



SUBJECT: Advisory committee review

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Clerks Department

Report Number: CL-17-20

Wards Affected: All

File Numbers: 130-02

Date to Committee: September 17, 2020

Date to Council: September 28, 2020

Recommendation:

Approve in principle the committee definitions, and the assumptions outlined in clerks department report CL-17-20 with respect to advisory committees, to be incorporated in future clerks department policies; and

Disband the Citizen Advisory Committee Review Team, and receive and file the Review Team report dated January 6, 2020 attached as Appendix D to clerks department report CL-17-20; and

Deem the Council resolution, passed on December 17, 2018 with respect to citizen committees, complete.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture

Background and Discussion:

On December 17, 2018 Burlington City Council passed a resolution to change the Council composition on several committees, establish various committees, and to direct staff to conduct an overall review of citizen advisory committees. The Council composition changes to committees were completed in short order. For the remainder

of the motion, staff initiated a multi-pronged engagement campaign on advisory committees to help inform its recommendations to Council.

On November 4, 2019 a report entitled Advisory Committee Review was prepared and circulated, however the report was pulled from the agenda.

On February 25, 2020 a Council workshop was held which allowed the Advisory Committee Review Working Team (Review Team) of volunteer residents to present.

On April 20, 2020 Burlington City Council passed a second resolution regarding the advisory committee review to broaden its scope, by incorporating commemoration, the public appointments process, and specific instruction under the heading new review-based initiatives.

COVID-19 pandemic has played a role in slowing down or delaying this review. During the initial phases of the pandemic significant time was spent on supporting corporate resilience actions, and to modify Clerks department functions to enable virtual Council meetings. The pandemic will slow the progress of the review, staff will provide status updates, however, some of the deliverables will be extended well into 2021.

Staff anticipate that some of the policies described in this report may be presented to the Corporate Services, Strategy, Risk & Accountability Committee (CSSRA) as soon as November 2020. The scope of the review is extensive, therefore an iterative approach is recommended. This will allow Council the time to review and digest policy changes in increments, and to allow for greater public engagement on any of the proposed changes.

Reconciling Resolutions

The December 17, 2018 Council resolution respecting the committee review included several council composition on committees directions that have been completed. One outstanding action that this report completes was an account for what was heard through the public engagement. The following, is an altered version of resolution, to yield what remains as outstanding:

Establish a Waterfront Citizens Advisory Committee, and direct staff to report back with proposed terms of reference by Q2 2019; and

Establish a standalone Transit Advisory Committee, and direct staff to report back with proposed terms of reference by Q2 2019, including cooperation between this committee, the Cycling Advisory Committee and the Integrated Transportation Advisory Committee; and

Establish the Millennial Advisory Committee as a permanent citizen advisory committee of council, and direct staff to consult with members and report back with proposed terms of reference by Q2 2019; and

Direct the City Clerk to report back through the overall review of citizen advisory committees to determine the feasibility of establishing a youth advisory committee to include the age demographic of 16-24 years of age; and

As part of the consultation with members of the Millennial Advisory Committee, consider a name change to ensure that the age demographic of 25-40 will continue to be represented.

The Council resolution passed on April 20, 2020 is attached to this report as Appendix A. Upon review, this resolution encompasses all the above outstanding directions remaining from the December 2018 resolution. There have been a few directional changes with respect to committee reviews to the Waterfront Citizens Advisory Committee, and the Millennial Advisory Committee.

To provide clarity, it is recommended that the December 2018 resolution be deemed complete. Moving forward, staff will concentrate on actioning the April 20, 2020 resolution.

Public Engagement and the Committee Review

During Q1 2019, staff in the Clerks department worked with the internal engagement team to plan and execute an engagement strategy as directed by the December 2018 resolution. The strategy featured a multi-pronged approach aimed at gaining a wide breath of information from across the community.

Surveys

A public survey, hosted on the GetInvolvedBurlington.ca webpage open from April 30, 2019 – through to June 7, 2019 received 385 respondents. The public survey posed questions to determine barriers to participation, advisory committee experience, and asked questions on ways to improve the system. A summary of survey results has been provided as Appendix B.

