

Corporate Report

REPORT NUMBER 361-2024-City Manager's Office-Office of the City Clerk	
DATE PREPARED	September 12, 2024
	FILE
MEETING DATE	October 21, 2024
SUBJECT	Governance Process Changes – Preliminary Review

RECOMMENDATION

WITH RESPECT to Report 361-2024-City Manager's Office-Office of the City Clerk, we recommend that the Director of Legislative Services & City Clerk be directed to continue the work associated with implementing a new governance process that modifies the Committee of the Whole structure and introduces a Standing Committee structure;

AND THAT a new procedural by-law be brought forward for approval on or before June 30, 2025 to take effect September 1, 2025;

AND THAT Item 2024-009-ADM Direction-Governance Process Changes Preliminary Review be removed from the outstanding list;

AND THAT any necessary by-laws be presented to City Council for ratification.

LINK TO STRATEGIC PLAN

The recommendations outlined in this Report align with priorities in the City's 2023-2027 Strategic Plan "Maamawe, Growing Together":

Growth

- We attract and retain new and diverse businesses and community members.
- Make it easier to access City services.

EXECUTIVE SUMMARY

This report provides an overview of governance processes used by municipalities in Ontario and recommends that the work associated with a change to the governance process for City Council be approved to move forward. A defined governance process passed by By-law is a requirement of legislation under *the Municipal Act, 2001*.

This is the first step in the process to change the way City Council makes decisions. City Council currently utilizes a Committee of the Whole model which means that all 13 elected members sit as 'Committee' and make recommendations to be approved at City Council. In many municipalities in Ontario, a Standing Committee structure is used where an assigned number of elected officials sit on defined committees that make recommendations for approval at City Council meetings.

This report outlines the benefits and challenges with this structure and provides for information about comparator municipalities for council's information. This report seeks council's approval to continue with this work and bring forward a new procedural by-law to enact this change as of September 1, 2025.

DISCUSSION

Requirement of meetings

The *Municipal Act, 2001*, (the "Act") requires that meetings of Municipal Councils are open to the public, unless otherwise closed pursuant to section 239. The location must be set out in the procedural by-law. The procedural by-law must also include the process for the calling of and proceedings associated with the meetings. There are no parameters set within the Act that define the format or structure of those open meetings. A municipal council may choose the structure that best fits their municipality's needs.

Examples of meeting structures include Committee of the Whole, Standing Committees, Advisory Committees and City Council.

Standing Committees – General

What are Standing Committees

- Standing Committees are committees of Council that are focused on a major functional area of municipal operations such as finance, planning, public works or social services.
- Generally, they are composed of fewer than the total members of Council and created entirely at Council's discretion.
- Standing Committees may exercise both executive and legislative responsibilities.
- Similar to how Committee of the Whole functions now, these committees play a crucial role in the decision-making process by reviewing proposed policies and bylaws, conducting research, and making recommendations to City Council.
- There are vast variations in their number and size and their use depends on such factors as the size of Council, the volume of business and administrative structure. Municipal comparators are outlined in the next section.
- In some municipalities, they are policy-advisory only, and do not have any responsibility for overseeing departmental operations.

- As the City of Thunder Bay has delegated oversight of operations to the City Manager through By-law 370-2024, operational matters will be managed under this authority.
- City Council retains all current responsibilities and approvals under the Act and associated by-laws for general governance.
- The Standing Committees would provide a critical oversight, stakeholder input and advisory functions.
- Standing Committees have their own established terms of reference to guide their work.

The proposed Standing Committee structure is outlined later in this report.

Advantages of Standing Committees

The establishment of a standing committee system has been a logical response to the increased workload facing municipal Councils. The use of committees allows members of Council to specialize in certain areas rather than attempting to be experts in everything. Councillors have more time to focus on specific files presented to their respective standing committee.

