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Town of Aurora

Attachment 2

Ad Hoc/Advisory Committees and Local Boards Policy

Corporate Services

Contact: Town Clerk, Legislative Services

Approval Authority: Council

Effective: December 18, 2018

1.0 Purpose

Council for The Corporation of the Town of Aurora is required by provincial legislation to establish certain local boards and committees. Additionally, Council may establish Ad Hoc or Advisory Committees to provide opportunities for members of the public to have input into the decisions of the Town. To ensure effective and efficient operation of all local Boards and Committees this policy establishes:

- (a) The procedures to be followed in establishing Ad Hoc Committees, Advisory Committees and Local Boards (not otherwise required by provincial legislation).
- (b) The procedures for recruiting and appointing members of the public to serve on any Ad Hoc Committees, Advisory Committees and Local Boards, including any Statutory Board or Committee.
- (c) The procedural requirements, not provided for in the Procedure By-law [6228-196068-18](#), as amended, necessary for the effective and efficient operations of an Ad Hoc Committees, Advisory Committees and Local Boards, including any Statutory Board or Committee.

2.0 Application Scope

- 2.1 This Policy applies to all Ad Hoc committees, Advisory Committees and Local Boards established by Council for the Corporation of the Town of Aurora, except for the Aurora Economic Development Corporation Board.
- 2.2 In respect to Statutory Board and Committees, this policy is intended to supplement provincial legislation where applicable to such appointments.
- 2.3 In the event of conflict with provincial legislation, the provisions of the provincial legislation shall prevail.

- 2.4 This policy does not apply to a Compliance Audit Committee established by Council under the provisions of subsection ~~81.1(1)~~8.37 of the *Municipal Elections Act, 1996, S.O. 1996, c.32, Sch, s.1(1)*, as amended.
- 2.5 This policy does not apply to any standing committees comprised of all Council Members.
- 2.6 The Clerk is responsible for interpreting this policy and establishing any forms which may be required by this policy.

3.0 Definitions

In this Policy, the following words have the following meanings:

~~C.A.O.~~CAO

The Chief Administrative Officer appointed by Council, or their designate

Clerk

The Town Clerk, or ~~his or her~~their designate

Council

The Council of The Corporation of the Town of Aurora

Council Members

Includes the Mayor or a Ward Councillor

Director

The person appointed by the ~~C.A.O.~~CAO or Council as head of one of the Town's administrative departments, or ~~his or her~~their designate

Member

A person, including a Council Member, appointed to serve on a Committee established under this policy and may include a Member of Council unless stated otherwise.

Procedure By-law

The Town of Aurora Procedure By-law ~~6068-18228-19~~, as amended, and any successor procedure by-law adopted by Council; and,

Statutory Board or Committee

A committee or local board that Council is required by provincial legislative to establish.

Any term not defined by this policy shall have the same meaning as it does in the Procedure By-law.

4.0 Creation and Disposition of Committees

Ad Hoc Committees

- 4.1 Council may from time to time, by resolution, establish such Ad Hoc Committees as it deems appropriate.
- 4.2 Ad Hoc Committees shall be discontinued by Council resolution when their recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.

Advisory Committees

- 4.3 Council shall by resolution, establish such Advisory Committees as it deems appropriate to provide recommendations to such Directors as it may designate on a specific initiative or matter.

Local Boards

- 4.4 Council may from time to time, by by-law, establish such Local Boards as it deems appropriate to carry out those functions which Council may lawfully authorize such Local Boards to perform, pursuant to the statute authorizing the creation of the Local Boards.
- 4.5 Local Boards shall only be discontinued by Council By-law, provided such Local Boards are not mandated by provincial legislation.

5.0 Terms of Reference

- 5.1 Ad Hoc and Advisory Committees may consider delegations, correspondence, staff reports and matters for discussion in relation to their Terms of Reference in order to provide advice or recommendations, through staff, to General Committee.
- 5.2 Whenever possible, the Terms of Reference for a committee shall be established by Council resolution concurrent with the creation of the Ad Hoc or Advisory Committee. In circumstances where to do so is not possible as a prelude to undertaking any other action, staff may be directed to prepare a proposed Terms of Reference for approval concurrent with the recruitment and first meeting(s) of the Committee.

