

A great place to call home
A vibrant downtown



A progressive diversified economy
An appealing attractive city

GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE

January 17, 2008

Council Chambers - 5:15 p.m.

-
- * Disclosure of Pecuniary Interest
 - * Confirmation of minutes – December 6 and 10, 2007

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>CORPORATE VALUES REVIEW</p> <p>Presentation:</p> <ul style="list-style-type: none">• Dave Bush <p>THAT Guelph City Council receive and support the City's Corporate Values: Integrity, Excellence and Wellness;</p> <p>AND THAT Guelph City Council sign a Value declaration document.</p>	Approve
<p>BAKER STREET PARKING LOT REDEVELOPMENT REQUEST FOR PROPOSALS PROCESS</p> <p>THAT staff be directed to proceed with the Baker Street Parking Lot Redevelopment Request for Proposals as outlined in the report of the Downtown Economic Development Manager dated January 17, 2008.</p>	Approve
<p>POLICY FOR COUNCILLOR ATTENDANCE AT CONFERENCES</p> <p>See attached policy.</p>	For Discussion
<p>POLICY FOR DELEGATION OF CAO DUTIES</p> <p>See attached policy.</p>	Approve

<p>IN CAMERA</p> <p>THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:</p> <ul style="list-style-type: none">• personal matters about identifiable individual.	<p>Approve</p>
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OTHER BUSINESS:

NEXT MEETING: February 14, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday December 6, 2007, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday December 6, 2007 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillors Bell, Farrelly and Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. B. Stewart, Acting Director of Finance; Ms. S. Aram, Manager of Budget Services; Mr. M. Humble, Financial Consultant – Community Design & Development Services and Corporate Services; Mrs. L.A. Giles, City Clerk; Ms. J. Sweeney, Council Committee Co-ordinator

There was no disclosure of pecuniary interest.

The Chair advised that the purpose of the meeting was to hear presentations on the proposed 2008 budgets.

The Chief Administrative Officer advised that the purpose of the meeting was to provide an opportunity for the Committee members to ask questions of staff relating to their budgets and suggest changes.

Shelagh Morris, Director of Corporate Services with the Guelph Police Services highlighted the proposed 2008 Guelph Police Services Operating Budget. She advised that the budget addresses legislative requirements for policing and reviewed the budget impacts. She highlighted the reductions made to reach the 3.24% increase over the 2007 operating budget. She also highlighted the proposed capital budget.

The Police Chief provided information relating to the downtown policing /tactical unit.

Norm McLeod, Chief Librarian & Chief Executive Officer of the Guelph Public Library Board advised that the budget as presented meets the City guideline. He outlined the impacts to the budget which include the cost of salaries and benefits. He reviewed the reductions to the budget which enabled them to come within the Council directed guideline. He highlighted their capital budget which includes the continued search for an east end library and the revamping of their oldest branches as of 2009.

Katherine McCracken, Director of Guelph Museums highlighted their proposed 2008 operating budget and the impacts faced this year. She also provided a brief highlight the proposed capital budget and advised that the new Civic Museum project will not move forward until the Federal and Provincial funds have been confirmed.

The Manager of Budget Services highlighted the proposed grants budget.

Dawn Owen and Aidan Ware were present on behalf of the MacDonald Stewart Art Centre and provided information with respect to their request for funding towards the HVAC upgrades.

The Financial Consultant for Community Design & Development Services and Corporate Services highlighted Social Services operating budget, including the funding for Wellington Terrace and the impacts affecting the budget.

- 1. Moved by Councillor Piper
Seconded by Mayor Farbridge

Mr. B. Stewart

THAT the Ontario Drug Benefit program be shown as a separate line item in the Social Services budget.

Carried

The Financial Consultant for Community Design & Development Services and Corporate Services then provided highlights of the, Social Housing, Wellington-Dufferin-Guelph Health Unit, School Safety Patrol and 911 Emergency System budgets and the impacts affecting these budgets. He also outlined the requests received for funding throughout the year which are included in the capital budget relating to Hospice Wellington, Guelph General Hospital and the MacDonald Stewart Art Centre HVAC upgrades.

The meeting adjourned at 7:00 p.m.

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Chairperson

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Monday December 10, 2007, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Monday December 10, 2007 in Committee Room A at 5:15 p.m.

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

Also Present: Councillors Bell and Hofland

Staff Present: Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services 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 & Economic Development Committee meeting held on November 8, 2007 be confirmed as recorded and without being read.

Carried

Report of the Accountability and Transparency Committee

The Chair welcomed Christopher Moes and Rolf Pedersen of the Accountability and Transparency Committee who are in attendance.

2. Moved by Councillor Piper
Seconded by Mayor Farbridge

REPORT

THAT the City of Guelph appoint The Association of Municipalities of Ontario Local Authority Services Limited as the City's Meeting Investigator pursuant to S.239 of the Municipal Act and that the Mayor and City Clerk be authorized to execute the necessary documents.

Carried

3. Moved by Councillor Piper
Seconded by Mayor Farbridge

REPORT

THAT the draft delegation of authority and the accountability and transparency policy be approved as amended, and attached as Schedule A and B, subject to review by Legal Services for compliance with the legislation.

Carried

Full Time / Part Time Councillors

Mrs. L.A. Giles
Ms. L.E. Payne

4. Moved by Councillor Piper
Seconded by Councillor Wettstein

THAT staff be directed to report back to the Governance & Economic Development Committee late in 2008 on a process for reviewing full time / part time Councillors including but not limited to:

- establishment and role of a citizens review committee
- measures to quantify time Councillors spent on City business
- compensation

Carried

Next Meeting:- January 17, 2008

The meeting adjourned at 5:45 p.m.

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Chairperson



TO: Governance and Economic Development Committee

DATE: January 17, 2007

SUBJECT: Corporate Values Review

RECOMMENDATION:

- 1) *That Guelph City Council receive and support the City's Corporate Values; Integrity, Excellence and Wellness.*
- 2) *That Guelph City Council sign a Values declaration document*

BACKGROUND:

Organizational excellence in planning, management, human resources and people practices requires a motivated, focused, and dedicated workforce. To be recognized as a top employer in the community, values are critical in supporting a culture that is focused on talent, commitment and success in achieving organizational objectives and providing excellent service to the citizens of Guelph.

In addition, values are critical in the execution of the City's Human Resource Strategy and in the execution of the City's Strategic Plan, as they;

- reflect the nature of interactions staff have with each other, members of council and with members of the public
- positively impact our reputation as a City, the level of productivity, the level of employee satisfaction, engagement and commitment
- focus employees on a common understanding of workplace culture
- provide clear expectations for behaviour
- encourage employees to share the responsibility to live the values by modelling the necessary behaviours
- challenge employees to hold themselves and others accountable

There is increasing evidence that a positive work environment fosters strong employment relationships, which in turn contributes to an improved quality of work life and organizational performance.

Accordingly, there is a growing awareness among successful organizations that supporting the development of a well workplace, a learning organization, leadership capabilities and business/service excellence within the workplace is an important organizational objective. City Council approved the Human Resource Strategy Framework in November 2007 which confirms the city's commitment to this objective.

Successful organizations that focus on these areas gain the competitive advantages of: increased productivity, decreased absenteeism, improved morale, lowered benefit costs and increased employee retention, using values based human resource strategies.

To be the City that makes a difference requires values to build a culture that aligns positive employee actions to its strategies, structures and systems. Values are the underpinning foundation on which a culture is built. That culture is guided by a defined human resources strategy that accentuates the employment promise to existing and potential staff. A good culture is a strategic marketing tool that can be used to attract, develop and retain good staff. Workplace culture is a key indicator used to assess an organization in the pursuit of top employer status.

At the City of Guelph, employees have agreed upon their values, following an extensive consultation process that involved front line staff and management representatives. The values adopted are called the V.I.E.W.

Values are;

Integrity in our relationships,

Excellence in our service,

Wellness for people.

Appendix A outlines the above values and associated behaviours.

REPORT:

The above corporate values are reflective of a process begun in 1999. At that time, a committee of employees representing all departments developed values for the organization, motivated by the high performance methodology being implemented throughout the organization. The results of this work defined our original values for the organization, listed below.

Original Values:

Innovation: encouraging new ways of thinking in the delivery of our programs and services

Environment: protecting and improving our natural, cultural and architectural resources

Self-Development: investing in the skills and knowledge of our people and providing opportunities for personal and career growth

Trust: keeping commitments and being honest, dependable and truthful

Communication: exchanging effective information in a timely manner using clear and simple language

Respect: treating people fairly and equally

Results from the bi-annual Employee Feedback Survey in February 2006 indicated concern with a lack of demonstration of, and accountability to our corporate values.

As a result, in the fall of 2006 and early 2007 a series of management forums were held to review the results of the employee feedback survey. A group of directors, managers and supervisors volunteered to form the Leadership Advisory Committee. The Leadership Advisory Committee would create an action plan to address these opportunities.

The Action Plan was developed with the following themes:

- **Work life balance** - Change culture to be more focused on work life balance as well as more respectful and aligned to organizational values
- **Clear departmental priorities** - includes being very realistic of the capacity of each department to take on strategic / projects and ensuring an increased emphasis on client service, regulations, operations
- **Technology protocol** - for the organization on use of email, voicemail, blackberries and intranet
- **Service Enhancement** - Create a clear communication and focus on services provided to citizens – focus on enhancing / better focus on services delivered to public

Within the theme area of work life balance, it was decided (through facilitated management forums) that re-affirming our corporate values would be the first step in positioning the organization for future success. This Action Plan (June 4, 2007) was developed by the Leadership Advisory Committee, presented to and adopted by Management Forum participants and the Senior Management Team.

Focus groups were held in May 2007, involving 107 employees, representing all levels and departments within the organization. Randomly selected groups were formed and existing workgroups participated in Values workshops. The focus groups provided feedback on the existing values, ideas for revisions, strategies for communicating and integrating the values.

The Leadership Advisory Committee worked with the Focus Group data, resulting in three values that are defined by behavioural indicators for each. This work was subsequently shared with Focus Group participants for final comment and discussion. The outcome of that process was presented to the Senior Management Team for input.

A branding was developed for the revised values (Our V.I.E.W. - Appendix A), a Communication Plan and Integration Plan (i.e. to reflect how the City's values will be incorporated into human resource programs and services) were approved by the Senior Management Team on September 5th, 2007. A Management Forum held November 21, 2007 provided this information and additional resources to all leaders in the organization, in support of their role for the December 10th launch to all employees. At this forum, the

Senior Management Team signed a document confirming their support and commitment to the V.I.E.W.

CORPORATE STRATEGIC PLAN:

The revised corporate values, known as the City's V.I.E.W., are naturally linked to Goal 5, Strategic Objective 5.6.of the City's Strategic Plan

Goal 5: A community-focused, responsive and accountable government
5.6 Organizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community

FINANCIAL IMPLICATIONS:

Costs associated with the development, implementation and communication of the V.I.E.W. were managed within existing budgets.

Where new costs may be proposed in relation to the integration of the V.I.E.W into human resource programs and services, appropriate submission in the annual budget request process will be made.

DEPARTMENTAL CONSULTATION:

Consultation for the Values Re-affirmation Project was carried out at all levels in the organization, collecting feedback from a variety of sources;

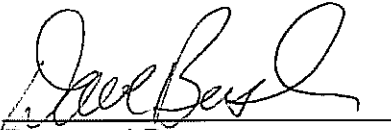
- Employee Feedback Survey 2006
- Management Forums
- Leadership Advisory Committee
- Thirteen Focus Groups consisting of union, non-union and management employees

COMMUNICATIONS:

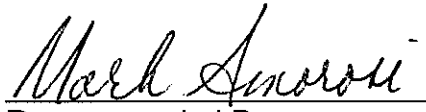
Communication Plan

ATTACHMENTS:

Appendix A: Our V.I.E.W.



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Recommended By:
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Guelph Values 2007

We, the employees of the City of Guelph

Value:

Integrity in our relationships

Excellence in our service

Wellness for our people.

*This is our **View** and we demonstrate it through our behaviours.*

We, the employees of the City of Guelph

Value:

Integrity

To achieve this, we will be:

- Accountable
- Professional
- Honest
- Understanding
- The owners of issues
- Transparent
- Committed
- Trustworthy
- Ethical

Excellence

To achieve this, we will be:

- Innovative
- Leaders
- Strategic
- Efficient
- Fiscally responsible
- Responsive
- Adaptable
- Customer and Service focused
- Effective communicators
- Team focused
- Committed to public service

Wellness

To achieve this, we will:

- Recognize each others contributions
- Encourage development
- Seek life balance (Health/Well Being)
- Interact respectfully
- Commit to a safe environment
- Support each other
- Take pride in what we do
- Be enthusiastic – Have Fun



ECONOMIC DEVELOPMENT AND TOURISM SERVICES

TO: Governance and Economic Development Committee

DATE: January 17, 2008

**SUBJECT: BAKER STREET PARKING LOT REDEVELOPMENT
REQUEST FOR PROPOSALS PROCESS**

RECOMMENDATION:

That staff be directed to proceed with the Baker Street Parking Lot Redevelopment Request for Proposals Process as outlined in the report of the Downtown Economic Development Manager dated January 17, 2008.

BACKGROUND:

At the meeting of Guelph City Council held November 19, 2007 Council directed staff to prepare Terms of Reference for the redevelopment of the Baker Street Parking Lot Site.

These Terms of Reference would include the integration of a new central library, public parking and mixed commercial, office and residential uses. Staff were directed to report back on the content, incentives and implementation plan, costs and budget for a Request for Proposals (RFP) to implement this development.