Advisory Committee Member Survey, a closed link on the GetInvolvedBurlington.ca webpage received 43 respondents. This survey focused on how committees were working from a participant perspective.

A third survey was launched aimed at understanding the perspective from staff who support committees, and it received 24 respondents.

Citizen Action Labs

Three citizen action labs were held in May 2019 with over 100 attendees, the attendees were assigned to various sessions, and then to break out tables. The action labs featured a process in which the break-out tables were tasked to brainstorm ideas and then use innovation tools to filter their ideas to determine the table's top idea. This resulted in 23 action items to improve the current committee system. In addition, each

table provided various tactics as support for their top idea. The result of these action labs was posted to the GetInvolvedBurlington project page and is included as Appendix C to this report. Staff will be using the 23 action items to help inform the review, and to shape future governance pilot programs within the Clerks department.

During the review there was no written correspondence received from the public and no interaction (feedback or questions) on any of the City of Burlington social media channels. The project page received feedback from one resident, who provided two related comments to the advisory committee review, and they have been included as part of Appendix C.

The Review Team, consisting of five community members was assembled in September 2019. The Review Team worked on analyzing the data received from the public engagement held earlier that year, in context of the December 2018 resolution and deliverables. The Review Team then submitted a 25-page report dated January 6, 2020 which featured 10 recommendations, summarized the public feedback, and provided the Review Team's analysis on items arising from the public engagement. The Review Team's report is attached as Appendix D. Two members from the Review Team were able to attend the Council Workshop which occurred on February 25, 2020 and were able to present their report and findings. Staff are recommending that the Review Team's report be formally received into the record. In addition, as the Review Team has completed its mandate, they be disbanded, and formally thanked by the City for their time and contributions. Through the What We Heard section to this report, staff have reviewed and classified feedback received from the engagement and the Review Team's report. In addition, their report will be used as a reference document for staff throughout the balance of the review.

On February 25, 2020 a Council Workshop on the Advisory Committee Review was held. The workshop featured Richard Delaney, who is the lead trainer for IAP2 in Canada (International Association for Public Participation) as well as an engagement specialist. Delaney had conducted a decision makers training with the current Council and therefore had an established working relationship with Delaney's engagement outlook and workshop style. The session also featured a presentation from Delaney proposing establishing an engagement panel to gain feedback on municipal issues. This idea tied in somewhat to some of the Review Team's findings. Council also broke into smaller groups to participate in an appreciative inquiry exercise to determine the elements that contribute to excellent advice. It resulted in determining Council's top "excellent advice" values being; trust, expertise, and outcome focused. As staff work through the review and produce policy these values will be considered.

What We Heard

The Clerks department received a large amount of data through various channels. In reviewing the data, there was scope creep which can account for some of the initial

delay. In addition, the data received will help to assist the Clerks department when fulfilling the April 20, 2020 council resolution deliverables and any future programs or projects. At this time, staff do not anticipate that additional resident feedback will be required to respond to the new items brought forward in the more recent resolution. There will be specific consultation conducted with the advisory committees that have been identified in the “New Review-Based Initiatives” portion of the motion.

Only Connect

Connection was the major theme that stem throughout the feedback. Those who are on advisory committees wanted to understand their role, how their committee fit into the bigger picture, and how their decisions were connected or advanced larger policy or strategy like the Strategic Plan. It was also clear that there needs to be a stronger connection between the work done at the advisory committee level, to standing committees and even Council. Some survey respondents indicated that they did not know of the municipal governance system or the appointment process, and that knowledge gap led to connectivity issues, and served as a barrier to participation.

Classifying the Data

The feedback has been rolled up into larger more general tasks or areas for future exploration. It can be placed into three categories, items that can be actioned immediately, those that will be addressed as part of the advisory committee review, and items that may help influence a potential future state. Future-state items will be placed in a parking-lot, this does not mean they will be forgotten and as the Clerks department embraces continuous improvement the parking lot will be reviewed periodically, with the eye to enhance our resident and stakeholder experience.