Smaller committees are able to investigate matters referred to them and then make specific recommendations to City Council. A smaller committee is also viewed as a better forum to provide advice and feedback to administration prior to the presentation of a report and recommendation at City Council. As a result, City Council should be able to deal with items more quickly and with more focussed debate.

Public participation is easily facilitated through the committee system. This structure has been viewed as more informal structure allowing for increased participation from citizens. A larger committee structure may seem intimidating. This structure breaks down barriers and encourages civic involvement. The smaller structure is considered a better forum for those who would like to express their views and concerns. By holding public meetings and consultations, committees can gather feedback from residents and stakeholders, ensuring that their perspectives are taken into account when making decisions that impact the community.

Workload of council has been a challenge with the number of council appointments to Advisory Committees and Local Boards in addition to work with constituents, preparation for City Council and Committee of the Whole meetings, public engagement, Ward and Townhall meetings and special events. A move to a Standing Committee structure would result in less appointments for members of council. This would allow for members of council to focus their work on specific tasks and allow for more time overall which could be dedicated to constituent work should members seek to do so.

Challenges with Standing Committees

If a municipality has too many standing committees, members of Council may become overburdened, defeating the purpose of the streamlined structure. If much of the committee discussion is re-hashed in the next Council meeting, then the time already spent by Councillors may appear to be largely wasted. Alternatively, if committee decisions are expeditiously approved by Council with limited discussion, some Councillors may be unaware of the decisions being made and the reasoning behind those decisions. There needs to be a balance.

The standing committee system can be time-consuming and resource intensive. Councillors and staff members involved in multiple committees may find themselves overwhelmed with meetings and paperwork, leaving less time for other important tasks. Additionally, the committee process can sometimes slow down decision-making, as proposals must go through multiple levels of review before being approved by the full council.

City of Thunder Bay History

Standing committees are not a new structure to the City. Following amalgamation in 1970, standing committees were utilized until approximately 1987 in addition to Committee of the Whole.

From 1970-1978 there were three (3) standing committees:

- Protection of Persons and Property
- Health and Social Services, and
- Recreation and Community Services and Planning.

The standing committees were amended in 1978 and continued until their dissolution in 1987.

- Engineering and Operations
- Community Services, and
- Community Planning and Development.

From 1987 to present day, only the Committee of the Whole structure has been used. Committee of the Whole is currently broken into sections; Infrastructure and Operations, Planning, Community Services and Administrative Services.

Municipal comparators

A review was completed of single-tier municipal comparators with a population of more than 85,000. Included in the review were Guelph, Peterborough, Kingston, London, North Bay, Greater Sudbury, Windsor, Barrie, Hamilton and Brantford.

Table 1 provides information of the four (4) municipalities that continue to use the Committee of the Whole structure. Table 2 provides information of the eight (8)

municipalities that have introduced the standing committee structure. There are also municipalities which have a hybrid structure of both Committee of the Whole and Standing Committees. Information is included in Table 3.

Table 1: Committee of the Whole

Municipality	Composition of Council	Frequency of Committee of the Whole meetings	Frequency of City Council meetings
Guelph	Mayor and 12 Councillors	Every 2 nd week	Every 2 nd week
Peterborough ¹	Mayor and 10 Councillors	Every 2 nd meeting	Every 2 nd meeting

Table 2: Standing Committees

Municipality	Composition of Council	Number of Standing Committees	Composition of Standing Committees	Frequency of Standing Committee meetings	Frequency of City Council meetings
Kingston ²	Mayor and 12 Councillors	4	6 + Mayor as ex-officio	Varies for each committee	2/month
London	Mayor and 14 Councillors	5	5 ³	2/month	2/month
North Bay	Mayor and 10 Councillors	3 ⁴	13	Weekly	2/month
Greater Sudbury	Mayor and 12 Councillors	8	Varies from 5 to 13	Varies for each committee – monthly, quarterly	2/month
Windsor	Mayor and 10 Councillors	3	5	Monthly	2/month

¹ Peterborough has two (2) standing committees for emergency purposes only.