REPORT:

Principles of the RFP Process:

The objective of the RFP process is to seek proposals from the private sector, and to identify a proponent that has the financial ability and relevant experience to successfully undertake the redevelopment of this property, based on the following principles:

- To provide Guelph with a new Central Public Library facility on a lease back term;
- To provide additional public parking capacity for the downtown on a lease back term;
- To develop additional residential, office and commercial space on the site which achieves the City's intensification goals as well as contributes to the project's viability and mixed-use character;
- To achieve a high level of design for this mixed use development that maximizes the site's potential
- To incorporate active ground floor uses that promote pedestrian activity;
- To achieve building design excellence which complements the adjacent structures and public spaces;
- To design for energy efficiency based on LEED or other standards

Overview of the RFP Process

Staff have reviewed the downtown redevelopment RFP processes conducted by the Cities of Kitchener and Brantford. Based on this review and our discussions with these communities, we are proposing Guelph's process be structured in three phases.

The intent of the **first phase** is to identify and address potential matters pertaining to land use planning policy, infrastructure and engineering, site development and property requirements, which could affect the success of the RFP process. The advice that we have received from other municipalities is to ensure that prior to issuing the RFP documents for responses that there is an excellent understanding of potential redevelopment matters so they are adequately identified and addressed within the RFP documents.

The intent of the **second phase** is to request pre-qualification information from interested developers. Submissions will be evaluated based on:

- Experience in real estate development and construction of similar projects
- Financial ability and resources to deliver on the project
- Credentials in terms of business history, organizational structure and key staff

From this information a short list of qualified developers will be interviewed and selected proponents will be invited to provide detailed redevelopment proposals.

The **third phase** will provide each qualified developer with criteria to be used for the creation of detailed redevelopment proposals and the proposed terms and conditions for their redevelopment plans (including any land use planning matters, financial assistance, etc). This phase will identify a preferred developer for the City to enter into negotiations.

The process has been designed to include the involvement of staff from Economic Development and Tourism Services, Corporate Services, Community Design and Development Services, Community Services, Finance as well as members from the Downtown Coordinating Committee, the Guelph Public Library and the public. It also incorporates milestones for Council's involvement and approval of critical components of the process.

Staff are proposing that the evaluation of submissions be undertaken by a Baker Street RFP Review Committee that will make recommendations to Council at critical steps identified in the project Chart. It should be noted that non City of Guelph members of the committee will need to declare any conflict of interest. This is due to the legal aspects that can arise between the City and developers during the process. It is therefore recommended that any non City staff member of the Baker Street RFP Review Committee that participates in this process be required to enter into a confidentiality agreement with the City of Guelph.

For the purpose of public transparency, staff are also recommending that an independent public ombudsman be retained to monitor and provide a public assessment of the implementation of the process itself, its fairness and accountability, and to assist with the private/public portions of the process. This approach was successfully undertaken with the City of Kitchener's downtown RFP process.

A summary of the proposed Baker Street RFP process, highlighting the activities and timelines as well as the roles of staff, stakeholders, the public and Council is found in Attachment 1 of this report.

Budget:

The total redevelopment project costs will be identified as details are confirmed throughout the RFP process. This would include the allocation of cost and risk between the City and Developer. Initially, the previously approved Downtown Development fund of \$200,000 will be used initially to finance the tasks listed in the attached Schedule 1.

One of the objectives of the process is to minimize the City's initial capital expenditure to construct these public facilities. Should Council choose to fund these projects directly it is estimated that the capital costs would be as follows:

Previous capital estimates for the construction of a new Central Library were about \$20 million (2007) for the library at 65,000 square feet and a 28,000 commercial/ library expansion space. This does not include any parking or associated costs such as furnishings or moving.

The parking structure previously proposed for the Baker Street site attracted proponents who estimated the costs at \$10.5 to \$12 million (2006) for a parking structure designed for public general parking. This was based on a six level structure with about 560 spaces. Any new structure would have to allow for extra parking for library patrons and users of the commercial and residential space.

The associated residential and commercial space planned for this complex would be privately funded and leased or sold.

CORPORATE STRATEGIC PLAN:

- Goal 1: An attractive, well functioning and sustainable city
- Goal 4: A vibrant and valued arts, culture and heritage identity

FINANCIAL IMPLICATIONS:

The anticipated cost to develop the RFP is to be paid from funds that Council approved for the redevelopment of Guelph's downtown in the 2007 budget process.

DEPARTMENTAL CONSULTATION:

- Corporate Services
- Community Design and Development Services
- Finance

MUNICIPAL CONSULTATION:

- City of Brantford
- City of Kitchener

COMMUNICATIONS:

NA

ATTACHMENTS:

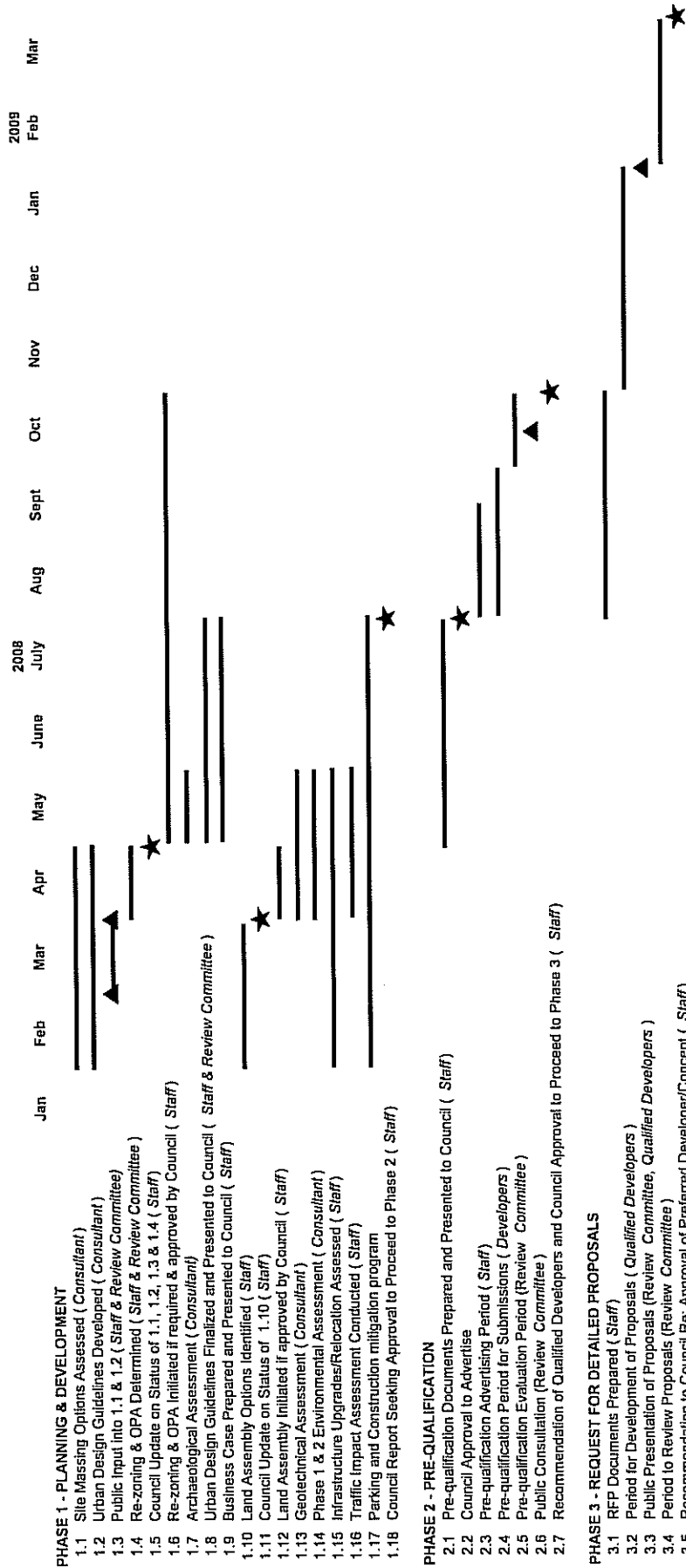
Schedule 1 - Baker Street RFP Implementation Plan



Prepared & Recommended By:
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**Schedule 1 - Report 08-02
Baker Street Redevelopment Request for Proposals Chart**



Legend
 Council Input ★
 Public Input ▲

**CORPORATE
POLICY AND
PROCEDURE**



Tab	Finance
Subject	Members of Council - Travel & Expense Reimbursement

POLICY STATEMENT

Travel and Conference related expenses incurred by Members of Council, while acting as members of Council, are paid by the City.

This policy applies to travel and conference expenses incurred, unless otherwise noted in this policy, by the Mayor and councillors while conducting official City business and performing their duties as Members of Council.

Expenses for goods or services of a personal nature are the responsibility of the individual member of Council and will not be paid by the City.

A Member of Council, who agrees to provide assistance to a local business while travelling on City of Guelph business, should co-ordinate these activities with the Director of Economic Development.

PURPOSE

This policy establishes the types of expenses which will be paid by the City and specific restrictions which apply to those expenses, and identifies those expenses which will not be paid by the City.

This policy establishes the guidelines for attendance at conferences and seminars, as well as participation on trade missions and other trips. Any variance to these guidelines must be approved by the Finance and Administration Committee.

**SEMINARS/
CONFÉRENCES**

A maximum of 2 conferences/seminars per year for each Councillor, within North America are allowed. Funds will be allocated in the annual budget process for seminar and conference attendance.

CORPORATE
POLICY AND
PROCEDURE



POLICY No.

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EFFECTIVE DATE

SUPERSEDES

A maximum of 2 Councillors shall be in attendance at any one conference/seminar with the exception of the FCM and AMO conferences or where a Council member is also a member of the Board or a Committee of the association. If more than 2 Councillors wish to attend a conference/seminar, other than FCM or AMO, Council approval must be obtained.

All related expenses for attendance at conferences and seminars shall be paid in accordance with the policy set out herein.

OTHER TRAVEL,
TRADE SHOWS, ETC.

Attendance at functions sponsored by Council or a Committee of Council, such as trade missions, research trips, competitions, and award presentations, shall not be subject to the number of attendees limitation and are in addition to the 2 conferences/seminars per year. Attendance on a trip of this nature, that is greater than 100 km (60 miles) from the City, must be specifically approved in advance by Council.

All related expenses shall be paid in accordance with the policy set out herein.

ALLOWABLE
EXPENSES

The following specific expenses may be approved for reimbursement. Receipts, if normally provided, are required for all expenses unless otherwise noted.

Expenses incurred by a spouse or companion will not be reimbursed and should be paid separately.

Registration Fees

To be paid in accordance with the schedule established for the function.

Transportation

Transportation costs which would not be incurred otherwise may be reimbursed, including:

CORPORATE POLICY AND PROCEDURE



POLICY No.

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SUPERSEDES

- air, rail, bus fare or automobile at the most cost and time effective rate; e.g. mileage will not be reimbursed if air travel is less expensive.
- parking;
- travel cancellation insurance;
- incidental travel by taxi, subway, bus;
- departure taxes from transportation terminals;
- travel to and from public transportation terminals, provided such transportation is actually used by the traveller;
- toll highway charges;
- expenses incurred when using a personal vehicle for travel to functions located at least 100 km (60 miles) from the City will be reimbursed at the standard car allowance rate established for City staff, currently \$0.41 per km.;
- expenses associated with the use of a rented automobile for travel to and from the function, provided the expense does not exceed the cost of taxi fares for the same purpose (use of the automobile for personal business is not an allowable expense).

Accommodation

If an overnight stay is required, accommodation may be reimbursed at a rate in accordance with the single room rates charged for the function, or the hotel's rate for a standard single room whichever is less.

Reimbursement of accommodation expenses for additional days may be approved. The reason for the approval (i.e. lower air fare, time change) must be documented on the expense claim form.

Meals & Miscellaneous

If an overnight stay is required, meals and miscellaneous expenses which would not be incurred otherwise may be reimbursed on a per diem basis. Meals and miscellaneous expenses will be reimbursed at actual costs upon submission of appropriate receipts. Individuals shall be reimbursed for out of pocket expenses, to a maximum of \$70 per day, at the following rates:

Breakfast	\$15.00
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PROCEDURE



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SUPERSEDES

Lunch \$20.00

Dinner \$35.00

These rates include applicable sales taxes and gratuities. A separate amount is available each day for incidental expenses in addition to the regular meal allowance. Such items would include parking meters, telephone expenses, etc. The current rate is \$10.00 per day. Original receipts should be obtained and submitted for reimbursement. The limits are in Canadian dollars for expenses incurred in Canada or the equivalent foreign currency for travel outside of Canada.

Business
Advancement

Reasonable expenses associated with the entertainment of business contacts, such as business lunches, may be reimbursed when such entertainment is considered to be necessary for the advancement of the interests of the City. The request for reimbursement must include the purpose of the entertainment, and the name(s) of the individual(s) being entertained.

EXTENDED TRAVEL

Members of Council may choose to extend their travel, for business or personal reasons. All costs associated with the extension (including, but not limited to, accommodation, meals, travel) are the responsibility of the councillor and should be paid for separately.

PROCEDURE

Requests for advances or reimbursement of expenses are made using the "Expense Report", available from the Information Services Department. Claims for expenses should be submitted within 30 days of return from the function.

Advance Payments

Any expenses required to be prepaid, such as air travel, conference or convention fees, shall be paid directly to the appropriate organization by the City. The original invoice must be forwarded to the Information Services Department for processing.

CORPORATE POLICY AND PROCEDURE



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SUPERSEDES

Registration for Conferences	Applications, travel arrangements and reimbursements are to be processed through the Information Services Department. Information on specific Councillors attending conferences/seminars will be forwarded on the Green Information Sheet.
Approval	All reimbursements of incidental and travel expenses for councillors must be approved by both the Director of Information Services and the Director of Finance.
Budget	Based on the identified need, a budget allocation will be established and incorporated into the annual operating budget of the City.
DEFINITIONS	
Attendee	Refers to any eligible person who attends a function on City business.
Function	Means an event which takes place on one day, or on consecutive days. Functions may be sponsored by the City or by another organization. A series of classes running a number of weeks is not considered a "function".
City Business	Attendance at a function may be considered attendance on "City Business" if: <ul style="list-style-type: none">• The primary purpose of attending the function is to represent the City, to derive a benefit for the City, or to advance the interests of the City, or• Attendance at the function is required by the City. <p>The decision on whether the attendance at the function constitutes "city business" rests with the approver of the request.</p> <p>Examples of attendance at a function on City business include, but are not limited to:</p> <ul style="list-style-type: none">• Attending a conference, convention or seminar;• Attending a training session or workshop, where such training is necessary for the execution of the attendee's official duties;

**CORPORATE
POLICY AND
PROCEDURE**



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SUPERSEDES

-
- Attending a function for the purpose of accepting or presenting an award on behalf of the City;
 - Attending a function as a guest speaker;
 - Representing the City on a "goodwill basis", either nationally or internationally;
 - Attending association functions where required as a member of the executive, board of directors, or sub-committee on an association in which the City holds a membership.