Just Do It – Items that can be Actioned Now

Shifting the focus from “citizen” to resident, was a recommendation made several times throughout the various engagement results, the Review Team and at the action labs.

Increasing efforts to attract diverse applicants to apply to serve on committees of Council. Staff agree with the feedback and will work on enhancing its recruitment strategy. (For more information please go to the Assumptions Section.)

Develop an awareness campaign, several respondents indicated that there should be more civic educational items to help orient those new to the community or not plugged in on how to get involved with committees and the overall governance system. Staff can commit to working with communications to build an awareness campaign which may augment as the review develops.

Clerks department will be assuming secretariat duties for all advisory committees of Council, including the Downtown Parking Advisory Committee and the Sustainability Development Advisory Committee. In assuming these duties, the Clerks department will

ensure that all committees are supported to a certain standard and will ensure that all advisory committee members have an equitable experience.

Review the Clerks department web presence to ensure that it is user focused. This work has begun as part of the “three month” post COVID plan, and be completed along with our regular duties and the changes will be iterative in nature.

There was a large focus on providing residents with the means to communicate directly with Council either by way of delegations, presentations and written correspondence. Staff will be bringing amendments to the Procedure By-law to enhance communication between residents and Council in the creation for rules and standards for Council correspondence, and petitions.

Creating opportunities for the advisory committees of Council to meet with members of Council, staff are interested in exploring ways in which this can occur. There may be training opportunities, and recognition events that can foster that connection. Due to COVID-19 in person interactions and group gatherings are limited, however there may be opportunities to conduct online or virtual events.

Through the engagement staff received comments with respect to accountability, transparency directed at the Clerks department and to the city in general. The Clerks department is conducting a review of its current services in a state of good repair and, through the implementation of various policies and Procedure By-law amendments, will reconfirm its commitment to public service and accountability to the public.

Based on the action lab feedback, recommending or suggesting that applicants who did well in the interview process, apply to serve on a subcommittee. This will help to maintain interest and provide an opportunity to experience the committee system and gain exposure to the municipality. This can be incorporated into current appointment practice.

Part of the Review

Staff will be looking at ways in closing the loop with advisory committees, by enhancing training and with aims to include the bigger picture into advisory committees and overall resident engagements that are hosted by the Clerks department. In response to the April 20, 2020 resolution, a review of the current training strategy will be brought back to Council for information purposes.

Several responses spoke to negative interactions between staff, committee members, and council members. Through a new committee policy, definitions will be created. Committee mandate, and role clarity within advisory committees will also be themes that thread throughout the policy, training and committee reference materials. Training will also be held to ensure that all participants have a collective understanding of the terms

and roles and are sufficiently informed to have conversations with each other when ambiguity arises.

A common theme in survey responses was the need to build connectivity between an advisory committee, the standing committee it reports to and Council. Strengthening relations and connectivity between different committees, in order to foster two-way dialogue between a standing committee and its advisory committees will be taken into consideration when building the committee policy.

Through the committee policy, staff will be working on developing a reporting mechanism, either annually or semi-annually to the standing committee to provide an update on the Advisory Committee's actions and highlighting some of the matters addressed at their committee.

In addition, advisory committee workplan information will be sent to the standing committee to be received and filed, for the standing committee to be informed of advisory committee work. Staff will also be looking into the feasibility of providing, by way of information items, approved advisory committee minutes to be received and filed.

Feedback from the staff survey indicated that there should be staff liaisons assigned to all advisory committee as a resource, and this will be investigated for potential inclusion in the committee policy.

Reducing barriers to participation. Throughout the survey there was a general lack of awareness of the public appointment process, this sentiment was echoed by the Review Team. These comments will be reviewed when building the new public appointment policy. The policy will establish diversity, equity and inclusion as primary values, and seek to eliminate any potential barriers to participation.