~~2.1—The Terms of Reference for a Local Board shall be provided in the Council By-law establishing the Local Boards or subsequent amendments thereto within the jurisdiction of Council and in the provincial legislation authorizing creation of the Local Boards.~~

6.0 Terms of Office

- 6.1 A Member, other than Council Members, shall not be considered for reappointment to a Local Board or Committee after having served two (2) consecutive terms on that Local Board or Committee.

- 6.2 A Member may serve any number of consecutive terms on different Local Boards or Committees, subject to section 6.3 of this policy.
- 6.3 A Member, other than Council Members, may not serve on more than one (1) Local Boards or Committees at the same time. Council may choose to appoint a Member, other than Council Members, to more than one (1) committee by resolution, or by approving a Terms of Reference for a Local Board or Committee that specifically includes one (1) or more Members serving on another Local Board or Committee.

Resignation, Withdrawal or Removal from Office

- 6.4 Members may resign from office at any time by submitting a letter of resignation to the Clerk and such resignation shall be effective upon receipt of such letter by the Clerk. Normally resignations are tabled for the information of Council at a subsequent Meeting.
- 6.5 Members may temporarily withdraw from office, upon the consent by resolution of Council, for a period of time not to exceed three (3) months. Such withdrawal shall be effective upon receipt of a notice of withdrawal by the Clerk.

Continuation Where a Member Is Retired

- 6.6 It is intended that all Local Boards and Committees shall have the membership as set forth in the Terms of Reference for that Committee/Board. Where a Member resigns or is removed from office, Council shall determine within two (2) months whether to select a new Member or amend the Terms of Reference respecting the membership of that entity.

Attendance

- 6.7 Members are expected to attend all Meetings. Should an appointee be absent for three (3) consecutive meetings, as reflected in the minutes of the Local Boards and Committees, Council may, with or without a recommendation from the Local Boards and Committees, resolve to remove said Member from office.

Remuneration

- 6.8 Generally, Members who sit on Local Boards and Committees do not receive compensation; however, remuneration may be established at the discretion of Council. If Council decides by resolution to grant remuneration to Members who sit on Local Boards and Committees, the Terms of Reference for that Local Board or Committee shall be amended by the Clerk to reflect the change.

7.0 Membership

- 7.1 The Mayor (or Deputy Mayor when acting in the place ~~and instead~~ of the Mayor) shall be an ex-officio Member of all Ad Hoc and Advisory Committees and Local Boards as may be established from time to time. Ex-officio Member may take part in Committee discussions but may not take part in the vote unless that Member is counted in order to form a quorum.
- 7.2 The Members for each Local Board shall be appointed from time to time by ~~by-law or~~ resolution.
- 7.3 Council shall appoint by resolution all ~~of~~ the Members to its Ad Hoc and Advisory Committees and such persons may be ~~such~~ Council Members, or members of the public as Council determines may be of assistance to its Ad Hoc and Advisory Committees.
- 7.4 Council Members who are not Members shall be entitled to attend all Advisory Committee Meetings, and shall be entitled to speak at a Committee Meeting upon requesting recognition from the Chair, but shall not be entitled to vote. This privilege shall not be extended to any Closed Session portion of the meeting or Statutory Committees or Boards such as the Committee of Adjustment or the Library Board.

Advertising

- 7.5 All vacancies for Local Boards and Committees shall be advertised in the local media and any manner determined by the Clerk.

Application Form

- 7.6 All applications shall be submitted on a form established by the Clerk. Such applications shall be considered public documents however, they will be redacted in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, 1990* (MFIPPA).