CORPORATE POLICY AND PROCEDURE



POLICY No.

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REVISION

Tab CITY COUNCIL

Subject Delegation of CAO duties

Related Policies Procedure for hiring the CAO
Procedure for hiring Assistant CAO

Approved by (date)

Review Date Beginning of new term of Council

POLICY STATEMENT Guelph 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 a Director/Member of the Senior Management Team (SMT), 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 the SMT.

**CORPORATE
POLICY AND
PROCEDURE**

POLICY No.

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EFFECTIVE DATE

REVISION

**POLICY
REQUIREMENTS**

Acting CAO

1. Guelph City Council delegates authority to the CAO to appoint an Acting CAO.

Interim CAO

1. Guelph City Council appoints the Interim CAO.

Assistant CAO

2. 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 Report 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 Senior Management Team.
3. Added temporary administrative responsibilities will be assigned by the CAO to a Director/Member of the Senior Management 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.

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday January 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday January 17, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Mayor Farbridge

Absent: Councillor Wettstein

Also Present; Councillors Bell, Farrelly and Hofland

Staff Present: Mr. M. Amorosi, Director of Human Resources; Mr. Peter Cartwright, General Manager of Economic Development & Tourism; Mr. J. Riddell, Director of Community Design & Development Services; Mr. D. Bush, Organizational Development Consultant; Mr. D. Corks, Downtown Economic Development Manager; Mr. J. Stokes, Manager of Realty Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

There was no disclosure of pecuniary interest.

1. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the minutes of the Governance & Economic Development Committee meetings held on December 6 and 10, 2007 be confirmed as recorded and without being read.

Carried

Corporate Values Review

The Director of Human Resources introduced the Corporate Values Review and advised that staff are seeking Council support.

The Organizational Development Consultant provided background information on the Corporate Values. He advised that the process of developing the Corporate Values was employee driven and will be the foundation of the Human Resources Strategy. He further advised that the values reflect Strategic Goal #5. He outlined the corporate integration of the values into the recruitment process, performance development, recognition, customer service and the Human Resources Strategy and Council's role.

2. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT Guelph City Council receive and support the City's Corporate Values: Integrity, Excellence and Wellness;

REPORT

AND THAT Guelph City Council sign a Value declaration document.

Carried

Baker Street Parking Lot Redevelopment Request for Proposals Process

The General Manager of Economic Development & Tourism provided information with respect to the proposed process for the request for proposals for the redevelopment of the Baker Street Parking Lot. He outlined the objectives of the three phases being; the first phase to identify and address potential matters pertaining to land use planning policy, infrastructure and engineering, site development and property requirements; the second phase requests pre-qualification information from interested developments and the basis for their evaluations; and the third phase will provide the qualified developers with the criteria to be used for the creation of their detailed redevelopment proposals which will lead to the identification of the preferred developer.

REPORT

3. Moved by Councillor Piper

Seconded by Councillor Findlay

THAT staff be directed to proceed with the Baker Street Parking Lot Redevelopment Request for Proposals as outlined in the report of the Downtown Economic Development Manager dated January 17, 2008.

Carried

Policy for Councillor Attendance at Conferences

4. Moved by Councillor Piper

Seconded by Mayor Farbridge

THAT the Policy 'Members of Council – Travel & Expense Reimbursement' be referred to staff for review of the following issues;

Mr. B. Stewart
Mrs. L.A. Giles

- what other municipalities allow
- provide for the reimbursement for educational opportunities
- amend the definition section to include a definition for conference being any event, symposium, workshop or seminar that occurs outside the City of Guelph that is longer than one day
- removal of the limitation that only two Councillors may attend a conference at one time
- remove reference to "seminar"
- include reimbursement for expenses for an event within a certain number of kilometers from the City of Guelph.

Carried

Delegation of CAO Duties

5. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:

- personal matters about an identifiable individual.

Carried

The Committee moved in camera at 6:15 p.m.

The Committee had a brief discussion on a personal matter about an identifiable individual.

The Committee reconvened in public session at 6:20 p.m.

6. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the attached Corporate policy delegating CAO duties and the related hiring procedures be approved.

Carried

Councillor Findlay retired from the meeting at 6:22 p.m.

7. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (c) of the Municipal Act with respect to:

- personal matters about an identifiable individual;
- proposed or pending acquisition or disposition of land.

Carried

The remainder of the meeting was held in camera.

The Manager of Realty Services provided an update with respect to a potential acquisition of land.

8. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT staff be given direction with respect to personal matters about identifiable individuals.

Carried

REPORT

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

January 17, 2008

Governance & Economic Development

Page No. 4

The meeting adjourned at 6:35 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE February 14, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

January 17, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>Downtown Community Improvement Plan Process</p> <p>THAT Council receive the Downtown Community Improvement Plan process report prepared by the Downtown Economic Development Manager dated February 14, 2008;</p> <p>AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated February 14, 2008.</p>	Approve
REVIEW OF OUTSTANDING ITEMS BEFORE COMMITTEE	

OTHER BUSINESS

NEXT MEETING

March 13, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday January 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday January 17, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Mayor Farbridge

Absent: Councillor Wettstein

Also Present; Councillors Bell, Farrelly and Hofland

Staff Present: Mr. M. Amorosi, Director of Human Resources; Mr. Peter Cartwright, General Manager of Economic Development & Tourism; Mr. J. Riddell, Director of Community Design & Development Services; Mr. D. Bush, Organizational Development Consultant; Mr. D. Corks, Downtown Economic Development Manager; Mr. J. Stokes, Manager of Realty Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

There was no disclosure of pecuniary interest.

1. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the minutes of the Governance & Economic Development Committee meetings held on December 6 and 10, 2007 be confirmed as recorded and without being read.

Carried

Corporate Values Review

The Director of Human Resources introduced the Corporate Values Review and advised that staff are seeking Council support.

The Organizational Development Consultant provided background information on the Corporate Values. He advised that the process of developing the Corporate Values was employee driven and will be the foundation of the Human Resources Strategy. He further advised that the values reflect Strategic Goal #5. He outlined the corporate integration of the values into the recruitment process, performance development, recognition, customer service and the Human Resources Strategy and Council's role.

2. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT Guelph City Council receive and support the City's Corporate Values: Integrity, Excellence and Wellness;

REPORT

AND THAT Guelph City Council sign a Value declaration document.

Carried

Baker Street Parking Lot Redevelopment Request for Proposals Process

The General Manager of Economic Development & Tourism provided information with respect to the proposed process for the request for proposals for the redevelopment of the Baker Street Parking Lot. He outlined the objectives of the three phases being; the first phase to identify and address potential matters pertaining to land use planning policy, infrastructure and engineering, site development and property requirements; the second phase requests pre-qualification information from interested developments and the basis for their evaluations; and the third phase will provide the qualified developers with the criteria to be used for the creation of their detailed redevelopment proposals which will lead to the identification of the preferred developer.

REPORT

3. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT staff be directed to proceed with the Baker Street Parking Lot Redevelopment Request for Proposals as outlined in the report of the Downtown Economic Development Manager dated January 17, 2008.

Carried

Policy for Councillor Attendance at Conferences

Mr. B. Stewart
Mrs. L.A. Giles

4. Moved by Councillor Piper
Seconded by Mayor Farbridge
THAT the Policy ‘Members of Council – Travel & Expense Reimbursement’ be referred to staff for review of the following issues;
- what other municipalities allow
 - provide for the reimbursement for educational opportunities
 - amend the definition section to include a definition for conference being any event, symposium, workshop or seminar that occurs outside the City of Guelph that is longer than one day
 - removal of the limitation that only two Councillors may attend a conference at one time
 - remove reference to “seminar”
 - include reimbursement for expenses for an event within a certain number of kilometers from the City of Guelph.

Carried

Delegation of CAO Duties

5. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:

- personal matters about an identifiable individual.

Carried

The Committee moved in camera at 6:15 p.m.

The Committee had a brief discussion on a personal matter about an identifiable individual.

The Committee reconvened in public session at 6:20 p.m.

6. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the attached Corporate policy delegating CAO duties and the related hiring procedures be approved.

Carried

Councillor Findlay retired from the meeting at 6:22 p.m.

7. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (c) of the Municipal Act with respect to:

- personal matters about an identifiable individual;
- proposed or pending acquisition or disposition of land.

Carried

The remainder of the meeting was held in camera.

The Manager of Realty Services provided an update with respect to a potential acquisition of land.

8. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT staff be given direction with respect to personal matters about identifiable individuals.

Carried

REPORT

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

January 17, 2008

Governance & Economic Development

Page No. 4

The meeting adjourned at 6:35 p.m.

.....

Chairperson



City of Guelph

Report: 08-01.1

ECONOMIC DEVELOPMENT AND TOURISM SERVICES

TO: Governance and Economic Development Committee

DATE: 2008/02/14

SUBJECT: DOWNTOWN COMMUNITY IMPROVEMENT PLAN PROCESS

RECOMMENDATION:

THAT Council receive the Downtown Community Improvement Plan process report prepared by the Downtown Economic Development Manager dated February 14, 2008

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated February 14, 2008.

SUMMARY:

Community Improvement activities are intended to achieve positive change through both municipally driven incentive based programs. The establishment of a Downtown Community Improvement Plan will provide the strategic framework to assist the implementation of Council priorities as outlined in the City's Strategic Plan, Downtown Action Plan and Official Plan.

A Community Improvement Plan (C.I.P.) will provide Council with the statutory authority to sell, lease or dispose of lands and buildings acquired or held by the municipality for economic development reasons within downtown Guelph. It will also give the ability to provide loans, grants and tax assistance to private owners to assist with rehabilitating lands and buildings.

Staff recommends that a Downtown Community Improvement Plan process, as described in this report be undertaken to give Council broader authority to implement improvements to the Downtown and provide incentives to attract private investment into the Downtown.

REPORT:

The purpose of the C.I.P is to create a favourable business climate, stimulate new investment and encourage the redevelopment and improvement of the downtown through direct municipal investment and incentive programs.

Legislative Authority:

Under Section 28 of the Planning Act, *"Community Improvement" means the "planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary;"*

The Act allows Council to designate a Community Improvement Project Area within a municipality where Council determines that community improvement is desirable *"because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason."*

The Ontario Municipal Act, Section 106 prohibits what is called "bonusing" for any manufacturing business or other industrial or commercial enterprise. This generally prevents the use of financial incentives as a way of attracting development and increasing assessment. However, a Community Improvement Plan would exempt Council from these restrictions and permit financial incentives which otherwise may not be allowed.

The Strategic Plan lays out our vision for the next twenty years and includes the objective of a well functioning sustainable Downtown as a place of community focus and national destination. The Downtown will always be the indicator of how well we manage ourselves and needs to be the showplace for the strong sense of community identity that includes artistic expression, tourism attraction, diverse housing types, local employment, socially active residents, low crime rate and one of the top places to invest. The C.I.P. is one of the tools that will expedite this plan.

The Official Plan has similar goals to promote the Downtown as a vibrant multi-functioning focal area for investment, employment and housing. It envisions the Downtown as the centre for civic, cultural, social and economic activities in a high concentration of land uses exhibiting design standard excellence. It recognizes obstacles to Downtown development due to land assembly, renovation of existing buildings and other costs and anticipates designation of the Downtown as a community improvement area to encourage the renewal, rehabilitation and redevelopment of public and private properties.

The process for adopting a C.I.P. is set out in the Planning Act and includes a full public process. Until recently, final approval of any C.I.P. that involved financial incentives had to be given directly by the Ministry of Municipal Affairs and Housing. However, as a result

of changes to the Planning Act via Bill 51, although the Minister is still the approval authority for CIP's, municipalities are now only required to consult with the Ministry after adoption of the plan by local Council. The basic phases proposed for implementing a C.I.P. for Guelph Downtown are as follows:

Phase 1: Official Plan Policies

The City of Guelph Official Plan policies setting the stage for Community Improvement includes policies and a map schedule outlining specific project area or areas. This is already in place for the Downtown, which is also referred to as the Central Business District. Section 4.7, Community Improvement and Renewal, outlines the objectives and general policies for this work. Section 4.7.3 identifies the Downtown as Priority Area 1 as outlined in Schedule 5 of the plan.

Phase 2: Community Improvement Project Area Designation

With the Official Plan requirements in place, Council, by way of a by-law must designate the Downtown as a Community Improvement Project Area prior to adopting the actual community improvement plan. Staff proposes a designating by-law for consideration by Council at a future meeting.

The criteria for designation are listed in Section 4.7.2 of the Official Plan. Those that apply to the downtown include:

- A significant portion of the buildings are in need of maintenance, rehabilitation or redevelopment
- Public infrastructure, parking facilities, streetscaping and landscaping are inadequate
- There may be conflicting or non-compatible land uses in the area
- Within commercial areas, there is inadequate parking facilities

Upon the designation of a "Community Improvement Area" a community improvement plan can then be prepared. The proposed boundary of this area is shown in the Official Plan as Schedule 5, "Community Improvement Area". A more detailed area plan has been prepared and is attached as Schedule 1, "Proposed Downtown Community Improvement Plan Area".

Phase 3: Study and Public Process leading to a Community Improvement Plan

Public involvement is critical for building consensus and garnering community support and understanding of this process. The Downtown Guelph Business Association, Downtown Coordinating Committee as well as the general public by way of open houses and public meetings will be advised of the process, justification and purpose of the work.

As part of the study, the need for specific public investment and programs to overcome existing obstacles specific to Downtown private sector investment will be laid out.

