Performance Program, then the Employee would be eligible to participate in this program. The Employee will move through the salary range annually on the anniversary date of the appointment to the CAO position, subject to satisfactory performance.

Benefits

4.02 The Employee will be entitled to participate in all health, disability, insurance, and any other employee benefit plans and programs of the Employer in effect for senior staff in

accordance with the terms of those plans and policies and which may be subject to change by the Employer from time to time.

Automotive Allowance

4.03 The Employee will receive an automotive allowance of *[Insert Data]* per month as compensation for the use of his/her personal vehicle for business purposes. This allowance will be reviewed and updated on a yearly basis in accordance with the Employer's Automotive Expense Reimbursement Policy.

Parking

4.04 The Employee will be provided with a reserved parking space for one vehicle.

Moving Allowance

4.05 The Employee shall be provided with a one-time moving allowance to recompense the Employee for costs related to his/her relocation to the City of Guelph. These costs may include but are not limited to the sale and purchase of homes, temporary relocation and moving costs. The payment of this one-time moving allowance will be made in accordance with the following schedule:

- A maximum *[Insert Data]* if the Employee's residency in Guelph commences within the first *[Insert Data]* months of this Agreement, OR
- A maximum of *[Insert Data]* if residency in Guelph commences after the first *[Insert Data]* months and before the first *[Insert Data]* months of this Agreement.

The Employee shall provide receipts proving any such expenses to the satisfaction of the City Treasurer. In the event that the employment of the Employee is terminated for cause or as a result of his/her resignation, during the first two (2) years following the payment of such allowance, the said moving allowance shall be fully refunded by the Employee.

Professional Memberships

4.06 The Employer agrees to maintain at no cost to the Employee, his/her membership in the following professional organizations:
[Insert Data]

5. Confidentiality and Contract Details

5.01 - It is understood that the salary range of this position and policies governing benefits for management employees of the Employer are a matter of public record. The Employee acknowledges that this contract may be subject to an access request under the Municipal Freedom of Information and Protection of Privacy Act, and that those provisions of the agreement that are not deemed to be personal information will be released by the Employer. Prior to releasing any details of this contract that are not deemed to be personal information, the Employer shall first inform the Employee of its intention to do so.

6. Vacation/Overtime

6.01 The Employee will be entitled to *[Insert Data]* weeks paid vacation per year of employment.

6.02 The Employee will not be compensated for any overtime save and except the Employee will be entitled to one (1) week in lieu of all overtime worked in a year, in accordance with the City of Guelph's compensation policy for Senior Management to be attached in Appendix C (upon hire of CAO).

7. Termination

(A) With Cause

7.01 The Employer may terminate the Employee's position, without notice, at any time, for "just cause". The Employee's employment and rights under this Agreement shall terminate on the day that notice of termination is delivered. Upon termination for just cause, the Employee shall be paid all unpaid salary owing to the date of termination. No further payments will be made by the Employer and all of the Employer's obligations under this Agreement shall cease.

(B) Without Cause

7.02 At any time during the term of this Agreement, the Employer may, at its sole discretion, terminate the Employee for any reason, without cause. If the Employee's employment is terminated in accordance with this provision, the Parties agree as follows:

- (i) the Employer will continue to pay the Employee's base salary for a period of *[Insert Data]* months, plus one (1) month for each year completed during the term of this Agreement up to a maximum of *[Insert Data]* months. This payment will be made from the date of termination, payable in bi-weekly instalments on the normal payroll day;
- (ii) with the exception of short-term and long-term disability benefits, and the automotive allowance, the Employer will continue the Employee's employment benefits, including pension contributions, throughout the notice period in which the Employer continues to pay the Employee's salary. The Employer will continue the Employee's short term and long term disability benefits as per the minimum requirements set out in the *Employment Standards Act, 2000*. The automotive allowance will cease on the effective date of termination.
- (iii) all payments provided under this paragraph will be subject to all deductions required under Employer's policies and by law.
- (iv) Any future entitlement to salary continuation terminates immediately upon the death of the Employee.

(C) Voluntary Resignation

7.03 The Employee may voluntarily resign from his/her position as Chief Administrative Officer by providing the Employer with at least eight (8) weeks' written notice. Upon being provided with said notice of resignation, the Employer may, by Resolution, waive or reduce this period and may require the Employee to cease work at any point within the eight (8) week period. Upon receiving the Employee's notice of resignation, the Employer will pay the Employee all unpaid salary to the proposed date of resignation.

8. Return of Property

8.01 All equipment, material, written correspondence, memoranda, communication, reports, or other documents pertaining to the business of the Employer used or produced by the Employee in connection with his/her employment, or in the Employee's possession or control, shall at all times remain the property of the Employer. The Employee shall return all property of the Employer in his/her possession or control in good condition within one (1) week of a request by the Employer, or within one (1) week of the termination or resignation of the Employee.

9. Entire Agreement

9.01 This Agreement constitutes the entire Agreement between the Employee and the Employer. This Agreement may not be modified or amended except in writing by Resolution of the Employer with the agreement of the Employee.

10. Severability

10.01 If any provision of this Agreement is held to be illegal, invalid or unenforceable by any competent authority, such illegality, invalidity or unenforceability shall not in any manner affect or render illegal, invalid or unenforceable any other provision of this Agreement.

11. Release and Acknowledgement

11.01 The Employee acknowledges and agrees that the consideration contained in this Agreement is inclusive of any and all compensation, payments, notice, pay in lieu of notice or severance payments to which he/she may be entitled under the *Employment Standards Act, 2000* and any other applicable legislation, common law, or otherwise. The Employee further acknowledges and agrees that the consideration herein is fair and reasonable. The Employee agrees that upon any termination of his/her employment by the Employer, the Employee shall have no cause of action, claim or demand against the Employer, including its successors, predecessors, and all affiliated entities, and the Mayor, Councillors, Officers, Directors, Employees and agents thereof, as the case may be, for any matter related to the Employee's employment or the termination of or resignation from said employment, and the Employee hereby releases and discharges the Employer, including its successors, predecessors, and all affiliated entities, and the Mayor, Councillors, Officers, Executive Directors, Employees and agents thereof, as the case may be, from any and all liability related to his/her employment on the termination of or resignation from said employment other than for his/her entitlements as set out herein, including wrongful dismissal.

12. Assignment of Rights

12.01 The rights and obligations of the Employer under this Agreement shall pass and be binding upon its successors. The Employee's rights under this Agreement are not assignable or transferable in any manner without the consent of the Employer.

13. Notices

13.01 Any notice required or permitted to be given to the Employee shall be sufficiently given if delivered to the Employee personally, delivered by facsimile transmission (with confirmation of receipt) or if mailed by ordinary or registered mail to the Employee's address last known to the Employer. Service shall be effective on the fifth day after mailing.

13.02 Any notice required or permitted to be given to the Employer shall be sufficiently given if delivered or mailed to the Mayor or Clerk by ordinary or registered mail to the City of Guelph and shall be effective on the fifth day after mailing.

14. Applicable Law

14.01 This Agreement shall be governed by and construed in accordance with the laws applicable in the Province of Ontario by a court of competent jurisdiction.

15. Independent Legal Advice

15.01 the Employee acknowledges that he/she has had the opportunity to obtain independent legal advice before executing this Agreement and acknowledges that he/she fully understands the nature of the Agreement, which the Employee voluntarily enters into. The Employer agrees to compensate the Employee, up to a maximum of five hundred (\$500.00) dollars, for the cost of legal advice obtained by him/her in this regard.

DATED at Guelph this *[Insert Data]* day of *[Insert Data]*, 2008.

SIGNED, SEALED AND DELIVERED

Witness

The Employee

Mayor

Clerk

DRAFT

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE

1 of 2

EFFECTIVE DATE

JANUARY 28, 2008

REVISION

Tab	CITY COUNCIL
Subject	DELEGATION OF CAO DUTIES
Related Policies	Procedure for Hiring the CAO
Approved by	Council, January 28, 2008
Review Date	Beginning of New Term of Council

POLICY STATEMENT The City Council acknowledges that it is responsible for ensuring the effective management of the Corporation.

PURPOSE The purpose of this policy is to establish roles and responsibilities with respect to the delegation of CAO duties.