Selection Process

- 7.7 After a vacancy has been advertised, the Clerk shall provide Council with all applications received to date in relation to that office.
- 7.8 Where an applicant is clearly disqualified from a particular office by virtue of this Policy or other applicable law, the Clerk is authorized not to provide such applications to Council.
- 7.9 The selection of applicants shall be confirmed in an open Council Meeting. Nonetheless, given that aspects of the selection process may touch upon matters of a personal nature, Council shall review applications for office in a Closed Session Meeting prior to confirming appointments at an open

Council Meeting, once staff confirm that member has accepted the appointment.

- 7.10 In consideration of applications, Council may review any materials it wishes, including the applications, any references, conduct interviews with applicants and/or solicit recommendations from existing Local Boards and Committees.
- 7.11 Applicants will be selected based upon suitability, in the opinion of Council, to perform the tasks required by the office. Council shall avoid making an appointment which would create a conflict of interest or a perception of a conflict of interest relative to the activities of the Local Boards and Committees and the affiliation, profession or occupation of the appointee. Council shall have regard for legislation which may restrict or impinge upon Council's latitude with respect to Local Boards and Committees appointments.

Qualifications

- 7.12 All Members of Local Boards and Committees must at all times during their term of office be a resident within the municipality, or an owner of land within the municipality, or a tenant for the purposes of business tax as shown on the last revised Assessment Rolls for the municipality.
- 7.13 No person who is an "employee" within the meaning of Town Administration Procedure No. 1 may be appointed by Council to Local Boards and Committees. Employees should give consideration, prior to accepting appointments from other bodies empowered to appoint Members to Local Boards and Committees, as to whether a potential for conflict may exist.

Declaration of Office

~~2.2— Upon selection by Council and prior to undertaking any activity associated with the Local Boards and Committees, all appointees shall complete a Authorization Form to Release Personal Information approved by the Clerk. The format of the required documents shall be approved by the Clerk.~~

Training

- 7.14 The Clerk will provide Members of Local Boards and Committees with information or training on their respective roles and duties.

8.0 Chair

- 8.1 The Chair and Vice Chair of the Advisory Committees shall be appointed by a vote of the members at the first meeting and shall have such responsibilities and powers as are provided for the Chair in Procedure By-law, as amended from time to time.
 - 8.1.1 To select a Chair and Vice Chair, the Clerk or other assigned staff person will call on Members two (2) times to move a motion to nominate a Member as Chair, which must be duly seconded. The Committee will vote on the motions in order in which they are made until a majority vote affirms the selection of the Chair.
 - 8.1.2 The Chair and Vice Chair shall be elected at the first meeting of every calendar year for a one-year term.
 - 8.1.3 Citizen members may only serve as Chair and/or Vice Chair for a total of two years of the term of the Committee.
- 8.2 The Chair of each Local Board and the term of the Chair shall be determined by the Members of the Local Board except to the extent that provincial legislation or a Council By-law relating specifically to that Local Board provides otherwise.
- 8.3 In the absence of the Chair and Vice Chair, the Members shall elect one of their Members as Chair for the purposes of that Meeting.
- 8.4 The Chair shall provide leadership and direction to the Committee or Local Board.
- 8.5 The Chair shall direct the affairs of the Committee or Local Board in accordance with the provisions of this Policy, applicable by-laws and procedures of the Town and provincial legislation.
- 8.6 The Chair shall ensure that Committees and Local Boards respect the authority of Council, and shall not permit debate of issues for which Council has made a final determination unless authorized to do so by Council.

9.0 Quorum

- 9.1 A quorum for Ad Hoc and Advisory Committees shall require the attendance of a majority of the Members who may have been appointed.
- 9.2 Except to the extent that provincial legislation or a Council By-law relating specifically to that Local Board provides otherwise, a quorum for the Local Boards shall require the attendance of a majority of the Local Boards Members who may have been appointed.