The approval of a C.I.P. gives Council broad authority within the area including the ability to plan, redevelop and improve land as may be appropriate. To expedite these improvements, the following tools and incentives may be used:

- The ability of Council to buy, sell, hold or dispose of land for economic development purposes
- Proportional tax rebates associated with building improvements
- Waiving or granting back of City fees associated with development
- Funding of feasibility studies for conversions, environmental site assessment and remediation, rehabilitation
- Funding for studies related to the provision of energy efficient buildings or facilities.

Phase 4: Possible future amendments to the C.I.P. to provide direct financial incentives to downtown businesses

With a C.I.P. in place, one of the powers granted to the municipality is the ability to set out a program of private sector financial incentives within the community improvement project area as defined under a by-law. The intent is to attract investment, increase the employee and residential population downtown and demonstrate the commitment of City Council to a healthy downtown. It will help facilitate and encourage community change in a coordinated manner.

Implementation of a grant/loan program to provide seed funding to commercial businesses could include:

- Grants or loans for façade improvements
- Residential conversion grants for targeted upper floor space
- Code compliance improvements such as accessibility and fire regulations

Growth Management Strategy Implementation

Official Plan and by-law amendments to implement objectives resulting from the Places to Grow and the Local Growth Management Plan for Guelph are anticipated. Many of these programs will support sustainable planning principles relating to more compact land uses, intensification, mixed uses, proximity of residential uses to employment areas, restoration and reuse of vacant or underused buildings as well as strategies that integrate and link built forms with open spaces.

Under Places to Grow, Guelph's Downtown area has been identified as an Urban Growth Center which is intended to be a focal area for investment in institutional and region – wide public services as well as commercial, recreational, cultural and entertainment uses.

The Ministry of Public Infrastructure Renewal, in consultation with respective municipalities, will determine the approximate size and location of the Urban Growth Centres. Staff are reviewing the existing Downtown boundaries in the context of the Growth Management Strategy and may consider a change in its boundaries. As such, staff also will review the implications for Downtown Community Improvement, its boundaries and additional development incentives to implement the Growth Plan as it would pertain to Guelph.

Authority granted to Council under a Community Improvement Plan will become a major factor in attracting new employment and residents to the currently built up areas of the City. It will help overcome the financial and administration roadblocks typically associated with re-urbanization and become a tool for making sure our growth targets can be met.

Downtown Community Improvement Plan Process

<p>Phase 1 Official Plan policies giving legal authority to implement a Community Improvement Project Area and Plans</p>	<p>Section 4.7 of the Official Plan Adopted in 2001</p>	<p>In place</p>	
<p>Phase 2 Community Improvement Project Area By-law designating the Downtown as a C.I.P. Area</p>	<p>Spring 2008</p>		<p>Council Adoption required by by-law</p>
<p>Phase 3 Adoption of Community Improvement Plan By-law adopting a C.I.P specific to the downtown based on established need</p>	<p>Spring 2008</p>	<p>Study and Public Process needs to be complete as outlined</p>	<p>Council Adoption required by by-law</p>
<p>Phase 4 Program to provide direct financial incentives to downtown businesses</p>	<p>Spring 2009</p>	<p>Staffing resources need to be in place</p>	<p>Council Adoption required for amendment to the C.I.P.</p>
<p>Growth Management Strategy Implementation Revised C.I.P. by-law for Downtown Guelph as redefined by GMS initiatives</p>	<p>2010 to follow 2009 Official Plan adoption of Growth Management Strategy</p>	<p>Comprehensive Official Plan process to be completed</p>	<p>Council Adoption required for O.P.A. and amendment to the C.I.P.</p>

CORPORATE STRATEGIC PLAN:

Goal 1: An attractive, well functioning and sustainable city
Goal 4: A vibrant and valued arts, culture and heritage identity

FINANCIAL IMPLICATIONS:

Phase 3: Council has greater authority to buy, hold and sell land
Phase 4: Implementation of direct Financial Incentives to downtown businesses, to be presented to Council:

CONSULTATION:

The following public service areas have been consulted and provided input into this report:

- Downtown Coordinating Committee
- Downtown Guelph Business Association
- CDDS Planning
- Legal Services
- Finance
- Heritage Guelph
- Building Services

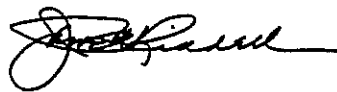
ATTACHMENTS:

Schedule 1 – Downtown Guelph Community Improvement Plan Area

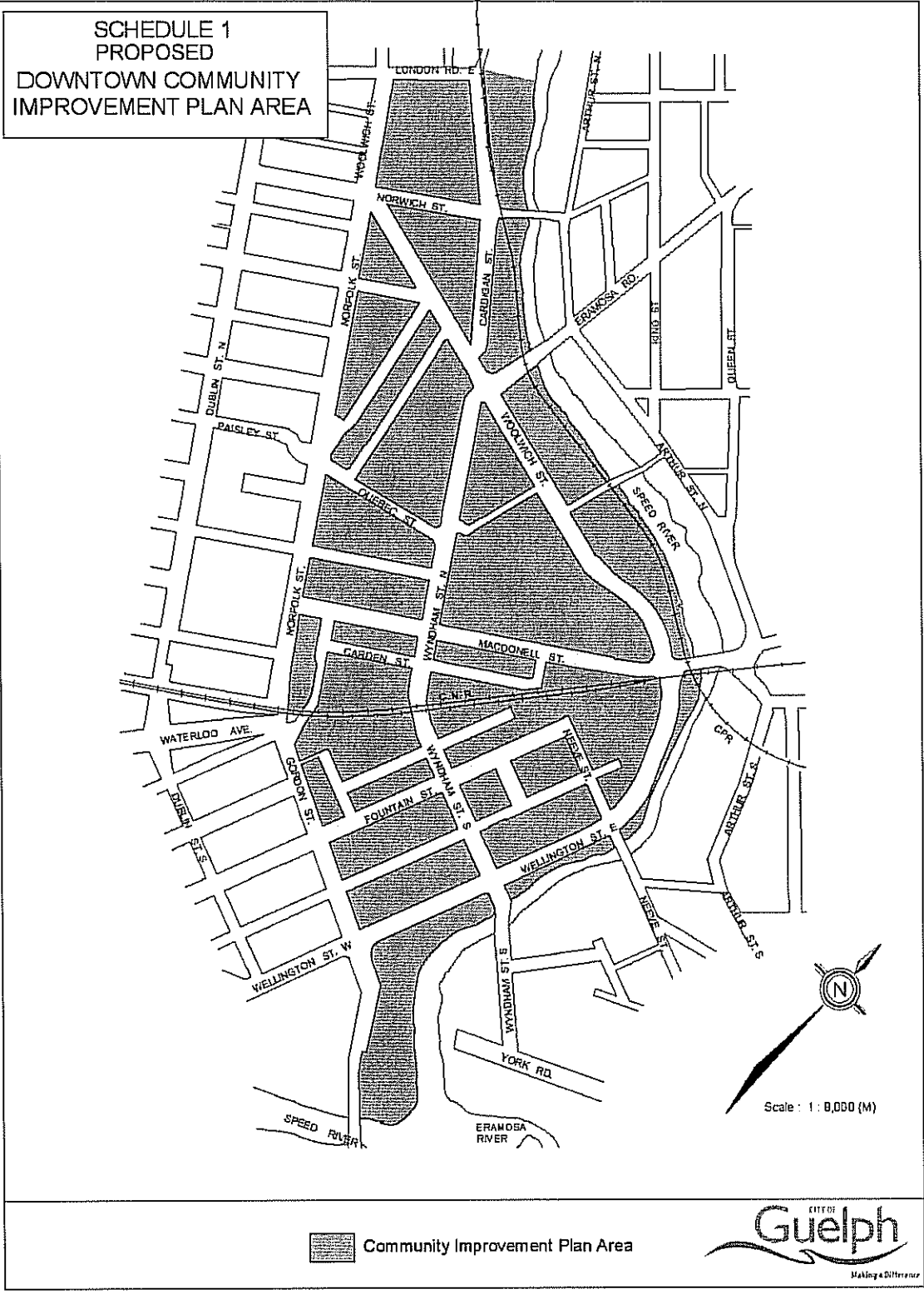


Prepared & Recommended By:
David Corks
Downtown Economic Development Manager
519 822.1260 x2831
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Recommended By:
Peter Cartwright
General Manager of Economic Development
and Tourism
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Recommended By:
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Director
Community Design and Development Services
519 837.5616 x2361
jim.riddell@guelph.ca



**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday February 14, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Wettstein

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. Corks, Downtown Economic Development Manager; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on January 17, 2008 be confirmed as recorded and without being read.

Carried

Downtown Community Improvement Plan Process

The Downtown Economic Development Manger highlighted the report with respect to the Downtown Community Improvement Plan Process which would give Council broader authority to implement improvements to the downtown and provide incentives to attract private investment into the downtown.

2. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the Downtown Community Improvement Plan Process report prepared by the Downtown Economic Development Manager dated February 14, 2008 be received;

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated February 14, 2008.

Carried

The Committee reviewed the outstanding matters.

REPORT

3. Moved by Councillor Wettstein
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (e) of the Municipal Act with respect to:

- litigation or potential litigation.

Carried

The remainder of the meeting was held in closed session.

The Chair and the Director of Corporate Services/City Solicitor provided an update with respect to a potential litigation matter.

The meeting adjourned at 6:00 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE March 13, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

February 14, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>COUNCIL LEADERSHIP DEVELOPMENT TRAINING</p> <p>THAT the information report from the Director of Human Resources concerning leadership development training for Members of Council be received.</p>	Receive
<p>WILSON STREET PARKING STRUCTURE</p> <p>THAT the Wilson Street Parking Structure Report of the Downtown Economic Development Manager dated March 13, 2008, be received;</p> <p>AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated March 13, 2008;</p> <p>AND THAT a Parking capital project be created for a Wilson Street Parking Structure with a budget of \$400,000 funded by the Parking Capital Reserve;</p> <p>AND THAT the Wilson Street Parking Structure conceptual design, project cost estimate, financial model and construction mitigation</p>	Approve

<p>plan for the construction period be brought to Council for approval prior to detailed design and construction.</p>	
<p>IN CAMERA</p> <p>THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to section 239 (2) (a) of the Municipal Act with respect to:</p> <ul style="list-style-type: none"> • security of the property of the City. 	<p>Approve</p>

OTHER BUSINESS

NEXT MEETING

April 17, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday February 14, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Wettstein

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. Corks, Downtown Economic Development Manager; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on January 17, 2008 be confirmed as recorded and without being read.

Carried

Downtown Community Improvement Plan Process

The Downtown Economic Development Manger highlighted the report with respect to the Downtown Community Improvement Plan Process which would give Council broader authority to implement improvements to the downtown and provide incentives to attract private investment into the downtown.

2. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the Downtown Community Improvement Plan Process report prepared by the Downtown Economic Development Manager dated February 14, 2008 be received;

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated February 14, 2008.

Carried

The Committee reviewed the outstanding matters.

REPORT

February 14, 2008

Governance & Economic Development

Page No. 2

3. Moved by Councillor Wettstein
Seconded by Councillor Piper

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (e) of the Municipal Act with respect to:

- litigation or potential litigation.

Carried

The remainder of the meeting was held in closed session.

The Chair and the Director of Corporate Services/City Solicitor provided an update with respect to a potential litigation matter.

The meeting adjourned at 6:00 p.m.

.....
Chairperson

TO Governance and Economic Development Committee

SERVICE AREA Human Resources
DATE March 13, 2008

SUBJECT Council Leadership Development Training
REPORT NUMBER

RECOMMENDATION

That the information report from the Director, Human Resources concerning leadership development training for Members of Council be received.

BACKGROUND

A leadership development training program is being proposed for Members of Council. The Director of Human Resources was requested to investigate options to provide Members of Council leadership development training that would be aligned and focused on the City's Strategic Plan, Council's recently passed priorities and the pillars of governance outlined in the Mayor's Annual Address.

An external consultant has provided a proposal that would address these areas. The Mayor and Committee Chairs have reviewed the training proposal and feel that Council would benefit from leadership development training, which is customized to reflect the challenges and opportunities for Council to deliver on its mandate.

REPORT

City Council members are part of the leadership of the City. Given their role and mandate, it is important and beneficial for Members of Council to engage in ongoing professional development and training that focuses on competency and skill based enhancement.

Council has identified the Human Resource Strategy as one of the City's priorities. Leadership and Learning have been identified as two of the pillars of the proposed Strategy, which is currently under development.

In addition, in January 2008, Council endorsed the City's Values – Integrity, Excellence and Wellness. Leadership training provides a basis upon which excellence in service can be provided.

The Leadership Development training that is being proposed will afford Council and opportunity to deepen their view and practice of leadership, more effectively discharge their governance role and provide the necessary decision-making framework to enable Council to focus on the Strategic Plan and priorities already established, consistent with the City's values.

Pickard & Laws Consulting Group Inc. has proposed a seven module training program, to be delivered during the balance of the current council term. The consultant will create an integrated series of sessions or 'workshops' based on best practices in leadership development, customized to reflect the issues currently faced by Council.

Each session will be three hours in length, will involve some pre-work prior to each session, and will be comprised of learning objectives, leadership concepts, readings, self-assessment tools and reference materials.

Pickard & Laws have been in existence since 1991 providing customized leadership development training to a variety of public and private sector clients and are well suited to deliver this type of training. In particular the firm has demonstrated experience working with a number of municipal councils on governance, and leadership development training.

CORPORATE STRATEGIC PLAN

The proposed leadership development training is consistent with the City's Strategic Plan, Goal 5, Objective 5.6 – "Organizational excellence in planning, management, human resources and people practices."