DEFINITIONS

Chief Administrative Officer (CAO)

Long-term contractual position reporting directly to City Council.

Acting CAO

Short-term (less than 1 month) appointment to carry out the duties of CAO for a specific period of time due to an absence of the CAO.

Interim CAO

Appointment to carry out the duties of CAO for a specific period of time due to a vacancy in the CAO position.

Assistant CAO

Added temporary administrative responsibilities to an Executive Director/Member of the Executive Team (ET), to assist the CAO in the administration of the Corporation. This appointment is for a specified period of time to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves and/or mentoring program for members of ET.

POLICY REQUIREMENTS

Acting CAO

Guelph City Council delegates authority to the CAO to appoint an Acting CAO.

Interim CAO

Guelph City Council appoints the Interim CAO.

Assistant CAO

Guelph City Council delegates authority to the CAO to appoint an assistant CAO as described in the "Procedure for Appointing an Assistant CAO".

**Procedure for Appointing an Assistant CAO
Who Reports Directly to the Chief Administrative Officer (CAO)**

1. The authority to appoint an Assistant CAO is delegated to the CAO.
2. The purpose of the Assistant CAO is to enable the CAO to engage in corporate business opportunities, sabbaticals/leaves and/or mentoring programs for members of the Executive Team.
3. Added temporary administrative responsibilities will be assigned by the CAO to an Executive Director/Member of the Executive Team to assist the CAO in the administration of the Corporation.
4. The CAO will advise Council of the candidate and purpose and term of the appointment prior to appointing an Assistant CAO.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate Administration
DATE October 11, 2011

SUBJECT Service Excellence Strategy and Standards

REPORT NUMBER

SUMMARY

Purpose of the Report: To provide the Committee with information on the Service Excellence Strategy, Corporate Service Standards and intended next steps.

Committee Action: To receive and review the report.

RECOMMENDATION

THAT the Governance Committee receive the report entitled "Service Excellence Strategy and Standards".

BACKGROUND

Service excellence is a long standing source of pride and commitment across the corporation. As a primary function of the city, it is reflected in current Corporate Values and the 2007 -2010 Strategic Plan. In 2008, the city measured satisfaction levels with service quality and confirmed that while the city was performing well overall in this area that there was still room for improvement. To that end, a cross-departmental team of staff developed a Service Excellence Strategy based on best practice research, internal and external consultation attached as Appendix 1. A corresponding implementation plan was also developed to strengthen efforts on the service front, further the Corporate Value of Excellence in our service and guide the corporation forward in this regard. Initiated actions in 2010 in support of the strategy goals included:

- ✓ AODA Customer Service Policy and training
- ✓ Building Services Operational Review and Community Responder Program Review
- ✓ New social media methods for information sharing
- ✓ Investigation of 'live-answer' at City Hall
- ✓ Development of new corporate service standards
- ✓ Integration of customer service components into the Employee Orientation Program, hiring, and performance management practices

-
- ✓ Development of a searchable City service inventory at ServiceGuelph

For 2011, an implementation plan related to additional customer service improvements that could be addressed within the current operating budget was developed along with new Service Standards that were successfully pilot tested and improved upon in some of the City's central customer-facing areas including Transit Services, the West End Community Centre and the Evergreen Seniors Community Centre. Regular full time, part-time and volunteer staff members were all instrumental in shaping the standards.

REPORT

Strengthening Service

The aim of having a Service Excellence Strategy and new service standards is to strengthen the service focus at the City and more fully demonstrate the Corporate Value of Excellence so that the expectations of all customers, internal and external continue to be met and where possible, exceeded.

Consistent service standards for telephone, in-person visits, written and electronic correspondence will serve as common principles that all staff will be expected to make every reasonable effort to meet or continue to surpass (attached as Appendix 2). It is recognized that revisions may be required over time and that successful implementation efforts will require a phased approach at multiple levels across the corporation. It is also recognized that the successful application of the standards will require staff learning sessions, evaluation, measurement and an increasingly more standardized and transparent approach to complaint management.

NEXT STEPS

Achieving Goals

In the fourth quarter of this year, staff will undertake a review of planned versus realized accomplishments related to the Service Excellence Strategy implementation plan. Targets for 2012 will be established along with required actions that are achievable within existing operating budgets and continue to move the organization forward towards full realization of strategic goals. As well, implementation of the corporate standards will be initiated with pilot projects initially in select service areas across the corporation as agreed to by the Executive Team. Potential starting points could include ServiceGuelph, Guelph Transit and Planning and Building Services given the significant levels of direct interface with residents and stakeholders that these service areas experience on a daily basis.

CORPORATE STRATEGIC PLAN

5.6 – Organizational excellence in planning and management.

FINANCIAL IMPLICATIONS

Service Excellence Strategy related initiatives in 2012 will be funded through established operating budgets.

DEPARTMENTAL CONSULTATION

The Administration and Customer Service area within Community and Social Services was consulted in the development of this report.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix 1– Service Excellence Strategy and Implementation Plan

Appendix 2 – Service Standards

“original signed by Brenda Boisvert”

“original signed by Ann Pappert”

Prepared By:

Brenda Boisvert
Corporate Manager, Strategic Planning
and Corporate Initiatives

Recommended By:

Ann Pappert, CAO

Service Excellence Strategy

Consolidated report and recommendations



Our standards and commitment to being service-focused and responsive.



Contents

3	Executive summary
4	A picture of the future Customer service commitment Vision Guiding principles Core themes
6	Delivering the strategy What will we do? Short-term priorities Three channel focus Customer service guidelines Accessibility
8	How will we do it? Processes Technology People Partnerships Long-term goals
10	How will we measure success?
11	Governance
11	Resources



Executive summary

The City of Guelph is committed to delivering excellent customer service. This document outlines the City's Customer Service Strategy for the period 2009-2012.

The Strategy is aligned with the City's Corporate Values, the People Practices Strategy, the City's Strategic Plan and the results of the July 2008 Citizen Satisfaction Survey. The Strategy also takes into account the Citizen's First 5 research produced by the Institute for Citizen Centred Service and research on the Public Sector Value Chain that links employee satisfaction with increased levels of customer satisfaction.



The strategy outlines how the City will put the citizen at the centre of service delivery to ensure an enhanced service experience, increasing choice for customers as to where they access services, when they access services and how they access services. It is also designed to ensure that the City continues to provide services which are consistent, professional and coordinated to ensure residents and stakeholders are satisfied at the first point of contact.

To achieve these aims the City will introduce more online options and self service opportunities, allowing residents to carry out routine tasks without requiring interaction with a city representative. This will enable the city to realize efficiencies and reinvest financial and time releasing savings into service improvements.

As part of the implementation of the strategy, the City will also continue to review its systems and technologies to ensure that they enable and underpin business processes in the most effective and innovative way possible.

To further support the strategy, the City will also invest in training and development to ensure that staff at all levels have the appropriate and relevant skills and training to deliver excellent customer service.

Additional recommendations highlight the need for the City to continue to build and develop partnerships to deliver improved access to public services. It will become more convenient, easier and quicker for citizens to interact with the City and all citizens will have equal access to the services they need.

Moving forward, the City will continue to be responsive to customers proactively engaging with them to seek their views via a Citizen Satisfaction Survey tool.

This Strategy will continue the investment and continuous improvement work which has taken place to date with respect to Customer Service and will ensure that the City continues to meet the needs of residents and stakeholders to the City of Guelph.

A picture of the future

The City of Guelph has a long and proud history of providing valued programs and services to its community members and stakeholders. Continuous improvement to ensure efficiency and effectiveness has also been a strong element of the corporation's history. While much has been achieved, there is still more to do. It is hoped that this strategy will set the course for the future and provide strategic objectives that set out a clear direction for taking customer satisfaction to even higher levels.

By identifying strategies related to the primary customer access channels, the City will aim to deliver services that are connected in a way that makes sense to customers. Services will be accessible in a way that is most convenient so that they have more choice in the way in which they make contact and receive services. Service delivery will be tailored to individuals and be 'customer' or 'resident' centric from the first contact point to delivery. A key theme running through the identified strategies is to improve efficiency and reduce costs. We will look to develop and promote the most cost effective channel while ensuring a range of channels are available to meet individual needs.