10.0 Staff Support

- 10.1 The duties of the Staff Liaison to each Ad Hoc or Advisory Committee or Local Board shall be carried out by staff as appointed by the ~~C.A.O.CAO~~ in consultation with the Chair, and each Staff Liaison shall continue under the supervision of their respective Director, if applicable.
- 10.2 The duties of the Committee Coordinator for each Advisory Committee shall be carried out by staff as directed by the Clerk.
- ~~10.3 Where the staff person appointed by the C.A.O.CAO is unavailable, the Committee or Local Board Members shall appoint a person as Secretary for the purposes of that Meeting.~~
- ~~10.4~~10.3 The Committee Coordinator shall prepare an agenda and attachments at the direction of the appropriate Director and shall make such materials available to all Council Members, to the Members, to the ~~C.A.O.CAO~~ and the Clerk.
- ~~10.5~~10.4 The Committee Coordinator shall provide notice of the meeting to the public in accordance with the provisions in Section 15(c) of the Procedure By-law or any other applicable provincial legislation.
- ~~10.6~~10.5 Where materials are provided for the Committee's consideration that were not previously circulated with the agenda and attachments, the Committee Coordinator shall make such materials available to all Council Members, the ~~C.A.O.CAO~~ and the Clerk as soon as is practicable after the Committee Meeting ~~by placing a copy of such materials in the internal mail system of the Town or~~ by electronic mail, and by posting materials on the Town's webpage.
- ~~10.7~~10.6 The duties of Committee Coordinator shall not include circulation of correspondence arising from adoption of the Ad Hoc or Advisory Committee recommendations by Council, since that function will be provided by the Clerk.
- ~~10.8~~10.7 It shall also be open to the ~~C.A.O.CAO~~ to provide the Ad Hoc Committee with staff technical support should the matters to be considered by the Committee require such expertise and, in such cases, the role of the Committee Coordinator may be separated or consolidated with the role of the technical support person.
- ~~10.9~~10.8 The Committee Coordinator of an Ad Hoc Committee or Advisory Committee shall prepare and provide draft minutes of all Committee's Meetings to the Clerk.

~~10.1010.9~~ The Secretary/Committee Coordinator of a Local Board shall prepare minutes of the Local Board's Meetings to be provided for the information of General Committee, if so directed by the Chair of the Local Board, or shall prepare an informal minutes of the Board's Meetings to form part of the files retained by the Town, subject to applicable provincial legislation.

11.0 Open Meetings and Notice of Meetings

- 11.1 The Committee Coordinator shall give notice of all Meetings by ~~making available for pick-up a copy of the Agenda and Attachments to all Council Members, to the Committee Members, to the C.A.O., to the Clerk, and the Agenda shall be posted on the Town website.~~ circulating the agenda and attachments to all Council Members, the Committee Members, the CAO, and the Clerk, and by posting the agenda on the Town website with alternate formats available if requested.
- 11.2 Any Meeting of Ad Hoc and Advisory Committees and Local Boards may be cancelled or rescheduled subject to the approval of the Chair and Staff Liaison, and proper notice of the change shall be circulated to all Members and posted on the Town's website as per the Procedure By-law.
- 11.3 Where a Meeting is called upon with less than twenty-four (24) hours advance notice, it shall be the responsibility of the Chair and the Committee Coordinator to make reasonable efforts to provide notice to those concerned, as per the Procedure By-law.
- 11.4 All Meetings of Ad Hoc and Advisory Committees and Local Boards shall be open to the public, except as provided for in the Procedure By-law, and Committee/Board Members shall observe all provisions respecting Closed Session Meetings in this Policy. Materials supplied for Closed Session consideration must previously have been circulated to all Members of Council, the ~~C.A.O.-CAO~~ and the Clerk, taking due care to ensure the confidentiality of such materials, and the materials shall be collected and/or destroyed at the end of the Closed Session meeting.

12.0 Electronic Participation, Recording, Broadcasting and/or Live Streaming Meetings

- 12.1 Meetings of Ad Hoc and Advisory Committees and Local Boards appointed by Council may be held at the Aurora Town Hall or other accessible Town-owned facility at a time and date established by the Committee at the beginning of the year/term, unless it is in the public interest to temporarily convene a Meeting at another location within the Town of Aurora.