FINANCIAL IMPLICATIONS

The estimated cost to design and implement each module is \$5,000 plus G.S.T.
Total cost therefore is expected to be \$35,000 plus G.S.T. from 2008-2010. Funding for this expenditure would be allocated to the Council training budget.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

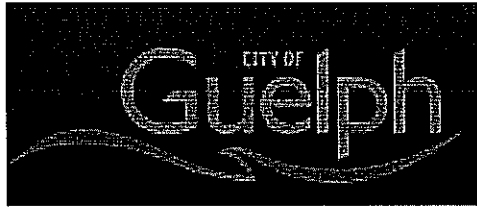
ATTACHMENTS

Attachment - Council Leadership Development: A Proposal

Prepared & Recommended By:



Mark Amorosi
Director, Human Resources
519-822-1260 X2281
mark.amorosi@guelph.ca



***Council Leadership
Development:
A Proposal***

January 30, 2008



Prepared by:

**Linda E. Pickard
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I. Council Requirements

- The completion of an updated community-driven strategic plan in 2007 (“The city that makes a difference”) has set the stage for raising the bar on Council leadership. The highly inclusive strategic thinking process modeled the right way to outline the road ahead. By its nature, the collaboration by Council, staff and the community in envisioning the future increased implementation expectations on all fronts. The community wants to lead and truly make a difference not only in North America but in the world. It looks to Council as a strong partner in the process. This is a tall order for Council and one which it embraces enthusiastically.
- Council knows that “getting there” will be no easy task. First and foremost, Council recognizes that its ability to govern as a cohesive and informed “team” will be essential. That there are nine new members underscores the urgency for Council to be deliberate in building its team effectiveness. While Council is progressing well as a team, it remains open to learning more and raising its performance.
- The centrality of values for good governance (and, by association, strong teamwork) is being embraced and explored by Council as part of its leadership “continuous development”. A decision making approach that demonstrates a spirit of openness, transparency and accountability is an intention of Council. The establishment of the Accountability and Transparency Committee and electronic voting at Council meetings are two recent examples. Council wishes to fast track this intention about values as part of meeting the community’s “big” expectations for making a difference.
- This Council “culture-building” is a pre-requisite to leading the way effectively for each of the six ambitious goals and strategic objectives. In turn, Council will, by its example, deepen the capacity of the City of Guelph to “walk the talk” on embracing values that enable community-building. That is, Council and the community as a whole will foster leadership and collective actions that value integrity, excellence and wellness. These values (“V.I.E.W.”) were adopted formally by Council on January 28th.
- Currently, Council has no coherent leadership framework for enacting these values. Its approach is “ad hoc” and, at times, scattered and fragmented. Council understands that its leadership is “a work in progress”. It also acknowledges that some coaching in leadership best practices would accelerate both individual Councillor and Council development and effectiveness.
- Mayor Karen Farbridge believes that a specially-designed Council leadership development “program” specific to Council’s governance challenges will shed light on a leadership framework. To deepen Council’s view and practice of leadership, it is proposed that Council participate in a series of 3-hour evening “hands-on”, interactive workshops spread out over 2 years with a small amount of pre-work prior to each module. The topics will directly pertain to Council’s role. The experience will enable Council to grow a unique and effective leadership culture and style. Each workshop will yield immediate benefits to Council in its teamwork, decision making and capability at supporting a stronger “character community”.

II. Approach to Leadership Development

Pickard & Laws will create an integrated series of workshops for Council leadership development based on current best practices in the field. Our 2007 research for McMaster University on the topic of leadership development among top 50 firms in Canada and universities around the world, including our own experience, will form the back bone of the program design.

While championing the V.I.E.W. attributes throughout the program, we will include in the design of each workshop four fundamental principles for “making learning stick”:

- **Principle 1:** Start from each Councillor’s pre-existing understanding of the topic and provide opportunities to challenge or build on that understanding.
 - **Our design techniques related to the principle:** self-assessment tools, pre- and post tests, action learning—simulations, team and small group challenges, various interactive activities.

- **Principle 2:** Develop Council leadership competence through deep understanding of facts and ideas that are organized into easy to remember frameworks.
 - **Our design techniques:** introduce and reinforce a core set of interconnected concepts and topics over a set of interlinked modules. Provide numerous opportunities to practice the new concepts and practices. Provide current and classical online readings from a range of publications and video clips, relevant to Council interests, for discussion and reference at each module.

- **Principle 3:** Each Councillor monitor own understanding and progress (have an “internal dialogue”).
 - **Our design techniques:** include opportunities for self-reflection, peer feedback and feedback from other valued colleagues. Teach Council members the technique of “deliberate practice” used by elite athletes, artists, musicians, and scientists or anyone who aspires to be at the top of his/her field. Demonstrate how to unlock old and lock in new habits (“Pebbles in a Bowl” technique).

- **Principle 4:** Learn within the culture and community where the new knowledge is to be applied and, at the same time, build a community or network of learners.
 - **Our design techniques:** Council members will learn and grow together over approximately 24 months. Within a highly interactive format, Councillors will share and build on their existing expertise, debate conventional wisdom and take turns at leading portions of each workshop. By sharing the same challenges and addressing their solutions together, Councillors will become mentors and coaches of each other. Because the underlying leadership concepts and practices will be introduced and explored in small “chunks”, Councillors will have time to “test out” and practice their newly acquired concepts and skills “on the job”. Subsequent modules/workshops will enable Councillors to reflect on their “in the field” experiences and further refine their norms and leadership practices.

- In summary, our approach to leadership development for Council will parallel how adults in general and each Councillor in particular learns. We draw on a cross-section of domains in the program design and application such as creative cities and communities, engaging and developing sustainable communities, improv, teamwork, brain science, social psychology, anthropology and learning science. We start from the assumption that everyone can become a stronger leader. While some have natural gifts, the majority require focused coaching to bring to life untapped and “raw” capabilities.

III. Proposed Leadership Development Program

We propose an interconnected seven module customized program for Council to be taken over 2008 and 2009 about every three months, with the exception of the summers. Logistically, the program will be organized as follows:

- The Mayor, the Chairs of the four standing committees and the HR Director will comprise the “Planning Team” along with Linda Pickard from Pickard & Laws. The Planning Team will collaborate before and after each module in design, purpose, goals and content of the subsequent module;
- Each module will be three hours in length and will be scheduled in the evening.
- Each Councillor will be required to complete a small amount of pre-work, such as an online self-assessment tool and three online readings.
- In-between modules, Councillors will identify and deliberately practice a leadership skill to “polish and sharpen” it;
- A password-protected website linked to <http://www.myleadership.com> (owned by Pickard & Laws) will be created for Council to access its readings, etc. This will be similar to the set up that exists now for most university courses;
- These capsule descriptions will guide the planning for each three hour session. In consultation with the Planning Team, the modules will be fine-tuned and enhanced with learning objectives, leadership concepts, readings, self-assessment tools and handy two-page Quick References:
 1. **The Foundation for Leadership---How the Mind “Sees” and Learns:** Council will be oriented to the program and will develop its “rules of engagement”. The community strategic plan and the three pillar Council governance framework will be the context for the issues and challenges to be addressed. In this module, Council will focus on the cultural, generational and interpersonal impact of different thinking, learning and gender styles as the underpinning for the leadership learning journey.
 2. **The Heart of Leadership---Authenticity Matters:** Council will explore the role of charisma, character, values, trust and vision in governance and community leadership.

The habits and styles of contemporary and historical leaders when faced with great complexity and unfamiliar situations will be used as a backdrop for analysis and discussion. How to be an "adaptive" yet evidence-based leader will be highlighted.

3. **The Dynamics of Culture-Building---Habits for Longevity:** The habits of long-lived organizations and communities will be used as a point of reference for determining how Council can raise the bar on building Guelph's prosperity and cohesiveness. The relevance of changing demographics and increased cultural diversity fuelled by immigration over the next 30 years will inform the dialogue. Stories from other jurisdictions will be included to challenge Council's thinking in relation to opportunities for Guelph.
 4. **The Nature of Leading Change---What Lies Beneath Counts:** Council will dig beneath the change initiatives to be implemented to better understand how to lead people through the chaos and uncertainty. The role of emotional "IQ" and other essential factors for "changing minds" will set the stage for Councillor and Council self-assessment. The implications for Council leadership in working with staff and stakeholders through different stages and types of change will be determined.
 5. **Teamwork and Teaming---Artful Decision Making:** Teamwork is an essential capability for a highly functioning Council. It is not a natural occurrence without Council understanding team styles: the individual players and the drivers of team performance as a whole. This will be a highly experiential module directed at improving Council's communications, quality of decision making and ultimately its productivity. How Council manages the "system" (the Corporation and the Community) will also be showcased. Concepts such as "going to the balcony from the dance floor" and "getting the right people on the bus in the right seats" will be introduced.
 6. **Sparkling Creativity and Innovation---The Future Depends On It:** Councillors will deepen their appreciation of their own and others' creative capabilities no matter the thinking and learning styles. They will assess how to remove obstacles to and nurture Council, staff and community creativity. They will broaden their skills at using creative thinking techniques and problem-solving processes. How to increase the innovative capacity of Guelph will round out the experience.
 7. **Bringing It Home---Weaving the Leadership Pieces Together:** The "threads" of the leadership program will be reviewed, reinforced and tested for impact (a before and after glimpse) in relation to Council governance. Key "takeaways", including Council's new leadership framework, will be identified. Outstanding issues and concepts will be dealt with. How the program can be enhanced for future Council success will be assessed. How to keep the momentum going post-program will also be mapped out.
- The experience will deepen Council's capacity to lead in one-to-one relationships, in a team environment and at the system or community level. Outcomes related to each of these capabilities include:
 - Managing the emotional environment and the "swamp" issues (tangled, complex

- problems composed of multiple systems that resist technical analysis)
 - Engaging and working effectively with diverse cultural groups
 - Uniting and steering multiple organizations, along with City departments, in tackling interconnected community issues.
- Councillors will see the value of three interrelated "mega" frameworks for guiding Council's leadership style:
 - Be evidence-based: challenge conventional wisdom and assumptions
 - Be adaptive: help the social system—the community-- to learn, change and adapt
 - Be strengths-based: let people become more of who they are
 - Using the topics as focal points and real issues as the practical means of learning about leadership, Council will evolve its own home-grown leadership philosophy and approach.

IV. Pickard & Laws Relevant Experience

We are a boutique firm founded in 1991. We provide customized consulting in strategic thinking and planning, executive coaching and leadership development. Below are highlights of our leadership development experience:

A Track Record of Success

- We have worked with a number of Councils on governance and leadership. They include Surrey, London, Tecumseh, Mississauga, Hamilton and Stratford. Our governance experience extends to Conservation Authorities across Ontario: Lake Simcoe, Essex, Ganaraska, Lower Trent, Quinte and Conservation Ontario.
- In 1999, we started our Leadership Roundtables (LRT) for senior and middle managers for the City of Hamilton. Since then, we have run the LRT for Hamilton every year (we are completing # 10). Other clients in the public and private sector also have engaged us to deliver either the full LRT or hybrids. Clients include the Region of Niagara, EDULINX, Dillon Consulting, Lake Simcoe Region Conservation Authority, McMaster University (Centre for Continuing Education and Health Sciences) and the Niagara Women's Leadership Network.
- Combined, the Pickard & Laws team, has all the requisite training and skills to deliver leadership programs:
 - advanced education in adult education and organization development (PhD level);
 - website and software expertise (Masters level);
 - survey and tool design (PhD level);
 - research on current leadership concepts (trained editors who research 20 plus publications monthly and upload full and summarized articles to <http://www.myleadership.com>);

A Program Supported by Curriculum on the Web

- Our LRT program and customized hybrids for intact top teams have evolved and improved throughout the years. For example, at the outset, all tools and readings were paper-based. They are now all online, including the 360 feedback ones on teamwork. All articles are accessible 24/7 via a password-protected learning space. This enables us to change the readings and agendas quickly to suit the client's issues and interests.

A Practical Program that Integrates a Variety of Models and Theories

- Our access to the literature helps us draw on a full spectrum of organizational theories to explain and predict the high performance of individuals, organizations and communities. We do not present one model. Instead, we expose participants to a range of current best practices and theories that are sometimes conflicting. At the same time, we demonstrate and reinforce throughout the program how the models interrelate and "hang together" to form an easy-to-remember conceptual framework
- Our program is a "living lab" for testing the theories (sometimes debunking them), for learning about teamwork (the essential organizational unit in complex organizations) and for culture-building. The power of the program is derived from the design: people from the same organization learning together over time, enhancing their leadership capabilities while solving real business issues confronting their organization and communities.

Lasting Change

- As previously mentioned, we base our leadership development approach on current learning science (how adults learn, change and transfer knowledge in new settings). For that reason, the majority of our "graduates" experience a shift in beliefs, knowledge, and on-the-job practices. Each transformation is unique to the individual according to his/her learning goals and place on the leadership-management learning curve.
- On three separate occasions, the business school at Ryerson and the Ontario Institute for Studies, Psychology Department, at the University of Toronto evaluated the impact of our program in Hamilton and concluded that transformative change on many levels occurred for participants. The change continued to evolve over time as graduates were confronted with different situations requiring them to dig into their LRT "bag of tricks".

These success factors will be brought to bear on the learning requirements for the Council's leadership and governance development.

V. The Pickard & Laws Team

- A core team will support the Council's learning journey:

Linda Pickard, PhD

- is the prime for the program, key link to the client planning team and the consistent on site facilitator. Linda has a PhD in adult education and deep expertise in the public

sector challenges and the art and science of leadership development.

Back-Room Team

- Wendy Neuhofer (administrative support), Lisa Clark (editor) and Greg Nestor (tech prime) handle the logistics of readings, agendas, outlines, handouts, assessment tools and the websites.

VI. Estimated Project Costs

- Each module will be custom-designed in accordance with Council's leadership issues and changing governance climate as the program proceeds over time. Linda Pickard will collaborate with the internal Planning Team on each module design.
- Various resources will be organized and compiled for Council. They include readings, self-assessment tools, handouts, quick references on various leadership topics and other pre-work. All will be made easily available on a special learning space website.
- Linda Pickard will be the prime facilitator working closely with each and every Council member during the modules and in-between, if required.
- The estimated cost to design and implement each module is \$5,000.00 (professional fees and expenses) plus G.S.T. The estimated two-year total cost is \$35,000.00 plus G.S.T.
- Direct electronic payment is a method to which we are accustomed with other clients. We prefer this process for its convenience, reliability and predictability.
- Other costs will be the responsibility of the City. They comprise room rental, food and refreshments, A/V resources (flip charts, VCR and monitor, screen, data projector), paper, binders, writing paper, dividers and, periodically, duplication of handouts that are provided by us), box of resources for small group discussions (marker pens, masking tape, dots, sharpie pens).