Customer service commitment

The City of Guelph serves a population of approximately 120,000 people over a geographical spread of 26,484 square kilometres. There are several points of contact at various locations throughout the city limits. In 2008 the City conducted a Citizen Satisfaction Survey. While the overall satisfaction rating for customer service was high at 89%, there is still room for improvement. Specifically, in the identified drivers of customer service listed below, willingness to 'go the extra mile' requires targeted attention.

Customer Service Driver	2008 Rating
Timeliness	67%
Knowledge and Competence	73%
Willingness to go the extra mile	58%
Fair Treatment	78%
Completeness of Service	68%

Vision

The City of Guelph's customer service vision is, "to be an efficient and effective service provider, delivering quality services to residents and stakeholders through a wide range of channels". Contact channels and standards will be clearly defined to make contacting the City an easy and positive experience for residents and stakeholders.

Guiding principles

- **Excellence in our service.** As one of our three core values, service excellence is something we constantly strive for—it's our purpose and our goal every working day.
- Integrated planning and collaboration. Higher levels of service are possible by working together to produce solutions.
- **Pride and accountability.** The programs and services we provide are valued. We always strive to contribute our best for each other and the community we serve.
- **Continuous improvement.** Effective planning, evaluation, measurement and reporting will ensure our success. We always strive to do better.
- **Universal application.** Our standards apply equally to our external customers and our internal clients—the community and each other. We ensure broad accessibility consistent with Canada's Privacy Legislation and the Accessibility for Ontarians with Disabilities Act (AODA).

Core themes

Continuous Improvement: Become increasingly more efficient and effective

- improve efficiencies and effectiveness across all three primary access channels
- establish and test corporate service guidelines for applicability
- develop efficient and effective business processes to maximize customer value and satisfaction
- define metrics, evaluate and report on successes where appropriate to staff, the community, SMT and Council

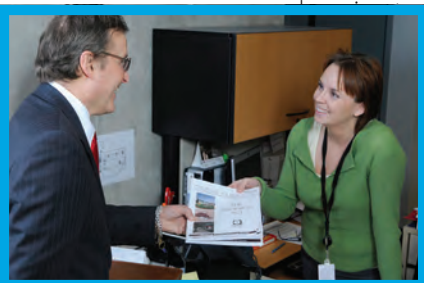
Driving Value: Provide a service which is consistent, professional and coordinated

- resolve the majority of customer inquiries at the first point of contact
- improve the use of existing technology to support service enhancements
- further develop opportunities for self-service applications via the guelph.ca

Ensuring Access: Increase choice for all residents and stakeholders in the way they access and receive services

- ensure equality and barrier free access to services
- respond to the diverse and changing needs of residents and stakeholders
- increase the number of services delivered through centralized access points
- increase our efforts to seek out partnership opportunities with other organizations and levels of government

This Strategy will see the City's position change in response to the external environment and evolving community needs throughout 2009–2012 and therefore should be considered a living document, ever in flux, that will meet and exceed our customers' expectations.



Delivering the strategy

In addition to the short-term priorities, long term goals have been identified to provide a framework for improvement efforts.

What will we do?

Short-term priorities

Three Channel Focus

To improve efficiencies and effectiveness across all three primary access channels - telephone, web and in person, while ensuring a range of options is available to meet all individual resident and stakeholder needs.

Strategy

In Person Service

Residents conduct a large number of transactions with the City in person and on a regular basis. On a monthly basis approximately 4000 people visit Service Guelph for a variety of services. Other areas including our recreation centres, transit workers, parks staff, waste collection and management interact with residents daily.

While the average costs per inquiry is the highest with in-person service, it is also the greatest opportunity to demonstrate the City's commitment to service excellence. Each of these staff are City ambassadors and how they choose to provide service reflects on the Corporation as a whole. In the July 2008 Community Survey, 68% of residents indicated that they were satisfied with the quality of service they received, but only 58% agreed that staff went out of their way to make sure residents got what they needed. To increase levels of excellence in the area of in person service and ensure a positive experience the following specific strategies have been identified.

We will...

- work to ensure that all departments have a customer feedback system in place that enables customers to comment on their services and provide suggestions for improvement
- strive to increase the number of issues resolved at the first point of contact
- continually assess the services being offered at access points to ensure that 'back office' staff are able to focus their efforts on complex enquiries, which require in-depth investigation, professional expertise and/or assessment that supports the front line staff
- drive the continued development of a 'service-first' culture in the organization that is focused on the drivers of customer satisfaction
- reduce the number of access points making it easier for residents and stakeholders to access services and link service delivery across the City
- assess services offered by ServiceGuelph and plan for appropriate requirements
- investigate the potential for expansion of the Service Guelph Model to other locations in the City

Telephone

The ICCS 2008 Citizen First 5 research indicates that the telephone remains the preferred service delivery channel by Canadians. It is also well understood that utilizing telephony to address enquiries is a cost effective way of achieving efficiencies.

We will...

- give consideration to implementing live answer at City Hall
- develop improved telephony services
- investigate centralized call handling where appropriate including TTY calls
- investigate the resource implications of delivering of a telephony service 24/7 to provide full access to services over the telephone at all times
- introduce telephone invoice payments for taxes and services
- institute a zero out option and policy in all departments so that when a resident calls they have the option to zero out to a live answer
- conduct a review of telephone services that will include the investigation of options and issues related to the implementation of a 311 call centre

Internet

Research indicates that the lowest average cost per contact channel of enquiry is the internet. Self-service online transaction capability will allow customers to access information any time from within their own home or anywhere that they can access the Internet. Customers will be able to carry out routine tasks more independently. The City can expect to realize significant savings by promoting and encouraging customers to use online services to meet their transactional needs.

We will...

- review the opportunities for self service throughout the community at access points and/or service channels e.g. community facilities, schools and libraries
- introduce more online payment options and online application forms
- continue to introduce more self serve requests and the ability to pay on-line
- investigate opportunities for engaging with customers using alternative methods of contact such as, interactive and digital television, text messaging, Pod Casting, Twitter, and Facebook
- design and implement processes and follow up around centralized email address and response

Customer service guidelines

To establish corporate customer service guidelines that define the level of service customers can expect and help to ensure consistent and fair treatment for all.

Strategy

We will...

- develop, implement and test corporate service guidelines that include expected response levels for telephone calls, in person wait times, email correspondence, and information on complaint handling procedures and measurement
- develop a marketing plan to communicate service guidelines to the staff and public
- integrate accountability for standards into performance management measures
- benchmark service availability and standards and compare with neighbouring municipalities
- conduct regular service satisfaction surveys with the community to gauge awareness and approval of service quality and levels
- build public awareness of the services the City provides through various communication vehicles

Accessibility

To provide services to the community that are barrier-free and accessible, consistent with AODA regulations.

Strategy

We will...

- continue to improve the accessibility of the City's facilities
- ensure compliance with provincially mandated standards for customer service by January 2010
- explore service delivery partnerships with other levels of government and community organizations to ensure consistent experiences
- implement the AODA customer service standard attached as Appendix A

How will we do it?

In order to deliver the customer service strategy the City needs the infrastructure in place along with skilled and trained staff. Excellent customer service can only be delivered by providing staff with current, easy to access and relevant data and information. This, in turn, is achieved through the use of enabling technologies, underpinning efficient and effective business processes.

The following section describes the key enablers of service delivery and what will be required in each area:

Processes

Technology

People

Partnerships

Processes

To enable continuous service improvement and deliver efficient and effective services that are valued by the community and stakeholders. The outcome of a well designed business process is increased effectiveness (value for the customer) and increased efficiency (lower costs).

Strategy

We will...

- review business processes on a regular basis to ensure continuous improvement using various process mapping and change management techniques
- ensure that processes are designed to add value for the customer— processes are fit for purpose, tried, tested and meet the needs of customers
- create a service inventory for the City identifying service owners, processes and a change management strategy that supports review efforts



Technology

To improve the use of existing technology to support service enhancements.

Strategy

We will...