² Kingston uses Committee of the Whole for budget and any other matters they deem necessary.

³ One of London's standing committees includes all members of Council.

⁴ All of North Bay's standing committees include all members of Council.

Table 3: Hybrid – both Committee of the Whole (General Committee) and Standing Committees

Municipality	Composition of Council	Number of Standing Committees	Composition of Standing Committees	Frequency of meetings		
				COW	SC	CC
Barrie	Mayor and 10 Councillors	4	Varies for each committee	Monthly	As required	Bi-weekly
Brantford	Mayor and 10 Councillors	3	Mayor + 5 Councillors	2/month	Monthly	Monthly
Hamilton	Mayor and 15 Councillors	6	Varies for each committee	Monthly	Monthly	1-4/month, varies per PBL

The Municipal Act, Strong Mayors

- Thunder Bay is a strong mayor city.
- The Mayor has the ability under section 284.8 to establish or dissolve committees; appoint chairs and vice-chairs of committees where the majority of members are members of Council; and to assign functions to committees.
- The Mayor may delegate this power to City Council.
- At this time the Mayor has not exercised nor delegated this power.

Standing Committee – Proposal

It is proposed that City Council should consider a new governance structure that would see it move solely from Committee of the Whole to Standing Committees and where necessary, Special Committee of the Whole. There would be requirements for Special Committee of the Whole meetings for larger scale items and Closed Session meetings. Standing Committees would meet on a 6-week cycle interspersed with Committee of the Whole (for Closed Session and Special Meetings) and City Council.

Proposed Weekly Schedule

A move to standing committees has the potential to make council more efficient in their time. The creation of Standing Committees with focus on **Growth, Finance and Administration** and **Quality of Life** are recommended. A scan of reports from administration and community matters identified that all of the relevant work in the last two years would fit into a structure that incorporates the Standing Committees recommended above. Table 4 shows the 6-week rotation of meetings. A full calendar of meetings will be presented in June 2025 with Administration’s recommendation.

Table 4: Proposed 6-week meeting rotation

Week 1	Week 2	Week 3	Week 4	Week 5	Week 6
Standing Committee on Growth	Special Committee of the Whole (Closed Session) & City Council	Standing Committee on Finance and Administration	Special Committee of the Whole (Closed Session) & City Council	Standing Committee on Quality of Life	Special Committee of the Whole (Closed Session) & City Council

Special Committee of the Whole

There would be an ongoing need for a Special Committee of the Whole structure to be in place regardless of a move to Standing Committees. Firstly, to deal with matters of a confidential nature, defined by *the Municipal Act* under section 239. The second would be when there is a file of a significant nature that requires it to be presented to more than one standing committee. An example would be the annual budget or a large-scale development such as the Multi Use Indoor Sports Facility.

There is an advantage to bridging the gap between City Council – Public Meeting (a Public Hearing required under the Planning Act) and City Council proper. The proposed structure would allow for 2 Public Hearings a month if required which would allow administration greater opportunity to bring items forward to City Council and for associated approval under the Planning Act and as per Council’s strategic plan as it relates to growth and development of housing.

Members on Standing Committees

As noted in Table 2 & 3 within this report, standing committee structures do not have all members of council. Should City Council seek to move forward with a Standing Committee structure, the current composition would allow for 4 members of council plus the Mayor to be on each standing committee, 5 members total. This allows for equitable distribution of work.

A current review of council composition is ongoing. Should a change to the composition of City Council occur which results in less members of City Council, an effort would be made to ensure equitable distribution of work. This may result in Standing Committees with varying compositions (i.e. Two committees with 4 members, one committee with 5 members, ensuring all members are appointed to no more than 1 committee).

Current City Council Advisory Committee Structure

City Council currently has 20 advisory committees. Of those committees, four (4) are required by legislation – Accessibility Committee, Community Safety and Well Being, Audit Committee and Compliance Audit. There are also 3 local boards that require council appointed members – Thunder Bay Police Services Board, District of Thunder Bay Social Services Board and Board of Health – which means they are not optional.