- 12.2 Any member may participate electronically in a Meeting that is open to the public or in Closed Session.
- 12.3 Any Member who is participating electronically in a Meeting shall be counted in determining whether or not a Quorum is present at any point in time during the Meeting, and shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.
- 12.4 Electronic participation in a Meeting shall be conducted by way of electronic means, including, but not limited to, audio teleconference, video teleconference, or by means of the internet, following instructions provided by the Clerk in order to ensure that a Meeting may proceed in the most transparent and successful manner under the current timelines and circumstances.
- 12.5 Meetings of Ad Hoc and Advisory Committees and Local Boards appointed by Council shall be audio and/or visually recorded, broadcast and/or live streamed publicly by the Town, with the exception of Meetings closed to the public provided for in the Closed Session section of the Procedure By-law.
- 12.6 The approved minutes of a Meeting will form the official record of the Meeting. Any audio, video, or other record of the Meeting shall not be considered an official record.

12.013.0 Procedures and Rules of Debate

- ~~12.1~~13.1 Procedures and rules of debate as set out in the Procedure By-law shall apply in the conduct of all Ad Hoc and Advisory Committee Meetings.
- ~~12.2~~13.2 It is intended that the conduct of all Local Board Meetings shall be formal, and the Meeting shall incorporate all statutory requirements in relation to that Local Board.
- ~~12.3~~13.3 The order of business shall include disclosures of interest.
- ~~12.4~~13.4 The Ad Hoc or Advisory Committee shall have authority to hear Delegations and to consider staff reports and correspondence in addition to topics for general discussion within the mandate of the Committee's Terms of Reference.
- ~~12.5~~13.5 Debate on any matter shall proceed formally under the direction of the Chair, and that Committee/Board Members may speak to any issue no more than twice.
- ~~12.6~~13.6 Members shall refrain from criticizing staff or decisions of Council.

~~12.7~~13.7 No vote taken at an Ad Hoc or Advisory Committee Meeting shall be a recorded vote.

~~12.8~~13.8 The Chair shall have authority to determine the conduct of Members in accordance with Section ~~910~~ of the Procedure By-law.

13.014.0 Reporting

~~13.1~~14.1 No discussion or recommendation of an Ad Hoc, Advisory Committee or Local Board shall constitute an act of Council.

~~13.2~~14.2 The Clerk or Committee Coordinator will circulate the draft minutes referred to in section 10.9 of this policy to Members for comment. The Clerk will consider any comments received and prepare final Minutes which will be deemed approved by the Committee.

~~13.3~~14.3 Minutes of all Ad Hoc, Advisory Committee or Local Board meetings, including any recommendations contained therein, shall be provided to General Committee or Council for information purposes only. The receipt of minutes from Ad Hoc Committees, Advisory Committees or Local Board by Council does not constitute endorsement by the Town of any recommendations or actions contained therein.

~~13.4~~14.4 Committees will be asked to provide comments on initiatives that staff intend to bring forward to Council. The comments received during committee meetings will be provided to Council via the Advisory Committee Review section of staff reports.~~All Committee recommendations shall proceed to an Agenda Management Team Meeting where Senior Staff will decide whether the recommendation should proceed to Council to be enacted or whether Council could benefit from a further report from staff before making a decision.~~

~~13.5~~14.5 Where an Ad Hoc, Advisory Committee or Local Board has adopted a recommendation, the ~~C.A.O.~~CAO or Director may reference any such recommendation in ~~his or her~~their reports to General Committee or Council.

14.6 Each Local Board shall report to the entity set forth in its enabling provincial legislation or the Council By-law enacted in relation to that Board.

15.0 References

- Town of Aurora's Procedure By-law, as amended
- Municipal Freedom of Information and Protection of Privacy Act, 1990 (MFIPPA)

16.0 Review Timeline

This policy will be reviewed following each normal Municipal Election, and as required before.