- continue to enhance guelph.ca with greater service information and access
- use management information systems to analyze and improve service delivery
- explore and propose a CRM solution that has the ability to integrate with other city systems
- investigate implementation of a knowledge base for all services integrated with CRM, populated with the developed service names, service information, process details and owners
- explore and propose a Call Centre fully integrated with the CRM and Knowledge Base
- evaluate the potential, plan and support development for on-line transaction and e-business applications
- explore technology requirements to support the possibility of a 311 centralized call centre
- comply with AODA technology related standards

People

To ensure that each staff member has access to appropriate training and development. All staff who deal with customers on a routine basis will have access to a wide range of training programs.

Strategy

We will...

- investigate the development of customer service support tools for staff
- ensure that 'customer focus' and customer service competency are a central component of performance development plans and the performance management system
- develop a customized customer service training program that includes information on customer service basics, customer service guidelines, AODA customer service policies to ensure full compliance by January 2010. Prepare training material to ensure volunteer, board and commission compliance
- ensure access and awareness of communication tools to enhance customer service practices
- integrate customer service components into new employee orientation
- seek staff input on service improvement areas on a regular basis and create modifications as required
- investigate how customer service awareness is included in the hiring process

Partnerships

To continue exploring options for working with other agencies to ensure achieving efficiencies.

Strategy

We will...

- continue to work with internal and external partners to define service level agreements
- continue to explore options for working with other agencies and organizations
- investigate opportunities for integrated service delivery (ISD) for citizen-centred, multi-channel, multi-jurisdictional service. ISD involves bringing together government services so that citizens can access these services in a single, seamless experience based on their wants and needs.
- investigate the establishment of an agreement with the Province of Ontario to operate Service Ontario Kiosks in City Hall
- identify opportunities to establish a relationship with the Federal Government to receive training and access to federal databases allowing enhanced information and referral services
- explore partnership opportunities with other community organizations

Long-term goals

The following goals are directly linked to the City's Strategic Plan objectives 5.1 and 5.6 – to have the highest level of satisfaction with services of any neighbouring municipality and organizational excellence in human resources practices. The goals, which all relate to providing superior customer service, are designed to guide business over the next 10 years to ensure the continued provision of valued services.

Goals	Description
Superior customer service	To be a leader in the provision of valued services, respecting individual needs and ensuring that staff have the tools and training necessary to provide excellent customer service.
Simplified access	To improve on the resolution of enquiries dealt with at the first point of contact and provide comprehensive self serve options
Responsiveness	To understand well and respond to the diverse and changing needs of residents and stakeholders.
Accessibility	To implement barrier-free, accessible services and standards for all community Members.
Continuous improvement	To instill continuous improvement as a regular and cultural practice to ensure greater efficiencies and effectiveness in the services delivered by the City

How will we measure success?

The City will continue to evaluate citizen satisfaction levels and investigate ways to best understand public opinions and changing needs. In doing so, the most appropriate timing of evaluations will also be considered. The primary metric that will be utilized to measure improvement and success of the customer service strategy will be the increase in overall satisfaction score with the level and quality of services provided by the city.

Additional preliminary measures related to the primary drivers of customer service satisfaction are identified by the Institute for Citizen Centred Service and include:

Measure	2008 rating	Aspirational targets for 2012*
Satisfaction with services—level and quality		
• Very satisfied	25%	30%
• Somewhat satisfied	64%	65%
• Overall	89%	95%
Satisfaction with overall quality of staff contact	68%	79%
Aspects of service		
• Fair treatment	78%	85%
• Knowledgeable and competent staff	73%	85%
• Going the extra mile	58%	83%
Satisfaction with timeliness of service	67%	85%
Completeness of service	68%	75%

*Based on aspirations and 2008 Common Measurement Tool comparator data

Governance

The final customer service strategy will be subject to approval of the Senior Management Team. Additional responsibilities associated with this strategy are:

SES Development Team

- recommend the Customer Services Strategy for SMT discussion and approval
- act as a resource to the project sponsor as requested

Senior Management Team

- consider and approve recommendation of the strategy to Council
- ensure the strategy aligns with the goals of the corporation
- review and recommend refinements to the strategy over time as well as plans and required investments
- manage service delivery to ensure focus on the customer and excellent customer service
- identify a Lead Project Sponsor for the Customer Service Strategy
- identify a staff resource to create an implementation plan and manage the commitments and targets outlined in the Customer Service Strategy

Project Sponsor

- represent customer service at the Senior Management Team
- review the strategy on an annual basis
- review resource requirements on a regular basis as part of the ongoing management of a customer service function
- market and promote service excellence throughout the corporation
- ensure regular monitoring and results reporting to staff and Council
- receive reports on performance against the strategy and implementation plan

Resources

As part of the work to develop the strategy the resource requirements will be reviewed on a regular basis by identified staff as part of the ongoing management of the Customer Services function. Any additional resource requirements will be identified to the Senior Management Team and addressed through the regular budget process.



Service Excellence Strategy

Implementation Plan

December 2009 – updated September 2010



»SERVE«

Our standards and commitment to being service-focused and responsive.

A number of measures are currently underway and working to continuously support increased levels of service excellence.

Actions 2009/2010

- ✓ Investigate live answer at city hall
- ✓ Explore centralized call handling where appropriate including TTY calls
- ✓ Engage citizens using new social media contact methods
- ✓ Continue to improve the accessibility of city facilities
- ✓ Continue to ensure compliance with AODA customer service standards
- ✓ Develop a customized service training program for AODA
- ✓ Investigate required customer support tools for staff
- ✓ Ensure all service areas have a customer feedback system
- ✓ Use management information systems to analyze and improve service delivery
- ✓ Work with internal and external partners to define service level agreements
- ✓ Explore options for working with other agencies and organizations
- ✓ Enhance guelph.ca on an ongoing basis

The following actions have been linked to target implementation periods with anticipated funding sources and lead accountabilities identified.

Actions	Immediate	2010-2011	2012-2013	2014-2015	Funding source	Accountability
Continue to drive development of a 'service first' culture	X	X	X	X	Operating	All
Pilot test corporate service guidelines and roll out to staff	X	X			Operating	Corporate Administration
Integrate customer service elements into performance management practices	X				Operating	Human Resources
Continue to build service awareness in the community	X				Operating	Corporate Communications
Ensure staff awareness of customer service and process improvement tools and training	X				Operating	Human Resources, Information Services
Integrate customer service components into new employee orientation and hiring practices	X				Operating	Human Resources
Seek staff input on improvement priorities	X	X	X	X	Operating	All
Comply with AODA technology standards		X			Grant – Enabling Accessibility Fund, HR and Skills Development Canada	All

Actions	Immediate	2010-2011	2012-2013	2014-2015	Funding source	Accountability
Assess services offered by ServiceGuelph	X				Operating	Information Services
Investigate potential expansion of the ServiceGuelph model to other areas within the city			X		Operating	Information Services
Regularly review core processes to ensure customer focus	X	X	X	X	Operating	All
Telephony services					Operating	
• Institute a zero out option and policy in all departments to facilitate live-answer		X				All
• Explore technology and resource requirements to support the possibility of a 311 centralized call centre		X				Information Services
• Reduce the number of advertised contact numbers for city services and inquiries		X				All
Online services					Operating/ Capital	All
• Plan for and introduce more online payment and service options		X	X	X		
Internet/Kiosk						
• Explore internet voting			X			Information Services
• Investigate opportunities for integrated service delivery			X			All
• Explore service delivery partnerships e.g. Fed/Prov to ensure consistent experiences including a ServiceOntario Kiosk in City Hall and training/access to federal databases for enhanced information and referral services			X			Information Services
Conduct regular community service satisfaction surveys to track improvements over time		X		X	Operating	Corporate Administration, Corporate Communications
Enhance availability of feedback options		X			Operating	Corporate Communications, Information Technology
Design and implement processes and follow up to support feedback options		X			Operating	Corporate Communications, Information Technology
Explore and propose a CRM solution that has the ability to integrate with other systems				X	Operating/ Capital	Information Services
Knowledge base development					Operating/ Capital	
• Investigate the roll out and ongoing maintenance of a service inventory		X				Information Services

Service Standards

Service excellence is a City of Guelph core value.

Our employees and volunteers strive to demonstrate excellence daily. We are committed to being service-focused and responsive to your needs. The following service standards help ensure we deliver on this promise.

We will

Smile when greeting you, and deliver friendly, courteous and professional service.

Ensure minimal wait time with timely service from skilled staff.