Moving Forward

- We would be delighted to work with Mayor Farbridge and Council to enhance the leadership and governance effectiveness of Council.
- Guelph has an exciting strategic road map for the next 20+ years. The Council's commitment to bettering its best at leadership promises to yield increasing returns far beyond 20 years.
- This is an ambitious agenda. We welcome having an opportunity to contribute to Council's intentions and ultimate success in supporting Guelph to be a model character community fueled in its growth by the values of integrity, excellence and wellness (V.I.E.W.).

VII. Appendix: Bio

Profile:

Linda E. Pickard, Ph.D.

Leadership can be learned. Charisma is not all it's "cracked up to be". In that we all have the capacity to lead with influence, Linda's raison d'etre is to inspire us to dig deeper and make more of a difference in our work places.

How to do that is Linda's forte. Leadership "savvy" in today's environment calls for cross-functional/cross-enterprise teamwork on issues which are "falling through the cracks". With collaboration as the means, Linda partners with leaders to work through barriers specific to their organizations and communities. These may include group and personality clashes, red tape, low morale, high turnover, lack of a strategic focus, poor customer service and too few skills in leading change & transition.

As a coach and facilitator, Linda's guidance to top teams (senior and middle management, Councils and Boards), makes them stronger for the long run while producing tangible immediate results. Linda provides practical tools, templates and innovative methods for engaging others in productive conversations. Her writings through a monthly "Leadership in Action" column for the Leader's Edge, a newsletter distributed by <http://www.myleadership.com> and her blog at <http://www.myleadership.com/myblog> keep the leadership tips flowing.

Linda is owner and President of Pickard & Laws Consulting Group Inc. and MyLeadership Corporation. Her companies offer a range of services: online, interactive tools and information on leadership and customized consulting in visioning/strategic planning, business planning, team and leadership development, best practices research and executive coaching.

Linda's clients vary in type of sector and size of organization. Examples include banks, universities, cities and city-regions, conservation authorities, pharmaceuticals, telecommunications, computer technology, health care, food services, professional services, industry associations and logistics providers.

Linda is a board member of the Canadian Centre for Emergency Preparedness (CCEP), a member of the Canadian Society for Training and Development and Strategic Capability Network (SCN) of Toronto and a volunteer for the United Way in its strategic planning and leadership development efforts.

She is a graduate of the University of Toronto. Linda holds a Ph.D. in Educational Psychology, a Masters of Education, postgraduate diplomas in dietetics and public health nutrition and a Bachelor of Science degree (honours).

COMMITTEE REPORT

TO Governance and Economic Development Committee

SERVICE AREA Economic Development and Tourism Services

DATE March 13, 2008

SUBJECT Wilson Street Parking Structure

REPORT 08.03

RECOMMENDATION

THAT the Wilson Street Parking Structure Report of the Downtown Economic Development Manager dated March 13, 2008 be received;

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated March 13, 2008;

AND THAT a Parking Capital Project be created for a Wilson Street Parking Structure with a budget of \$400,000 funded by the Parking Capital Reserve

AND THAT the Wilson Street Parking Structure conceptual design, project cost estimate, financial model and construction mitigation plan for the construction period be brought to Council for approval prior to detailed design and construction.

BACKGROUND

At its meeting of March 7, 2007, the Finance, Administration and Corporate Services Committee passed the following resolution:

THAT the Chief Administrative Officer be directed to bring forward a report to the appropriate committee with a framework which would address the short term, medium term and long term parking issues in the downtown.

At its meeting of April 16, 2007 City Council passed the following resolution:

THAT Guelph City Council approve the 2007 to 2011 Downtown Guelph Investment Action Plan, as detailed in the attached report prepared by the Manager of Economic Development and Tourism and the Chair of the Guelph Downtown Advisory Committee, as the framework for developing implementation programs and associated budgets

REPORT

Staff are recommending that the process for building a parking structure at 10 Wilson Street be a priority as a first step to attracting, keeping and growing investment in Guelph downtown. The availability of additional parking is a prerequisite for new development within the downtown. As with all urban centres, parking is the foremost issue in Guelph and the Wilson and Baker Street surface lots present the only real potential sites for new municipal parking structures.

If Council approves the recommendations of this report, the estimate for the opening of the Wilson Street structure is Spring 2010. The expeditious construction of this facility will help alleviate parking demand when the Baker Street surface lot is offline during the construction of a new public parking facility, which is anticipated to begin in late 2009.

The development of the new Wilson Street public parking facility will also require the preparation of an interim parking plan and vehicle and pedestrian circulation plan. It is proposed that these plans will be developed with input from the members of the Downtown Coordinating Committee. The Downtown Coordinating Committee will also develop a publicity and information campaign in support of private businesses during the construction period.

Downtown Parking Strategy:

A team comprising of City Operations staff and the Downtown Guelph Business Association have investigated the parking situation in the Downtown and have developed a strategy outlined as follows:

Short Term (Recent and Current Actions)

The following actions have been taken to address immediate parking concerns in the vicinity of City Hall and Carden Street:

- 4 spaces were established in former bus bays on Carden Street
- 12 permit holders were relocated away from the Wilson Street Lot
- Freshfield Street was added as a new permit location
- Permit spaces have been added to existing meters near the Travelodge Hotel on Carden Street.
- Some overnight parking at the Wilson Street lot has been relocated to the West and East Parkades.

No complaints have been received since these changes were made. However, temporary removal of spaces due to Carden Street roadwork in December did generate a number of complaints.

Medium Term (Next 2 Years)

The Downtown has been divided into seven parking zones, roughly approximating the catchment areas for each of the large public parking lots and garages. This is illustrated on the attached Appendix 1. There are no impacts currently forecasted for Zones 1 and 2, south of the Via Rail tracks; Zone 4, the block generally bounded by Norfolk, McDonnell, Cork and Wyndham Streets, and Zone 7, the north end of the downtown bounded by Suffolk and Woolwich Streets and Eramosa Road.

There are, however, significant impacts forecasted in the Zone 3, Carden Street adjacent to City Hall; Zone 5, Baker Street and Zone 6, north of the Via Rail tracks between Wyndham and the Speed River. Zone 3, Carden Street adjacent to City Hall is viewed as a priority and is the subject of this report. The parking requirements of this zone are summarized in Appendix 2.

Wilson Street Parking Structure

Zones 3 forecasts a demand for 333 spaces. This figure does not account for the increase in visitor parking required due to the centralization of City services or for Civic Square events.

The forecasted immediate parking need for this area makes construction of a facility at Wilson Street a priority for increasing parking supply. A study completed in July 2004 by N.D. Lea Ltd. and GSP group indicated that a parking garage could be developed on the Wilson Street lot, which could provide approximately 514 parking spaces. This would be contained in a structure of five levels.

The Lea report did identify urban design issues and strategies related to developing large parking structures. The draft Civic Precinct Strategic Urban Design Plan for the area has identified other issues and goals for the structure, such as mixed-uses at grade, ultimate building height and architectural treatment that may impact the parking yield. The plan addresses how the structure can be designed to fit seamlessly into the overall design concept of the Civic Square area which is to become one of the most significant in the City.

Staff are recommending that a design firm be hired to proceed with a conceptual design that will include public and stakeholder consultation. Staff proposes to return to Council with this design concept, schedule, budget estimate, construction mitigation plans as well as funding options and recommendations before proceeding to the detailed design and tender stage for the construction project.

Long Term Parking Strategy (Beyond two years)

It is not currently possible to predict the array of changes that may occur in the downtown beyond the next two years that will affect parking. The Community Improvement Plan, Local Growth Management Strategy and Downtown Action Plan are all focused on increasing activity in the downtown. While the City's Zoning By-law does not require new development to

provide parking it is expected that market forces will require this. Urban design plans calling for the temporary closing of Carden Street to increase the size of the Civic Square during events will also reduce the amount of on street parking during these peak demand times.

To mitigate the continued need for dedicated parking, various initiatives are underway to encourage downtown visitors to use alternate transport that will not require parking. Plans for increased train and bus transit service, advocacy for non single driver commutes and other factors are expected to gain prominence in the coming years. A longer term parking strategy will take all these factors into account and balance the need to parking against other objectives in the Strategic Plan and the Official Plan.

Integration of the Wilson Street Parking Structure into the Civic Precinct Strategic Urban Design Plan

On February 25, 2008, Council gave support to the directions set out in the draft Civic Precinct Strategic Urban Design Plan prepared by Community Design and Development Services. Council further gave staff direction to undertake a coordination of scheduling and financial plans for capital works in the area.

In the Urban Design Plan, the Wilson Street parking structure is identified as a future contributing building to the completion of the Civic Square. The final Plan intends to provide urban, architectural and programme guidelines for the proposed structure. These guidelines are to form the basis for the design of the parking building.

It is anticipated that the guidelines will include:

- A horizontal floor plate design to allow architectural treatment of the facades,
- Architectural treatment of facades as the structure will be highly visible from all sides.
- Height to relate to the new City Hall's third floor so that the structure does not overpower the adjacent buildings (this allows for a four floor structure at the north end)
- Appropriate fronting ground floor uses (civic or commercial) at the north-east corner adjacent to the Square.
- Building to incorporate a high level of CPTED (crime prevention through environmental design) so that the structure, internally and externally is designed to be safe, comfortable and not promote vandalism.

Construction Impact / Implementation Sequence of the Wilson Street Parking Structure

The draft Civic Precinct Plan identifies the need to coordinate the projects in the area. This sequencing work is being undertaken now. Preliminary issues identified are:

- The assumption that the Wilson Parkade needs to be a priority means it may be under construction during the POA Courthouse renovation and construction of the Transit Transfer Station.

-
- The assumption that construction of the Wilson Parkade will require both the temporary narrowing of Norfolk Street and the full closure of parts of Wilson Street during the one year construction period.
 - Provision of temporary short-term parking in the Carden/Wilson area during construction needs to be addressed as part of the implementation sequence.

CORPORATE STRATEGIC PLAN

1. An attractive, well-functioning and sustainable city
 - 1.1 ...leading edge urban design policies
 - 1.5 ... The downtown as a place of community focus...
3. A diverse and prosperous local economy.
 - 3.1 ... Thriving and sustainable local employment opportunities
 - 3.3 ... highest ratio of ... of people who live and work in the same community
5. A community-focused, responsive and accountable government.
 - 5.2 ... A consultative and collaborative approach to community decision making

FINANCIAL IMPLICATIONS

The uncommitted balance of the Parking Capital Reserve at the end of 2008 is projected at approximately \$1.6M. Traffic and Parking Services in Operations have estimated that \$400,000 will be required to provide a conceptual design and cost estimate for this parking structure.

If the design concept is acceptable to Council and staff are directed to move to the detailed design stage it is anticipated that cost will be an additional \$620,000 for a total of \$1,020,000.

At this time, the estimate to provide 500 spaces at an estimated \$30,000 per space is \$15M. in addition to the \$1,020,000 needed to bring it to the point of construction tender.

DEPARTMENTAL CONSULTATION

Operations
Finance
CDDS - Planning
Corporate Services – Corporate Property Services
Corporate Services – Realty Services

COMMUNICATIONS

N/A

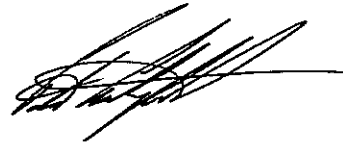
ATTACHMENTS

Appendix 1 – Downtown Parking Zones
Appendix 2 – Parking Zone Table

D.V. Corks

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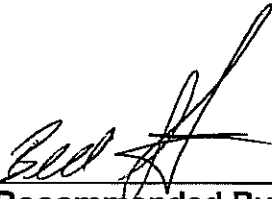
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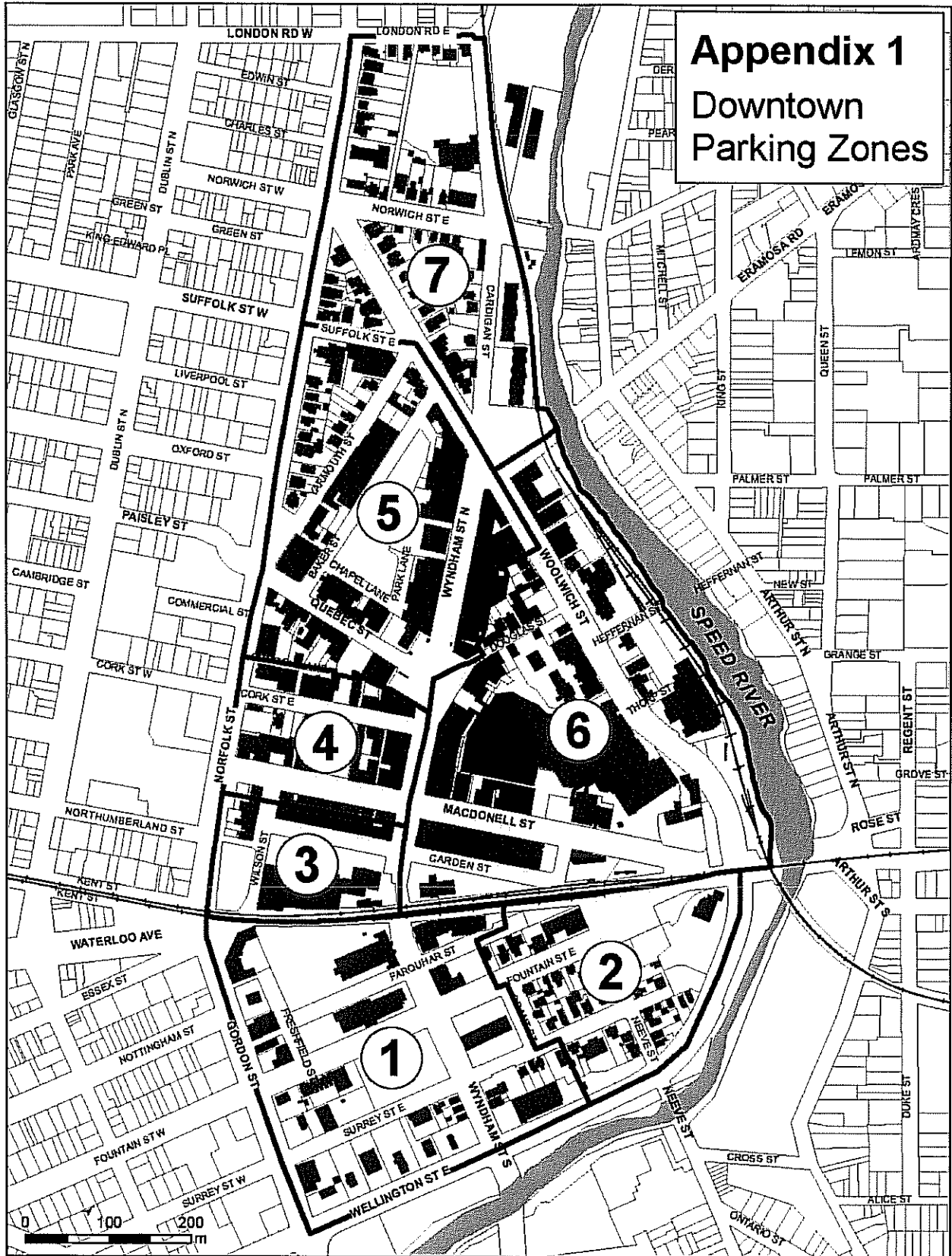
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**Appendix 2
Parking Zone Tables**