Building on the action to build an awareness campaign from the previous section, staff will investigate creating a civic education program to be brought forward as part of the review. Civics, especially at the municipal level, is not the main focus in current curriculum, and some residents may not be aware of the opportunities to get involved with municipal government. Staff will work towards developing civic education tools and materials for all types of learners.

Survey respondents and the Review Team indicated their support for continuing advisory committees but also look towards different ways for Council to get the advice they need. Through the review, alternative formats for engagement on Council topics will be reviewed and brought forward.

Parking Lot – For Future Use

Proposed by the Review Team, the use of civic lotteries as a means of recruiting for committees and task forces. It features a random selected process of mailouts to a

randomized list of residents. Respondents to such a random mailing would be selected to be appointed to an advisory committee. At this time, staff will not be actioning this concept. However, the concept or a portion of it may be used as a pilot project to expand the reach for public appointments.

Throughout the survey comments, the term two-way communication was mentioned. Staff will be investigating this concept further. Through the review staff will build some instances to help foster a connection and two-way communication between advisory committees, other committee members, and Council. However, these actions may not fully capture the concept of two-way communication. Further review will be conducted.

Based on the feedback from the action lab, end to end process maps of all public processes was suggested. Mapping processes will be part of how processes are reviewed. Staff will review what is created and consider how this data can be effectively conveyed to the public.

At this time there is no plan to implement CiViC, (Civic Vision Collaboration) as suggested by the Review Team. This concept may return in some form or the roles and responsibilities may be assumed by another body.

Based on the survey responses, a desire for the city to engage earlier in its deliberation processes in order to foster collaboration, co-development, due to the cycle of information there is little opportunity for their feedback to be incorporated. This is a broader question (beyond current scope) that will have to be investigated. It may require several iterations to get closer to this model of engagement on Council and committee items.

Creating an environment where advocacy is fostered, may take some time. There is a benefit to encouraging a healthy advocacy environment, but staff will require time to fully map out how this may be able to occur.

Based on feedback received at the action lab, create a neighbourhood champion program to advocate for local conversations. Completing a program like this may take some time and is outside of the current scope of the review. There have been some pilot projects run by the City of Burlington on a small scale. This work may occur after the review is completed.

Items that Require Clarification

Based on an analysis of the public feedback received, the review will result in the building of a committee policy which will contain a common framework that all advisory committees will be held to. In addition, staff will also be working on a revised public appointment policy, and the two policies will work in concert with one another.

It has been requested that a Council Workshop be scheduled regarding the definitions of each Committee. When the matter was before CSSRA a suggestion was made that

the matter could be dealt with at Committee. Upon reflection, much of the work is administrative and can be done internally with staff. When a finished product is completed it will be issued to the CSSRA for adoption. It is recommended that at that time if there are significant concerns the matter be referred to a Council Workshop. This report has provided some of the larger pieces, that require clarity. In approving these concepts, definitions and assumptions, in principle, will keep the review progressing, and may reduce the need for a Council Workshop.

Adjudicative committees: Quasi-judicial and adjudicative committees are created in accordance with legislation and are in place to conduct hearings to decide on individual cases. Decisions from these bodies are final and are appealable to external bodies. Council does not ratify any of the decisions made by these committees. All voting members are appointed by Council in accordance with the Public Appointment Policy. There are no members of Council on these committees. These meetings will be clerked by municipal staff.

Advisory Committee to Council: Committees created by Council to provide advice on a prescribed mandate as detailed in a terms of reference document. Advisory Committees have a direct reporting relationship with a Standing Committee. All actions and recommendations made by the Advisory Committee must be ratified by Council. All voting members are appointed by Council in accordance with the Public Appointment Policy. At least one Council representative is appointed to each Advisory Committee by Council. These committees may take on public engagement and public education endeavors as outlined in their specific terms of reference and in support of their mandate. Meetings will be clerked by a representative on behalf of the City Clerk.