Resolve issues as quickly and effectively as possible by striving to be the first and only point of contact.

Value your individual needs, provide you with the accessibility accommodation you request and respect your confidentiality.

Encourage you to let us know how we're doing.

You can count on us to

- Record out-going voice messages daily and set out-of-office notifications that let you know when we're available, and who else you might contact in our absence.
- Activate our out-of-office feature if we're away for more than a half day.
- Acknowledge or respond to your telephone and electronic messages within two business days.
- Notify you, within two business days, if your mailed or faxed inquiry cannot be addressed within 5 business days.

Questions or comments?

Ask a Service Representative or email us at serviceguelph@guelph.ca



»SERVE«

CITY OF
Guelph
Making a Difference

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Community & Social Services Department
Community Engagement & Social Services Liaison

DATE October 11, 2011

SUBJECT Board Appointments – Guelph Non-Profit Housing Board

REPORT NUMBER CSS-CESS-1138

SUMMARY

Purpose of the Report

This report provides information regarding local non-profit housing providers and offers clarification regarding whether there is a role for City Council to have a voice on these boards.

Committee Action: Receive the report and consider not appointing a member to the Guelph Non-Profit Housing Board.

RECOMMENDATION

THAT report #CSS-CESS-1138 dated October 11, 2011, regarding Board Appointments to non- profit housing corporations be received;

AND THAT a Council member no longer be appointed to the Guelph Non-Profit Housing Board

BACKGROUND

Each term, members of City Council are appointed to statutory boards, committees and commissions. To this end, the City Council Striking Committee of December 13, 2010 considered to which discretionary boards, commissions and committees it wished to continue to appoint members of Council. As part of this, the City Clerk's Office completed a review which clarified those board appointments that were mandatory (legislated) and discretionary (not legislated). At this meeting, Committee approved the resolution that no appointments would be made to discretionary boards and committees until consultation with such boards had taken place.

The Guelph Non-Profit Housing Corporation Board (GNPHC) was one of those considered as a discretionary Councillor appointment, and City Clerk's Office

consulted with them via letter dated December 22, 2010. The letter outlined the December 13, 2010 Council resolution and asked for feedback '*regarding the possibility of the City no longer making an appointment*' to their board.

In response, the GNPHB advised that "*It is the view of Guelph Non-Profit Housing that the nomination of a City Councillor for appointment to its Board of Directors remains desirable and important*".

The GNPHB response was later considered at January 17, 2011 Governance Committee and the Committee subsequently approved the resolution,

'THAT the Director of Community and Social Services be directed to provide the Committee with information regarding other non-profit housing corporations within the City and clarify whether there is a role for City Council to have a voice on such boards.'

REPORT

Guelph Non-Profit Housing Corporation (GNPHC) was incorporated on October 4, 1988 by letters patent. The primary objective of the Corporation is to provide affordable housing within Guelph.

Since 1988, a series of by-law amendments have taken place that has reduced the City's involvement in the Corporation and Board's operation. Originally the City had been responsible for the recruitment and appointment of all GNPH Board members and had been mandated to appoint three City Councillors (one being the Mayor) to the Board. The GNPHC has changed their letters patent so that Council no longer appoints their Board. The Corporation's current by-laws state that the Board of Directors consists of seven members, one of whom is an elected City Council member. In addition, the city's auditor who was previously responsible for the Board's audited financial statements, is no longer providing this service.

A Brief Summary – Context and the City's Role in Local Housing

This section of the report provides Committee with information regarding local housing provision and providers. In making its decision regarding Councillor appointments to non-profit housing corporations, it is important to consider how local housing needs are addressed and the critical and legislated role the City plays in this.

The Social Housing Reform Act, 2000 (currently under review) provides the legislative framework and regulations for social housing provision and the transfer of social housing from the province to municipalities via Service Managers and district social services administration boards. Locally, the County of Wellington is the designated Service Manager (Consolidated Municipal Service Manager) which funds and administers social housing programs for the County and the City on behalf of the province.

The Wellington and Guelph Housing Strategy, 2005 (currently under review) describes local housing that takes many forms along a "continuum". This

continuum ranges from Emergency Shelters and Domiciliary Hostels to Social Housing (non-supportive and supportive¹) and finally Private Market Housing (ownership and rental). Social housing is delivered via a number of different organizations such as non for profit providers and co-operatives (see Appendix 1). GNPHC is one of a number of different non profit housing providers that operate in Guelph which work with the Service Manager and others to deliver social housing to meet local need.

The City has a legislated role to play in the ensuring that the Guelph community has adequate access to appropriate housing choices including the provision of good quality affordable housing that meets their diverse and changing needs. Within the current Strategic Plan, the City explicitly states one of its strategic objectives as, 'Diverse housing options....to meet the needs of current and future generations'. The City works with the County of Wellington in the development and delivery of the local Housing Strategy (currently under review) and its targets. Alongside this, the City also plays a critical role in the delivery of Ontario's Long-Term Affordable Housing Strategy, *Building Foundations: Building Futures* (2010) which calls upon all municipalities and service managers to work together to build locally managed housing services which integrate with other supports, including poverty reduction initiatives. The City particularly has a legislated responsibility to meet community housing needs and objectives through its land use planning and regulation; principally Official Plan Development, Provincial Growth Plan and associated legislation and policy. The City also funds various affordable housing projects in the City, (e.g. via the tax supported Affordable Housing Reserve Fund, established in 2003).

In meeting its obligations, the City is now addressing social services and housing issues through the mandates of a significant number of developing portfolios. These include the new Community and Social Services Department and its Social Services workplan; the Community and Social Services Committee and the emerging Community Plan for Wellbeing. These efforts align with local and provincial policy, to integrate our planning, policy, service and program delivery with other City departments, and other service providers, organizations and sectors in the area. This integration enables more effective and efficient community responses to local challenges and need.

Conclusion

Although the GNPHB has requested that a Councillor be appointed, the appointment is not mandated by legislation. In addition, GNPHB is one of 13 housing providers in the City of Guelph. It is important that the City continues to focus efforts in areas

¹ Definition of Supportive Social Housing – *Permanent housing combined with dedicated services for people with special needs.*

Definition of Social Housing (non supportive) – *Social housing that is subsidized, permanent rental housing or units owned and/or operated by the County or non-profit and co-operative housing providers.*
Source: Wellington and Guelph Housing Strategy.

designed to realize the most benefit for the whole community. The City is working hard with its partners to deliver and facilitate local housing. This work is effective and developing in line with the expectations of a complex and changing provincial and local landscape. It is the opinion of Community and Social Services that the City currently works effectively with local housing providers (including non-profit corporations) and other partners to achieve the community goals for housing. Given this, should Committee choose not to appoint a Council member to the GNPHB, the City's role is no less served.

CORPORATE STRATEGIC PLAN

Goal 2 – A healthy and safe community where life can be lived to the fullest.

Goal 5 – A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

There are no financial implications.

DEPARTMENTAL CONSULTATION

Community and Social Services

COMMUNICATIONS

N/A

ATTACHMENTS

N/A



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COMMITTEE REPORT



TO **Governance**

SERVICE AREA The Office of the CAO

DATE October 11, 2011

SUBJECT **First bi-annual performance report: City of Guelph Communications Plan**

REPORT NUMBER

RECOMMENDATION

That the report titled *First bi-annual performance report: City of Guelph Communications Plan* and its appendices be received.

BACKGROUND

The City of Guelph unveiled its first truly strategic corporate-wide communications plan, *The City of Guelph Communications Plan*, in Q4 of 2010. Work outlined in the *Plan*'s five-year implementation schedule began in 2011. Since that time, much has been accomplished.

REPORT

This performance report has been developed to demonstrate the City's progress towards meeting the goals and objectives of the *City of Guelph communications Plan*, endorsed by the Executive Team in 2010 and undertaken in 2011.

CORPORATE STRATEGIC PLAN

Goal 5: A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

The work referenced in this report is funded from Corporate Communications' approved 2011 budget.

DEPARTMENTAL CONSULTATION

Implementation of the *City of Guelph Communications Plan* has been a cross-departmental undertaking.

Corporate and Human Resources will be consulted regarding the development of a relationship management tool because it will be used to poll employees in aid of benchmarking internal communications. Service areas will be consulted regarding the validation of *Plan* KPIs via the cross-departmental working group established to develop the *City of Guelph Communications Plan*.