Zone 3 – Carden Street	Traffic Generator	Impact on Parking
Wilson Street	Wilson Street Surface lot	Loss of 87 surface spaces
Carden Street, west of Wyndham Street adjacent to City Hall	City Hall Occupation	Approximately 46 staff relocating to City Hall not included in total
	City Hall Underground Parking	Supply increases +43 but this is not public parking
	City Hall Surface Parking	Supply decreases -24 Supply increases +4
	2 Wyndham, 60 Carden, 55 Macdonell re-occupied 2009	Demand increases +96
	Provincial Offence Court occupation 2009	Demand increases +100
	Proposed Transit Transfer Station	Loss of 15 spaces from Carden Street Loss of 15 spaces from the VIA station Supply decreases -30
TOTALS	Change in Demand	96+100=+196
	Change in Supply	- 87+ 4 - 24 - 30 = - 137
	Net Change (Supply-Demand)	An increased demand for 333 spaces
		<i>Staff increases are forecasted at 14 per year or 70 over 5 years increasing parking demand in this area</i>

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday March 13, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday March 13, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Mayor Farbridge

Absent: Councillor Wettstein

Also Present: Councillors Bell, Burcher, Farrelly and Hofland

Staff Present: Ms. L.E. Payne, Assistant Chief Administrative Officer/City Solicitor; Mr. M. Amorosi, Director of Human Resources; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. McCaughan, Director of Operations; Mr. R. Riddell, Director of Community Design & Development Services; Mr. B. Chapman, Manager of Traffic & Parking; Mr. D. Corks, Downtown Economic Development Manager; Mr. G. Dupuis, Manager of IT Services; Mr. D. Godfrey, Supervisor of Parking Regulation & Enforcement; Mr. M. McCrae, Manager of Corporate Property Services; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on February 14, 2008 be confirmed as recorded and without being read.

Carried

Council Leadership Development Training

2. Moved by Mayor Farbridge
Seconded by Councillor Piper

Mr. M. Amorosi

THAT the information report from the Director of Human Resources concerning leadership development training for Members of Council, be received.

Carried

Wilson Street Parking Structure

Audrey Jamal, General Manager of the Downtown Guelph Business Association was present and advised of the Association's support for the construction of a Wilson Street Parking Structure. She suggested

that it is urgent to move forward with the parking structure as when the new City Hall opens, it will create a strain on parking and that additional parking spaces will be required.

Gus Cripouris on behalf of Bin 23 expressed concern that the parking situation was not considered prior to the construction work commencing. He requested that temporary parking be put in place in front of the new City Hall and that the associated underground parking be allocated for public parking.

Connie Filteau was present on behalf of Kama Design and advised of the impact the construction has had on her business. She stressed that parking is needed near the area businesses for their customers. She requested that the City immediately act to improve traffic flow and parking spaces. She further requested that consideration be given to granting the local businesses impacted a freeze on the various fees and taxes until the construction has been finalized and to reduce parking enforcement.

Anthony Veder suggested that there have been problems with parking for years in this area. He further suggested that there is a need for immediate temporary relief and the City needs to move forward with the Wilson Street Parking Structure.

Tracey Duffield advised that she is co-owner of the Hockey Shop and advised that there will be a demand for additional parking in the area due to the various construction projects planned over the next years. She expressed concern that the City did not plan for additional parking spaces during the construction of the new City Hall. She suggested there is an urgent need for temporary parking spaces in front of the new City Hall.

Todd Gumbley of the Hockey Shop stressed that the City needs to proceed with the Wilson Street Parking Structure. He requested that the City provide temporary parking spaces in front of the new City Hall until the parking structure is completed then proceed with the development of the civic precinct plan which includes the skating rink.

In response to questions, the Downtown Economic Development Manager advised that bring forward the Wilson Street Parking Structure does represent a change in the sequence of timing of downtown construction projects. He provided information with respect to the development of the mitigation plan.

3. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Wilson Street Parking Structure Report of the Downtown Economic Development Manager dated March 13, 2008, be received;

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated March 13, 2008;

AND THAT a Parking capital project be created for a Wilson Street Parking Structure with a budget of \$400,000 funded by the Parking Capital Reserve;

AND THAT the Wilson Street Parking Structure conceptual design, project cost estimate, financial model and construction mitigation plan for the construction period be brought to Council for approval prior to detailed design and construction.

Carried

REPORT

4. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT a construction mitigation plan be developed for Phase 2 construction of the POA, prior to finishing Phase 1 – New City Hall construction.

Carried

REPORT

5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT staff be directed, through the Downtown Co-ordinating Committee, to immediately put together a parking mitigation plan to add additional parking spaces in the Macdonnel/Carden/Wilson Streets and market area.

Carried

6. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (a) and (b) of the Municipal Act with respect to:

- security of the property of the City;
- personal matters about identifiable individuals.

Carried

The remainder of the meeting was held in camera.

In response to questions, the Manager of IT Services provided the Committee with information.

Mrs. L.A. Giles

7. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT staff be given direction with respect to a security matter.

Carried

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

8. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT staff be given direction with respect to appointments to a
board, committee or commission.

Carried

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

9. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT staff be given direction with respect to appointments to a
board, committee or commission.

Carried

The meeting adjourned at 6:45 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE April 17, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

March 13, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>PRESENTATION:- 2007 CORPORATE COMMUNICATIONS</p> <p>Tara Sprigg, Manager of Corporate Communications with respect to the 2007 highlights report for Corporate Communications.</p>	
<p>CITY OF GUELPH – RECORDS RETENTION SCHEDULE</p> <p>THAT By-law No. (1995)-14868, being a by-law to establish schedules of retention, be amended to incorporate the revised retention periods as outlined in Schedule "A" attached to this report.</p>	Approve
<p>BY-LAW ENFORCEMENT – SERVICE REVIEW</p> <p>THAT the Operations' report <u>By-law Enforcement – Service Review</u> of April 17th, 2008 be received;</p> <p>AND THAT staff immediately implement the re-organization of by-law enforcement service delivery as outlined in Appendix A of the Operations' Department Report <u>By-law Enforcement – Service Review</u> of April 17th,</p>	Approve

<p>2008;</p> <p>AND THAT staff develop an operating approach for the delivery of by-law enforcement services that is consistent with the City's Strategic Plan for the consideration of Council.</p>	
<p>REDUCTION OF COSTS FROM DOWNTOWN POLICING AND GARBAGE/CLEANUP</p> <p>THAT staff be directed to continue work to reduce policing and clean up costs related to nightlife activity in the downtown in co-operation with the Downtown Guelph Business Association and Nightlife Task Force as outlined in the report of the Downtown Economic Development Manager dated April 17, 2008.</p>	<p>Approve</p>
<p>ON STREET TWO HOUR FREE PARKING – MID POINT EVALUATION</p> <p>THAT the report of the Downtown Economic Development Manager dated April 17, 2008 with respect to On Street Two Hour Free Parking – Mid Point Evaluation, be received for information.</p>	<p>Receive</p>

OTHER BUSINESS

NEXT MEETING

May 8, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday March 13, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday March 13, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Kovach, Findlay, Piper and Mayor Farbridge

Absent: Councillor Wettstein

Also Present: Councillors Bell, Burcher, Farrelly and Hofland

Staff Present: Ms. L.E. Payne, Assistant Chief Administrative Officer/City Solicitor; Mr. M. Amorosi, Director of Human Resources; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. McCaughan, Director of Operations; Mr. R. Riddell, Director of Community Design & Development Services; Mr. B. Chapman, Manager of Traffic & Parking; Mr. D. Corks, Downtown Economic Development Manager; Mr. G. Dupuis, Manager of IT Services; Mr. D. Godfrey, Supervisor of Parking Regulation & Enforcement; Mr. M. McCrae, Manager of Corporate Property Services; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on February 14, 2008 be confirmed as recorded and without being read.

Carried

Council Leadership Development Training

2. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the information report from the Director of Human Resources concerning leadership development training for Members of Council, be received.

Carried

Wilson Street Parking Structure

Audrey Jamal, General Manager of the Downtown Guelph Business Association was present and advised of the Association's support for the construction of a Wilson Street Parking Structure. She suggested

Mr. M. Amorosi

March 13, 2008

Governance & Economic Development

Page No. 2

that it is urgent to move forward with the parking structure as when the new City Hall opens, it will create a strain on parking and that additional parking spaces will be required.

Gus Cripouris on behalf of Bin 23 expressed concern that the parking situation was not considered prior to the construction work commencing. He requested that temporary parking be put in place in front of the new City Hall and that the associated underground parking be allocated for public parking.

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Anthony Veder suggested that there have been problems with parking for years in this area. He further suggested that there is a need for immediate temporary relief and the City needs to move forward with the Wilson Street Parking Structure.

Tracey Duffield advised that she is co-owner of the Hockey Shop and advised that there will be a demand for additional parking in the area due to the various construction projects planned over the next years. She expressed concern that the City did not plan for additional parking spaces during the construction of the new City Hall. She suggested there is an urgent need for temporary parking spaces in front of the new City Hall.

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In response to questions, the Downtown Economic Development Manager advised that bring forward the Wilson Street Parking Structure does represent a change in the sequence of timing of downtown construction projects. He provided information with respect to the development of the mitigation plan.

3. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Wilson Street Parking Structure Report of the Downtown Economic Development Manager dated March 13, 2008, be received;

REPORT

March 13, 2008

Governance & Economic Development

Page No. 3

AND THAT staff be directed to proceed as outlined in the report of the Downtown Economic Development Manager dated March 13, 2008;

AND THAT a Parking capital project be created for a Wilson Street Parking Structure with a budget of \$400,000 funded by the Parking Capital Reserve;

AND THAT the Wilson Street Parking Structure conceptual design, project cost estimate, financial model and construction mitigation plan for the construction period be brought to Council for approval prior to detailed design and construction.

Carried

REPORT

4. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT a construction mitigation plan be developed for Phase 2 construction of the POA, prior to finishing Phase 1 – New City Hall construction.

Carried

REPORT

5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT staff be directed, through the Downtown Co-ordinating Committee, to immediately put together a parking mitigation plan to add additional parking spaces in the Macdonnel/Carden/Wilson Streets and market area.

Carried

6. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (a) and (b) of the Municipal Act with respect to:

- security of the property of the City;
- personal matters about identifiable individuals.

Carried

The remainder of the meeting was held in camera.

In response to questions, the Manager of IT Services provided the Committee with information.

7. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT staff be given direction with respect to a security matter.

Carried

Mrs. L.A. Giles

March 13, 2008

Governance & Economic Development

Page No. 4

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

8. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT staff be given direction with respect to appointments to a
board, committee or commission.

Carried

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

9. Moved by Mayor Farbridge
Seconded by Councillor Piper
THAT staff be given direction with respect to appointments to a
board, committee or commission.

Carried

The meeting adjourned at 6:45 p.m.

.....
Chairperson

COMMITTEE REPORT



TO **Governance and Economic Development Committee**

SERVICE AREA Information Services
DATE April 17, 2008

SUBJECT City of Guelph - Records Retention Schedule
REPORT NUMBER

RECOMMENDATION

THAT By-Law No. (1995) – 14868, being a by-law to establish schedules of retention be amended to incorporate the revised retention periods as outlined in schedule "A" attached to this report.

BACKGROUND

As part of our ongoing responsibilities the Clerks' Department is responsible for the overall management of the records program within the City of Guelph. As such the Clerk's office is responsible for ensuring that all departments follow a consistent file format, that inactive records are stored in a secure and economical manner and that records destruction is undertaken in a timely manner in accordance with the approved City of Guelph retention by-law.

By-Law No. (1995)-14868, being a by-law to establish schedules of retention periods for records of the City of Guelph, was enacted by Council on June 19th, 1995 and subsequently approved by the Auditor on July 10th, 1995.

REPORT

In preparation for the move to New City Hall, staff has reviewed the current records in storage and consequently has suggested that this initial revision of the records retention schedule may assist staff in moving fewer items into the designated record storage room in New City Hall. In addition, the City is in the middle of implementing an Electronic Document Management System in conjunction with the adoption of a classification system. This classification system, the Ontario Municipal Records Management System (TOMRMS), is a filing system developed by the Association of Municipal Managers, Clerks and Treasures of Ontario to classify records in a consistent fashion and maintain these records using legislative and operational requirements reflecting current practice throughout Ontario municipalities.