Table 5: Number of advisory committees for comparator municipalities

Municipality	Number of Advisory Committees
Guelph	12
Peterborough	10
Kingston	9
London	7
North Bay	5
Greater Sudbury	9
Windsor	18
Barrie	10
Brantford	15
Hamilton	13

The average number of advisory committees for the comparator municipalities is 10. Windsor advisory committees meet quarterly. In 2023, Hamilton paused all but two (2) advisory committees to allow for a full review of their committees.

Should City Council change the governance process, Administration will also review the current advisory committee structure. Administration would make recommendations for either dissolution or a change to the Terms of Reference to support Standing Committees. There is an opportunity for some advisory committees to act in an advisory role to Standing Committees. Included in the mandate for some of the advisory committees in other municipalities is the requirement for them to report directly to a specific Standing Committee. For example, Anti Racism & Equity may remain with an updated terms of reference to act in an advisory capacity to the Standing Committee on Quality of Life. There is also potential for greater efficiency, decreasing the number of advisory committees, saves time for members of council and ensures administrative time is dedicated to ongoing work of the greatest priority for the corporation. This change would not in anyway decrease community involvement, it may provide greater opportunity for engagement outside of an advisory committee by allowing time for public engagement via open forums, focus groups and/or surveys.

Potentials for Greater Efficiency – Consent Agendas

- Most cities with standing committee structures allow for an opportunity for expansion of consent agenda which allows for information reports and other perfunctory matters to be adopted as a group.
- Currently the City of Thunder Bay uses this model in the adoption of by-laws, all by-laws are voted on together at City Council rather than singularly.
- Should a member want to extract an item from a consent agenda, this request would be received and the item discussed separately from the items included in the group.

Public Engagement and Access to Information

- The proceedings of standing committees would be broadcast as per current practice on the city's livestream, Rogers and Tbaytel public channels.
- Deputations would be heard at Standing Committees as per best practice.
- Committee structure would be evaluated, potential for dissolution and alignment with advisory teams to Standing Committees as needed.

So if City Council approves this recommendation, what's next?

- The Director of Legislative Services & City Clerk will work with the Executive Leadership Team and associated staff in the Office of the City Clerk and draft a new procedural by-law for Council's consideration.
- Consultation with Council via small focus groups would take place as part of this work.
- Review of current Advisory Committee structure and consultation with committee members.
- Review of Committee of the Whole (closed session) to determine if the planned meeting rotation is feasible.

Administration will present a first report with a draft procedural by-law for Council's consideration in Q2 2025. The aim will be to launch the new structure of meetings in September 2025, allowing for training of Council and Administration following approval in June.

In the coming months, Administration will present Council a draft calendar of meetings for January to August 2025.

FINANCIAL IMPLICATION

There are no financial implications at this time.

CONCLUSION

It is concluded that continuing the work to build a new structure for a governance process that includes Standing Committees and where necessary Special Committee of the Whole should proceed. A first report with the draft by-law would be brought forward for consideration and approval of a new procedural by-law and repeal of By-law 51/2021 would be required to enact this change.

BACKGROUND

Procedural By-law 51-2021 was adopted by City Council on August 9, 2021 and replaced By-law 128-2012, as amended, which had been in place since November 26, 2012.

Standing committees are not a new structure to the City. Following amalgamation in 1970, standing committees were utilized until approximately 1987 in addition to Committee of the Whole.

From 1987 to present day, only the Committee of the Whole structure has been used. Committee of the Whole is currently broken into sections; Infrastructure and Operations, Planning, Community Services and Administrative Services.

REFERENCE MATERIAL ATTACHED

None.

REPORT PREPARED BY

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REPORT SIGNED AND VERIFIED BY

John Collin, City Manager

Date (10/11/2024)