COMMUNICATIONS

The City's work to date towards the goals of *City of Guelph Communications Plan* will be conveyed to the community via a news release. The department's work on developing key performance indicators is known to Canadian industry experts and will even form the basis of a presentation at an industry conference on public relations measurement in December.

ATTACHMENTS

Appendix 1: City of Guelph Communications Plan Performance Report
Appendix 2: The Communication Excellence Factor

"original signed by Tara Sprigg"

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PERFORMANCE REPORT 2011



October 2011



A common foundation; public relations defined

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

Canadian Public Relations Society

Like many organizations, the City of Guelph uses the terms public relations and corporate communications interchangeably.



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- 4 **Introduction**
- 5 **Background**
- 6 **Reporting on our performance**
- 10 **Next steps**



Introduction

This performance report has been developed to demonstrate the City's progress towards meeting the goals and objectives of the *City of Guelph Communications Plan*, endorsed by the Executive Team in 2010 and undertaken in 2011.

The City of Guelph is on a journey towards communications excellence¹. In municipal government, communications excellence translates in part to mean ample opportunity for stakeholders to contribute to municipal solutions. Two-way practices—a key component in organizations with communications excellence—open the process and build the organization's capacity, ultimately increasing opportunities for dialogue and for working towards mutually beneficial goals.

As part of this journey, the communications function—and, by extension, the Corporate Communications department—is transitioning from a tactical support function to a highly strategic function that is tied to leading best practices in relationship management.

Figure 1 illustrates the City's Corporate Communications department's focus before 2011, and its intended shift with the adoption of the *City of Guelph Communications Plan*.

Figure 1

Pre 2011 City of Guelph's communications focus	2011 onward City of Guelph's communications focus
1 Communications management	1 Communications management
2 Relationship management	2 Relationship management
3 Reputation management	3 Reputation management

Guelph's communications function is responding and evolving to help the organization meet public calls for input into the decisions that affect them, and for transparency on how decisions are made.

By design, this report is not a balanced scorecard on communications excellence. While that is the intent of future reports, important work to establish key performance indicators (KPIs) and benchmark Plan objectives is still underway. When that work is complete, subsequent performance reports will clearly identify that which is being measured, the City's progress in relation to Plan goals and objectives, and a clear statement of the City's communication targets.

¹ Communications excellence is a phrase coined by the International Association of Business Communicators (IABC) as a result of a study of communications management that measured excellence in 321 organizations in Canada, the U.S., and the U.K. Communications excellence occurs when organizations use communication to manage relationships with their diverse stakeholders to achieve mutual understanding, realize organizational goals and serve the public interest.



Background

The City's award-winning Corporate Communications department is breaking new ground with the *City of Guelph Communications Plan* by taking the organization on a journey towards communications excellence which supports two-way communication and improved stakeholder relations and trust.

The *City of Guelph Communications Plan* addresses stakeholder research that showed City stakeholders expect greater access and input. Indeed, organizations of today need to 'transform' and evolve to be able to effectively respond to this demand, which requires a shift in thinking and behaviour to support two-way relationships. For example, in the most effective organizations, managers carefully consider in advance and consult with others affected and then share the rationale for decisions². The opposite of a top-down approach, two-way communication seeks input that leads to engagement, which increases the organization's ability to meet its goals. Organizations that have positive, mutually satisfactory relationships with its stakeholders experience less resistance from stakeholders because those goals are mutually beneficial.

The *City of Guelph Communications Plan* is an ambitious plan, not only because it calls for systemic changes to the corporate culture, but because it calls for specific efforts to increase public polling, public consultation, use of the R.A.C.E. formula in all communications projects; and the training and coaching of City staff.

² Dozier, Grunig and Grunig, *Communications Excellence Study*.



Reporting on our performance

Designed to gauge performance and drive improvement, performance reporting as it relates to the *City of Guelph Communications Plan* provides a snapshot in time and shows us where we are performing well and where we need to focus resources next.

There are a number of areas where Corporate Communications and the City are on track to meet communications performance targets for this year.

Staff are also responding to a number of emerging corporate priorities which bring with them immediate and ambitious communications deliverables. In this sense, Corporate Communications responds to corporate pressures and opportunities as required to address emerging issues and capitalize on opportunities. The result is that communications work is often more—and sometimes different—from that set out in an implementation schedule.

HIGHLIGHTS OF ACTIONS UNDERWAY TO IMPROVE PERFORMANCE IN PRIORITY AREAS

Important work has been undertaken to address the action items associated with the *City of Guelph Communications Plan*. This work includes:

- The Plan's launch, which involved a cross-functional/multi-level working committee and the Corporate Communications department.
- Development of KPIs tied to the Plan's goals and objectives.
- Design and development of a stakeholder relationship management scale and tool that will be used to gauge the quality and level of stakeholder satisfaction of relationships with the City and the level of shared commitment to goals vis-à-vis a six-point scale. Use of the tool will focus stakeholders and the City on the quality of relationships and provide an opening for discussion and strategies for improvement.
- Rationalization of the Plan's critical path with department's other three areas of focus. Corporate Communications now has a calendar of deliverables and a better sense of the time requirements involved in delivering on that work, compared with the in-house resources available (Service Level Agreement (SLA) development.)
- Delivering on 2011 commitments of the Plan (see actions achieved by Goal, which follows.)



Reporting on our performance

Goal one

IMPROVING THE QUALITY OF INTERNAL COMMUNICATIONS

WHAT ACTIONS ARE WE TAKING?

- Working with the Executive Team to build a communications strategy to enhance relationships between City employees and leadership.
- Working with Ontario industry leader, Acuity Options, to develop a stakeholder relationship management tool that will be used to gauge the quality of City/ stakeholder relationships.
- Met with City leaders to discuss communications needs and service expectations (SLA meetings); SLA reports distributed to all service areas.
- An extension of this work was the creation of a project management tool for Corporate Communications, which staff have used for work planning and to help inform future service-based budgets.
- SLAs are currently under development and will be negotiated with service areas.
- Developed profile for each department/division for use on Infonet in aid of increasing employees' awareness of departmental functions.
- Worked with ASK to ensure portals for employee communications (e.g. bulletin boards) are current and meaningful.
- Providing media monitoring/analysis/archiving service to the organization in aid of understanding stakeholder opinion.



Reporting on our performance

Goal two

IDENTIFYING AND RESPONDING TO ISSUES

WHAT ACTIONS ARE WE TAKING?

- Conducted best practices research.

Most of the work associated with this goal, including the development of an issues management process and response protocol, is scheduled to begin in 2012.

Goal three

SUPPORTING AND ENCOURAGING AN ENGAGED COMMUNITY THAT PARTICIPATES IN THE PUBLIC INVOLVEMENT PROCESS AND RECOGNIZES ITS ROLE IN ADDRESSING ISSUES AND CONTRIBUTING TO MUNICIPAL POLICY AND SOLUTIONS

WHAT ACTIONS ARE WE TAKING?

- Participating in discussions with staff partners in Community & Social Services regarding a Community Engagement Strategy for the City.
- Developed standard method of posting online polls (guelph.ca/survey) as a tool for generating stakeholder input and regularly promoting opportunities to provide feedback.



Reporting on our performance

Goal four

ESTABLISHING AND BUILDING ON MUTUALLY BENEFICIAL, TRUSTWORTHY RELATIONSHIPS WITH STAKEHOLDERS

WHAT ACTIONS ARE WE TAKING?

- Working with Ontario industry leader, Acuity Options, to develop a stakeholder relationship management tool that will be used to gauge the quality of City/ stakeholder relationships.
- Updating the City's media relations policy to reflect emerging opportunities and challenges associated with social media.
- Developing a social media strategy, principles, guidelines and a roll-out plan that includes training.
- Developed social media principles for elected officials.
- Web governance mandate developed and submitted to the Executive Team for endorsement.
- Developing and delivering a coaching program for Web authors. Program focuses on best practices.
- Developed, posted and circulated the City of Guelph's corporate house style manual. The manual is intended as a tool to enhance the consistency of collateral viewed and experienced by the public.