**** Exceptions will be made for the Mundialization Committee which operates outside of the standard advisory committee context.**

**** Through the policy staff will also provide additional direction with respect to items that can be directional to staff, report through Standing Committee, and those that require formal Council approval.**

Subcommittee to an Advisory Committee: Subcommittees or working groups may be established by an Advisory Committee and authorized by Council with a clear mandate that has a beginning and an end. The subcommittee will report directly to the committee that created it. All recommendations arising from a subcommittee must be reported up through to Council for final ratification. Members may be appointed outside the public appointment policy; however, ratification of appointment is done by advisory committee recommendation through to Council. Subcommittee meetings are not clerked by a representative of the City Clerk.

Task Force: A task force or an Ad-Hoc Committee may be created by Council for a specific purpose which has a clear mandate and a clear beginning and end. This may

require specific appointments with applicable expertise, all appointments must be ratified by Council. When establishing the body, Council may determine how the appointments are filled either by seeking specific experts or by working through the Public Appointment Policy. Meetings for Council approved Task Forces or Ad-hoc committees will have secretariat support provided by the Office of the City Clerk.

Staff Working Group: proposed by staff by way of a staff report and authorized by Council resolution. Must have a clear mandate that has a beginning and an end. Will inform a staff report on the matter that is brought back to Council. Appointments may be made outside the public appointment policy and with the slate of selected appointments reviewed by the City Manager. Staff working group meetings are not clerked by a representative of the City Clerk.

Is there a Place for Advocacy in an Advisory Committee model?

There is a limited capacity within the advisory committee system for individuals to advocate. At committee, all members will have the ability to discuss an item, ask questions of clarification and move an amendment or vote in opposition. However, once a matter has been determined, protocol limits a member's ability to be critical about a decision. In addition, there is no mechanism for dissenting opinions. Some committees may have a public outreach, or public education component, however this should not have an advocacy lens, but to promote committee initiatives and awareness in support of the mandate. All media and spokesperson duties within a committee are funneled through the Chair, and the Chair is to speak to the decision of the committee or body. When making representations at Council or to a standing committee the Chair should have authorization from their committee to be able to represent them.

With larger municipalities, there is an environment of advocacy with non-governmental organizations and incorporated groups that are able to review and provide comment on proposed recommendations and to provide alternative or contrary opinions to Council. Through the review the Clerks department will be looking at ways that can help to foster advocacy or alternative opinions within the community.

In addition, throughout the review and with any new initiative or policy, staff will evaluate to ensure that any potential barriers are addressed. In reducing barriers, will allow for more individuals to have a seat at the table and to lend their voice to the conversation and will foster advocacy. A review of the Procedure By-law yields that there is only a limited prescribed way to communicate to Council which is by delegation. Staff will be proposing amendments to formally permit correspondence and petitions. Should Council approve, staff will build information and resources for the public to understand the process and encourage participation.

Appointment Terms

Based on the results from the public engagement, there were differing opinions on how long a term on an advisory committee should be defined. Many of the current members and those in the general survey did not have a concern with the current three-year term. However, it is interesting to note that two-year terms received a significant amount of support, and that those who did not serve on a committee cited lack of time as the main reason not to get involved. In lowering the commitment to a two-year appointment may help to encourage other community members to apply to serve. Staff have reviewed the findings and would want to include the following in a revised public appointment policy:

Current: Three-year appointments with the ability to serve up to two terms, for a total of six years served on a committee.

Proposed: Two-year appointment terms, with the ability to serve up to three terms for a total of six years served on a committee. For alternates who fill a partial term that time served will not be counted towards the six-year maximum.

Alternative: Two-year appointment terms, with the ability to serve for up to two terms for a total of four years served on a Committee.

Staff are recommend keeping maximum resident time served capped at a maximum of six years served on a committee of Council. In contrast the Review Team, recommended two-year terms, with a maximum of four years served (the alternative). This may result in too much turnover and decrease continuity of operations for Committees.

Public Appointments – Recruitment

Recruitment tactics will not be formally placed in a policy as from time to time the tactics may be required to change. Creating a prescriptive policy may limit how tactics may evolve to adapt to social trends, or changes in demographics. The Clerks department is committed to the process and is accountable to the public and Council, this accountability will be included in the pending public appointment policy.

The Clerks Department is accountable for the recruitment of individuals to serve on the various boards and committees of Council. The Clerks department strives to ensure that all slates of candidates presented to Council is reflective of the diverse communities that we serve.

In addition, the policy will feature language that supports diversity, equity and inclusion in the recruitment process and in the way in which applications are handled throughout the application review process: In addition to the customary communications plan, the Clerks department will initiate a networked approach to promoting opportunities on boards and committees. This means that staff will partner with local community organizations to promote public appointment opportunities, with an emphasis placed on

reaching marginalized and underrepresented communities. Using a networked approach is cost effective way to promote opportunities to participants by leveraging the strength of community-based organizations. In past practice using a networked approach may result in 25% of all applicants learning about the opportunity to serve by word of mouth.

List of Assumptions

The April 20, 2020 resolution is extensive, in order to continue with the review, a check-in on a list of assumptions is required to ensure that the review continues.

Recruitment will be done at the discretion of the City Clerk. Through the upcoming public appointment policy accountabilities within the process will be established.

The Mundialization Committee is a unique committee and there may be exceptions made for its general operation.

The following Committees do not require an extensive review and can be slated for public appointments in the Fall (if required).

Agricultural and Rural Affairs Advisory Committee

Burlington Heritage Advisory Committee

Burlington Accessibility Advisory Committee

Downtown Parking Advisory Committee

Sustainability Development Advisory Committee

Mundialization Committee

The budgets of the advisory committees will be pooled and advisory committees, with the assistance of the Clerks department will be able to apply for funding. Through the development of the committee policy a detailed process will be created. The Mundialization Committee and Downtown Parking Committee will remain out of the pooling of budgets and the budget request process.

Next Steps

Staff will take the direction provided by Council and return with a Committee Policy and a revised Public Appointment Policy. At that time, an update on the rest of the review will be conducted and a workplan will be presented establishing a review timeline.

Strategy/process

Staff have reviewed the April 20, 2020 resolution, the review will be iterative. Foundational pieces are required to be completed, with other deliverables phased through 2020 and a significant portion of 2021. In addition, a high-level workplan will be developed and provided. With COVID-19 there has been a significant delay in actioning

the motion. In addition, the Clerks department is also working through a review of its current services, which will result in state of good repair work on many internal policies and practices which from may take priority.

Options Considered

All options considered have been fully documented through this report. Staff could have recommended amendments to the committee structure, however the public engagement and the work completed needed to be placed in context of the review and it is important to close the loop and classify how the consultation may be implemented. In addition, the review is extensive, therefore an iterative approach is recommended. This will allow Council enough time to review and digest, and to allow for greater public engagement on any proposed changes.

Financial Matters:

Total Financial Impact

At this time there are no financial implications.

Source of Funding

No financial commitments made at this time.

Other Resource Impacts

Several of the recommendations made through the surveys, at the action labs, or by the Review Team also speak to the public engagement in its entirety. Representatives from the Engagement section have been involved in this project from its inception and are aware of the feedback received through the public consultation.

Climate Implications

There are some recommendations that will center around how technology can be used to allow for greater engagement and conversations. Completing more consultation or committee business online may help to reduce the carbon footprint of advisory committee members.

Engagement Matters:

An extensive amount of public engagement has occurred on this subject. A large portion of this report speaks to the public engagement process, and accounts for what has been received, staff's analysis what actions it has informed and classified.

Conclusion:

The advisory committee review will take some time to complete. The committee system will be amended iteratively and generally may look the same. However, there are small ways in which the resident experience can be enhanced. Through working with Council and the public, the Clerks department anticipates that this review will result in some meaningful change that will improve the overall user experience.

Respectfully submitted,

Kevin Arjoon

City Clerk

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Appendices:

- A. Extracts from Council Minutes of December 18, 2018 and April 20, 2020.
- B. Survey Summary – General Public
- C. Action Lab feedback and comments provided via GetinvolvedBurlington.ca
- D. Report from the Citizen Advisory Committee Review Team

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.