Next steps

Crucial to being able to measure progress on the *City of Guelph Communications Plan* is the establishment of baselines for Plan goals and objectives, and confirmation of KPIs. To this end, work is currently underway to develop a groundbreaking tool to measure baselines associated with the goals of the *City of Guelph Communications Plan*, including stakeholder relationships and stakeholder commitment to overall goal achievement.

The *City of Guelph Communications Plan's* performance measurement efforts will measure:

- Communications quality;
- People and organization readiness; and
- Communications quantity

KPIs for the *City of Guelph Communications Plan* have recently been developed and will be validated. They include:

- 1 Quality of internal communications
- 2 Employee readiness for:
 - a communication and
 - b problem solving
- 3 The number of credible and skilled spokespeople available to represent the organization to stakeholders
- 4 Employees' ability to anticipate and respond to issues
- 5 Public participation in the municipal process
- 6 Quality and quantity of stakeholder feedback
- 7 Quality of City-stakeholder relationships
- 8 Public awareness of City programs and services

Future performance reports will measure progress in relation to the KPIs above.

LOOKING FORWARD

Critical to the Plan's success is leadership support for the Plan and efforts required to build in communications excellence as a way of doing business at the City of Guelph and model the behaviours that support two-way relationships.

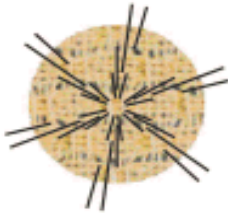
Departments will be required to recognize the requirements and demands associated with the *City of Guelph Communications Plan* and Corporate Communications' need to share focus and resources with this overarching corporate Plan, and balance their departmental requests with this new corporate endeavour. Staff should also comply with the need for use of the R.A.C.E. formula so that the City is focusing efforts and resources on the right communications priorities at the right time.

Simply put, this work requires long-term management support, policies and change management practices in order to support the evolution of the communications function and the corporate culture to support two-way practices and achieve communications excellence.





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Acuity Options

The Excellence Factor

In the ***Excellence Study***, a landmark research project conducted in the 1990s and revisited by various public relations academics over the years, lead investigator Dr. James E. Grunig, was able to conclude that excellent organizations practice communications excellence primarily through a philosophical commitment to two way symmetrical communications.

The project's research team asked a total of 321 organizations in Canada, the United Kingdom and the United States for the "essential attributes" of communications excellence and was able to isolate 20 key characteristics; the most important at the top of the list to the least important at the bottom. The 20 items as listed in Table 1.1 (below) fall into three groups. The top three items, the best indicators of communications excellence, involve departmental expertise in sophisticated communication practices, as reported on the top communicator questionnaire. The next 15 items involve shared expectations about communication, as reported by the top communicator and the CEO. The final two items measure qualities of organizational culture, one of which measures teamwork, shared decision making and common goals, as reported by a sampling of employees in each organization.

Source: Dozier, David A. & Grunig, Larissa A., Managers Guide to Excellence in Pubic Relations

TABLE 1.1

The Communication Excellence Factor

Legend: TC = Top communicator; CEO = CEO (or other dominant coalition member); EMP = Employee

Knowledge Base of Communication Department

Knowledge to play the communication manager role TC

Knowledge to use the two-way symmetrical model TC

Knowledge to use the two-way asymmetrical model TC

Shared Expectations about Communication with Senior Management

Value dominant coalition (senior management) places on communication TC

Support dominant coalition (senior management) gives to communication TC

Contributions of communication department to strategic planning TC

Top communicator reports playing communication manager role TC

Top communicator reports playing senior adviser role TC

Perceived demand for two-way symmetrical practices TC

Perceived demand for two-way asymmetrical practices TC

Support dominant coalition (senior management) gives to communication CEO

Value dominant coalition (senior management) places on communication CEO

Importance of knowledge-communication with external groups CEO

Demand for two-way asymmetrical practices from dominant coalition CEO

Demand for two-way symmetrical practices from dominant coalition CEO

Demand for communication manager role from dominant coalition CEO

Demand for senior adviser role from dominant coalition CEO

Contributions of communication department to strategic planning CEO

Organizational Culture

Support for female employees in the organization* TC

Participative organizational culture EMP

INFORMATION REPORT



TO Governance

SERVICE AREA The Office of the CAO

DATE October 11, 2011

SUBJECT **Guelph Remastered: communications program results**

REPORT NUMBER

SUMMARY

As staff wrap up another busy construction season, and approach the deadline for completing projects using Federal and Provincial Infrastructure Stimulus Funds (ISF), this report highlights the results of the City of Guelph’s communications efforts associated with the unprecedented renewal of Guelph’s underground infrastructure, roads and buildings.

Between September 2009 and March 2011 the City planned and executed Guelph Remastered; a multi-faceted communication campaign designed to:

- Make sure people knew about plans for road construction in 2010
- Prepare residents, businesses and visitors for traffic disruptions in many parts of the city, and help them understand why it was all happening at once
- Help residents understand the importance and the benefits of all this road work
- Encourage people to be loyal to their favourite stores and services during construction

According to research performed as part of the program, the 44-week campaign—which ended on March 31, 2011—was successful in reaching the following goals:

- The majority of residents became aware of the City’s plans for construction in 2010
- Residents came to understand that Guelph was completing about five years worth of work in just 12 months to meet the Federal and Provincial funding deadline
- The campaign had positive effects on people’s perceptions of construction upgrades in general - more than 90 per cent of those polled consider it important for the City to undertake construction projects
- Awareness that shops and services would be open for business during construction increased from 73 per cent to 81 per cent during the campaign

Guelph Remastered garnered attention and praise from surrounding municipalities, and was the subject of recent presentations to the American Public Works Association in Denver, Colorado and a national information technology and communications conference in Ottawa. Guelph Remastered will also be presented during the 2011 Municipal Communications Conference in November. The City of Guelph earned a prestigious Pinnacle Award for the campaign from the Canadian Public Relations Society.

BACKGROUND

Guelph's need for a proactive communication plan to address the City's plans for road construction in 2010 was identified through a combination of quantitative, qualitative and anecdotal research:

- The 2008 Citizen Satisfaction survey conducted by Ipsos Reid found that residents' satisfaction levels with road maintenance were lower than the norm. Findings also stated that improved communications about road maintenance would improve residents' level of satisfaction.
- Frequent feedback from key stakeholders including residents and Guelph's Downtown Business Association indicated that Guelph needed to do a better job of informing the community about construction disruptions.

Using the R.A.C.E. formula (Research, Analysis, Communication, Evaluation) the City's Corporate Communications team worked with DDB Canada to develop a comprehensive communications plan to help residents and businesses in Guelph prepare for and cope with a year of unprecedented road construction, traffic and transit disruptions.

REPORT

Guelph conducted evaluative research to measure the success of the program against its established objectives and to test key message recall. Guelph also used this research to test residents' satisfaction with communication efforts and to evaluate new web and social media tools. A survey conducted by Oracle Poll early in the campaign established a baseline and, in February 2011, Leger Marketing conducted a post-campaign survey.

The following table shows communications program results in relation to program goals.

Results for Guelph Remastered:

Goal	Result
Businesses and stakeholders buy-in to Guelph's communications efforts	Anecdotal feedback from business owners and representatives of the Downtown Business Association commended Guelph's efforts to improve communications about construction disruptions. Sixty stories were submitted in the Tale of a Detour contest; residents actively participated in this element of the campaign.
Employees, residents, businesses and stakeholders have a good to excellent understanding of the construction and its impact to them	78 per cent of residents strongly agreed that the community stands to gain in the long term as a result of construction and its short-term inconveniences. The road construction map was viewed on Guelph Remastered 11,590 times, another 104,671 Google users viewed the map outside of the Guelph Remastered website and another 7,248 people viewed it elsewhere on guelph.ca for a total of 123,509 views.

Employees, residents, businesses and stakeholders know how to access construction disruption information	The Guelph Remastered website received 44,253 unique visits and, during the height of construction, averaged 1,000 visitors a week.
	More than 100 people used the "Report a Problem" form to alert the City to issues, and allowing project managers to address those issues immediately on-site. Guelph responded to 160 comments and questions on the Guelph Remastered website.
	87 drivers subscribed to e-mail updates, and 238 users chose to follow @guelphtraffic on Twitter. For transit updates, 23 people chose e-mail and 283 followed @guelphtransit on Twitter.
	One in five residents sought information from the City, and the majority used the City's website.
Increase awareness of the city's plans for construction in 2010	The post-campaign study revealed awareness of the City's plans for construction increased from 44% to 69% and 71% of residents recalled advertising related to road construction.
	Awareness of the funding deadline also increased from 49% to 78%.
Create an understanding of the disruptions that will affect people as they go about their daily lives	71% of residents recalled advertising related to road construction, nearly half of which specifically recalled the Guelph Remastered brand. Staff believes recall would have been even higher if the post-campaign poll had been conducted immediately following construction.
Create an understanding of the need for the construction projects and their timelines for completion	94% of people polled considered work on roads and sewers very important.
	Most residents, (78%) particularly those who recalled Guelph Remastered (84%), were aware of the March 31 deadline to benefit from Federal and Provincial funding.
Encourage residents to be loyal to their existing stores and services	The campaign increased people's awareness that shops and services were open during construction from 73% to 81%.
	Compared to baseline results, the post-campaign survey shows more residents say their shopping habits didn't change, and fewer said they are visiting less than before construction.

Evaluative research proves that Guelph was successful in reaching its communications goals and objectives for the unprecedented 2010 construction season. The campaign succeeded in increasing people's awareness of Guelph's plans for construction and of the need to complete the work in a short period of time. What's more, Guelph Remastered appears to have had positive effects on public perceptions of construction upgrades in general.

New communications protocols implemented as part of this communications plan continue to be used to inform the community about disruptions to both traffic and transit in Guelph.

CORPORATE STRATEGIC PLAN

- Goal 1 An attractive, well-functioning sustainable city
- Goal 5 A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS - 2010

The budget for Guelph Remastered was funded through the approved 2010 budget and reflected about half of one per cent of the total value of the infrastructure projects as calculated in June 2009.

DEPARTMENTAL CONSULTATION/CONCURRENCE

Guelph Remastered was a success in part due to exceptional cross-departmental collaboration. Corporate Communications, Engineering Services, Traffic Services Guelph Transit, and Corporate Property worked collaboratively during the campaign.

COMMUNICATIONS

A news release regarding the completion of construction projects funded using Federal and Provincial Infrastructure Stimulus funds will be issued on October 31, 2011.

ATTACHMENTS

N/a.

"original signed by Stacey Hare"

Prepared By:

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**The Corporation of the City of Guelph
Governance Committee
Tuesday October 11, 2011, 3:00 p.m.**

A meeting of the Governance Committee was held on Tuesday October 11, 2011 in the Council Chambers at 3:00 p.m.

Present: Mayor Farbridge and Councillors Findlay, Hofland, Laidlaw (arrived at 3:20 p.m.) and Piper (arrived at 3:05 p.m.)

Also Present: Councillors Bell, Dennis, Furfaro and Wettstein

Staff Present: Ann Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate and Human Resources; Mr. Derek McCaughan, Executive Director of Operations & Transit; Ms. C. Clack, Interim Executive Director of Community & Social Services; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the minutes of the Governance Committee meeting held on July 11, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Findlay, Hofland and Mayor Farbridge (3)

VOTING AGAINST: (0)

Carried

Consent Agenda

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

- GOV-2011 A.29 Social Media Principles and Guidelines: A Reference for Elected Officials
- GOV-2011 A.30 Service and Operational Review Plans
- GOV-2011 A.33 City of Guelph Procedural By-law Governing Council and Committee Meetings
- GOV-2011 A.38 Service Excellence Strategy and Standards
- GOV-2011 A.39 Board Appointments – Guelph Non-Profit Housing Board
- GOV-2011 A.40 First Bi-Annual Performance Report: City of Guelph Communications Plan
- GOV-2011 A.41 Guelph Remastered: Communications Program Results

2. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the balance of the Governance Committee October 11, 2011 Consent Agenda, as identified below be adopted:

a) **Corporate Performance Governance**

Ms. A. Pappert
Ms. B. Boisvert

THAT the report "Corporate Performance Governance" be received for additional information on future directions for strengthening performance governance in the corporation.

b) **Quarterly Report**

Mayor Farbridge

THAT the third quarter report of the Governance Committee be received.

c) **Integrity Commissioner, Complaints Process and Council and Local Boards Code of Conduct**

REPORT

THAT a by-law appointing Robert Swayze as the Integrity Commissioner for the City of Guelph and its Local Boards be forwarded to Council for adoption;

AND THAT the Council and Local Boards Code of Conduct be updated and amended to include a complaints process to be followed by the Integrity Commissioner in the form attached to this report.

d) **2012 and January 2013 Council and Committee Meeting Schedule**

REPORT

THAT the 2012 and January 2013 Planning and Regular Council and Committee meeting schedule be approved as outlined on the attached calendar.

e) **Chief Administrative Officer (CAO) By-law Update**

REPORT

THAT the CAO by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer, attached hereto as Appendix "A", be approved and attached as part of the CAO Employment Policies and Procedures.

f) **CAO Employment Policies and Procedures**

REPORT

THAT the revisions to the attached CAO Employment Policy be approved.

VOTING IN FAVOUR: Councillors Findlay, Hofland and Mayor Farbridge (3)

VOTING AGAINST: (0)

Carried

Councillor Piper arrived at 3:05 p.m.

Social Media Principles and Guidelines: A Reference for Elected Officials

REPORT

3. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the report titled, *Social media principles and guidelines; a reference for elected officials*, be received;

AND THAT communications staff in consultation with legal report back on any necessary disclaimers.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Councillor Laidlaw arrived at 3:20 p.m.

Service and Operational Review Plans

REPORT

4. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT financial resource requirements necessary to initiate Council approved review activity be funded in 2011 through the Human Resource gapping Operational Reserve and that the resources be repaid over time through positive year end variance.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

City of Guelph Procedural By-law Governing Council and Committee Meetings

5. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the report from the Acting Clerk dated October 11, 2011 regarding the Procedural By-law be received;

AND THAT a by-law be enacted to approve the Procedures Governing Council and Committee meetings as attached hereto as Appendix "A".

6. Moved in Amendment by Councillor Piper
Seconded by Councillor Laidlaw

THAT clauses 7.5, 9.1(c), 9.2(c), 12.4 of the Procedural by-law be amended by adding the following sentence:

"The Chair in consultation with the Clerk will determine if the matter is in the jurisdiction of the Committee or Council.";

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

7. Moved in Amendment by Councillor Findlay
Seconded by Councillor Piper

THAT Clause 10.6 (b) of the Procedural By-law be amended by adding the word "staff" after the word "Council".

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

8. Moved in Amendment by Councillor Findlay
Seconded by Councillor Hofland

THAT Clause 10.6 (d) be amended by deleting the words: "except when speaking in support of a Motion for reconsideration".

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

9. Moved in Amendment by Councillor Hofland
Seconded by Councillor Findlay

THAT Clause 9.2 (b) be amended by inserting after the words "members of the Standing Committee" the following words "and other members of Council present".

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

REPORT

10. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the report from the Acting Clerk dated October 11, 2011 regarding the Procedural By-law be received;

AND THAT a by-law be enacted to approve the Procedures Governing Council and Committee meetings, as amended.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Service Excellence Strategy and Standards

Ms. A. Pappert
Ms. B. Boisvert

11. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the report entitled "Service Excellence Strategy and Standards" be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Board Appointments – Guelph Non-Profit Housing Board

REPORT

12. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT report #CSS-CESS-1138 dated October 11, 2011, regarding Board Appointments to non-profit housing corporations, be received;

AND THAT a Council member no longer be appointed to the Guelph Non-Profit Housing Board.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

**First Bi-Annual Performance Report: City of Guelph
Communications Plan**

Ms. A. Pappert
Ms. T. Sprigg

13. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the report titled *First bi-annual performance report: City of Guelph Communications Plan* and its appendices be received.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Guelph Remastered: Communications Program Results

Ms. A. Pappert
Mr. T. Sprigg

14. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the report "Guelph Remastered: Communications Program Results" dated October 11, 2011 be received for information.

VOTING IN FAVOUR: Councillors Findlay, Hofland, Laidlaw, Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

The meeting adjourned at 4:25 p.m.

.....
Chairperson