The retention periods being proposed are in keeping with TOMRMS and other Ontario Municipalities' retention schedules. For the most part, the record series' impacted by these changes are generic in nature. Examples of the proposed changes are:

	Retention Period	Retention Period
Record Series	Current (in years)	Proposed (in years)
General Correspondence	6	3
Interoffice Memo	6	3
Letters Internal	6	3
General Files	10	5
Administration - General	2	1
Association	2	1

The complete schedule is attached.

CORPORATE STRATEGIC PLAN

Goal 5 – A community-focused responsive and accountable government, and Strategic Objective 5.6 for organizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community.

FINANCIAL IMPLICATIONS

Although direct financial savings cannot be accurately quantified, it has been established that a sound records management program provides savings in the cost of supplies, storage and staff time.

DEPARTMENTAL CONSULTATION

The revised retention schedule is adopted from the original TOMRMS schedule, and incorporates the following:

- Consultation between the Records and Information Co-ordinator and City of Guelph staff, and subsequent recommendations;
- The Ontario Municipal Records Retention Guide, produced jointly by the AMCTO Records Management Project Team and the Retention Project Team of the Committee of Municipal Records and Archives Managers, and intended as a further update of TOMRMS.

COMMUNICATIONS

In accordance with the *Municipal Act*, the By-Law shall not take effect until the auditor of the Corporation of the City of Guelph has approved this By-Law.

The approval of the revised by-law will be followed by distribution of the new manuals, reflective of changes in both the retention schedule and current practices, for each department. The Records and Information Co-ordinator will continue to conduct meetings to familiarize staff with the elements of the system, and to provide necessary training to City of Guelph staff as required.

The Records and Information Co-ordinator will also provide guidance and establish records management consistency across the departments. The Records Management program is intended to improve business processes and to ensure that the City of Guelph meets its statutory obligations.

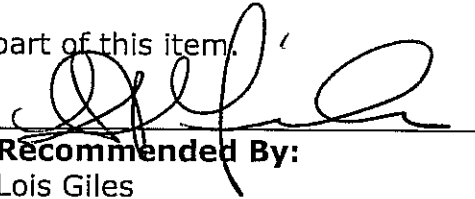
ATTACHMENTS

The following schedules are attached and forms part of this item.



Prepared By:

Aneeta Bharij
Records and Information Co-ordinator
519.822.1260, ext 2422
aneeta.bharij@guelph.ca



Recommended By:

Lois Giles
Director of Information Services
519.822.1260, ext 2232
lois.giles@guelph.ca

ADMINISTRATOR'S OFFICE		RETENTION PERIOD IN YEARS		Proposed	Remarks
RECORD SERIES	Current				
Administration	2		1		Includes administrative records which cannot be classified elsewhere. Use only if no other heading is available
Association	2		1		Includes correspondence, minutes, agenda, notices and reports regarding organizations and associations to which staff belong or with which they communicate in the course of their duties ie. AMCTO, MISA, etc.

CLERK'S DEPARTMENT		RETENTION PERIOD IN YEARS		Proposed	Remarks
RECORD SERIES	Current				
ADMINISTRATION					
Agreements (if not part of By-Law)	P			T+7	T=end of agreement
Contracts (if not part of By-Law)	10			T+7	T=end of contract
MFIPPA	6			Access Requests - T=Final Decision +2 Privacy Information - 3 Directory of Records - P Administration - 6	
BUSINESS LICENSING					
Licence Applications	6			2	
Licences(after expired)	6			T+2	T= expiration of license
COUNCIL/COMMITTEE					
Briefs and Reports to Council	10			P	
Committee Agendas	10			6	Municipal Act
Council Agendas	10			6	Municipal Act
Motions and Resolutions				P	
ELECTIONS					
Election Records	As per Election Act			T+2	Includes returned notices, lists of officials, voters' lists, nominations,
Nomination Papers	As per Election Act			T+90 days	election results, preliminary voters lists, oaths
Voters List	6			T+1	taken by council members
Ballots				T+90 days	and information on ward boundaries. Includes advertising
FENCE VIEWERS					
Fence Viewers Awards	6			T+2	T= date of award
Fence-Viewers Files	6			3	

TRAFFIC SERVICES				
RECORD SERIES	RETENTION PERIOD IN YEARS		Proposed	Remarks
	Current			
ADMINISTRATION				
General Files	10		5	
Personnel Files	P		T+7	T=termination of employment
Signal Timing Files	10		T+6	T= equipment replaced or disposed of
Surveys/Field Observations	6		C+4	C=current year
Work Orders	6		C+4	C=current year

PERSONNEL DEPARTMENT		RETENTION PERIOD IN YEARS		Remarks
RECORD SERIES	Current	Proposed		
HUMAN RESOURCES				
Terminated Employee Records	10	T+7		T = termination of employment
Employment Applications & Resumes - Solicited	3	1		Includes applications and resumes for positions posted by the City. Unsuccessful candidates
Employment Resumes - Unsolicited	3	3 mos		Includes resumes sent to the City with cover letter enquiring about available positions.
Attendance and Scheduling	7	2		Includes records regarding employee attendance, shift scheduling, vacation schedules, hours of work, etc. Also includes time sheets
Labor Relations	P	T +10		T = expiry of contract period Includes records regarding the relationship between labour and management. Includes collective bargaining, correspondence with unions, and negotiations
Contracts and Agreements	P	T +10		T = termination of agreement Includes collective agreements
Salary Planning	P	5		Includes records regarding the planning and scheduling of salaries, such as job evaluations, job classification systems, salary surveys, Job Comparison Schedules and seniority lists. Also includes any reference material retained regarding issues related to pay equity or Social Contract.
Recruitment	3	1		Includes records regarding the recruitment of staff. Includes job postings, copies of advertisements, records regarding competitions and unsuccessful applications. MFIPPA Act
				T = settlement of claim
				Includes records regarding claims to WSIB or insurance carriers for lost-time incidents, accidents, STD or LTD.
				Excludes records related to exposure to airborne arsenic, ethylene oxide or asbestos must be kept the longer of (a) 40 years from the time such records were first made with respect to worker, or, (b) 20 years from the time the last of such records were made with respect to the worker.
Claims	P	T+6		Occupational Health and Safety Act Workplace Safety and Insurance Act
Grievances/Complaints	P	T+7		T = settlement of grievance Includes records dealing with grievance complaints filed against the municipality, such as the initial complaint, investigation, reports and final resolution
Pension Records		T		T=death of employee/beneficiary
Job Applications of those not hired	6 mos	1		
Job Descriptions	7	10		

COMMUNICATIONS		RETENTION PERIOD IN YEARS	Remarks
RECORD SERIES	Proposed		
Media and General Relations - General	1		
Advertising	C+1		C= current year
Ceremonies and Events	5		Subject to archival review
Charitable Campaigns and Fund Raising	C+1		
Complaints, Commendations and Inquiries	1		
News clippings	C+1		C= current year
News Releases	S		S= superceded
Publications	S		S= superceded
Speeches and Presentations	3		Subject to archival review
Visual Identity and Insignia	5		Subject to archival review
Newsletters	3		

ALL DEPARTMENTS RECORD SERIES	RETENTION PERIOD IN YEARS	
	Current	Proposed
General Correspondence	6	3
Interoffice Memos	6	3
Letters Internal	6	3

COMMITTEE REPORT



TO **Governance & Economic Development Committee**

SERVICE AREA Operations
DATE April 17th, 2008

SUBJECT By-law Enforcement – Service Review
REPORT NUMBER

RECOMMENDATION

THAT the Operations' report By-law Enforcement – Service Review of April 17th, 2008 be received;

AND THAT staff immediately implement the re-organization of by-law enforcement service delivery as outlined in Appendix A of the Operations' Department Report By-law Enforcement – Service Review of April 17th, 2008;

AND THAT staff develop an operating approach for the delivery of by-law enforcement services that is consistent with the City's Strategic Plan for the consideration of Council.

BACKGROUND

At its meeting of May 2007, City Council passed the following resolution:

"That staff be directed to review by-law enforcement operations across the City to seek corporate efficiencies with a strategic longer-term perspective that would incorporate pesticide enforcement."

In response to this direction of Council, a By-law Enforcement Service Review Working Group was established consisting of staff from all departments involved with the delivery of by-law enforcement service and the Manager of Strategic Planning and Corporate Initiatives. The mandate of the Working Group was twofold:

1. To review and compare the effectiveness of other municipal models of by-law enforcement including consolidation of resources;
2. To make a recommendation(s) pertaining to improvements in the manner in which by-law enforcement services are delivered/structured.

REPORT

Using the Service Review Model to inform the approach taken, the working group reviewed both current internal practices and also undertook a review of external practices (best practice review). Looking *internally*, the working group found that:

-
- *Responsibility for by-law enforcement is held within a variety of City Departments including Operations, Community Design and Development Services, Corporate Services, Emergency Services and Environmental Service and within external boards and Agencies including the Guelph Police Service, Humane Society and the Wellington-Dufferin-Guelph Health Unit.*
 - *Not all by-laws currently in existence require specialized knowledge to enforce.*
 - *A number of by-laws are currently enforced proactively while the majority is enforced based on complaint.*
 - *Staff continue to review by-laws for efficiency and effectiveness on an on-going basis in the areas within which the function is currently located. With respect to tracking performance, data is currently captured by varying systems e.g. AMANDA and ICON databases.*
 - *Service enhancements, consistency and operational efficiencies could be gained by consolidating by-law enforcement.*
 - *There is a need to provide enforcement for by-laws that have recently (or are soon to) come on stream including pesticides, site alteration and body-rub parlour (licensing) by-laws.*
 - *The current location of many by-law enforcement functions within existing City departments are not necessarily the most appropriate places for such functions to reside with respect to:*
 - *Timely and efficient responses to public concern;*
 - *Ensuring the best enforcement coverage is occurring where required; or*
 - *The abilities of the respective department to provide service due to other priorities.*

Externally, the Working Group reviewed the present organizational structure for by-law enforcement in sixteen Ontario municipalities. They found that:

- *There is no one ideal structure for by-law enforcement; most are customized to suit the specific needs of municipalities, however, the majority of municipal by-law enforcement models are centralized under one body.*
- *Creating distinct branches within a central by-law enforcement department is common- often branches are organized by areas that require specialized knowledge for enforcement efforts (e.g. parking, signs, property standards, special enforcement, licensing).*
- *In municipalities with similar population sizes to Guelph, by-law enforcement is typically centralized and overseen by Corporate Services or Planning and Development Services.*

-
- *The number of regulatory by-laws that are enforced proactively by municipalities is limited. Those typically enforced proactively include: parking related by-laws, signage/portable signage related by-laws and licensing related by-laws. However, the majority of regulatory by-laws are enforced reactively with complaints directed to a centralized call centre.*
 - *Hours of enforcement/operation are based on historical trends and the specific needs/priorities/interests of the municipalities.*

With the above information, the working group considered how best the multiple by-laws of the municipality could be enforced taking into account:

- *Operational efficiencies and effective service delivery that can be achieved;*
- *Service Area priorities and present and future needs;*
- *Logistical associations between by-laws and Service Area functions;*
- *Strengths of Service Areas to address particular by-laws; and*
- *Opportunities for shared enforcement and support services.*

The result of this effort is a recommendation to retain the enforcement of municipal by-laws requiring specific knowledge or expertise by the current Service Area and the creation of a centralized enforcement/compliance agency under the direction of Operations to deal with enforcement of more generic by-laws. The impact of this recommendation is illustrated in Appendix A.

A central enforcing agency's effectiveness will evolve over time as the Corporation learns to take advantage of this new entity. A case in point, while the enforcement of some by-laws were retained by current service providers, it was acknowledged that there are some by-laws that only have certain elements that require specialized knowledge or expertise. It is anticipated that the generic elements of these by-laws will be identified and enforcement be handled by both the current Service Area and by the newly created central enforcement/compliance agency.

Staff believe the creation of a central agency working 7/24/365 will take better advantage of existing resources to address the growing enforcement needs of the community on a real-time basis. It is the recommendation of the Senior Management Team that this recommendation be approved for immediate implementation.

In conclusion, upon approval by Council, staff will undertake training of existing by-law enforcement staff to prepare them to assume a larger role. An issue yet to be addressed is the difference between enforcement approaches historically taken by the different service providers. As Council is aware, some enforcement service is provided in a very proactive manner (parking) while others (noise) are undertaken in a reactive manner. It is recommended that staff undertake discussion on the philosophical approach to be undertaken by the new centralized enforcement/compliance agency to ensure the manner that service is delivered is consistent with the City's Strategic Plan and the desire of Council.

REVIEW OUTCOMES

The results of undertaking this review are as follows:

- ✓ Resolution of how the pesticide by-law will be enforced;
- ✓ Elimination of need to hire additional by-law enforcement officer(s) to address the massage services issue (~\$64,164 per year per officer);
- ✓ Better utilization of the existing complement of staff responsible for enforcing by-laws;
- ✓ Increased ability of the organization to respond to community enforcement needs at any hour of the day or night;
- ✓ Broadened scope of positions resulting in a better alignment of functions and responsibilities.

CORPORATE STRATEGIC PLAN

Goal 5 – A community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

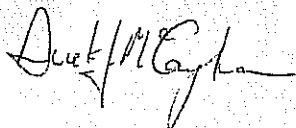
Nominal impact on operating budgets.

DEPARTMENTAL CONSULTATION

Corporate Administration: Strategic Planning & Corporate Administration
Community Design & Development: Engineering & Building Services
Corporate Services: Court Services
Emergency Services: Fire Services
Environmental Services: Solid Waste & Waste Water Services
Information Services: Clerk's Office
Operations: Traffic & Parking, Parklands & Greenways

ATTACHMENTS

Appendix A: By-law Enforcement Service Providers



Prepared & Recommended By:

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Recommended by:

Lois Payne
Director of Corporate Services/City Solicitor
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lois.payne@quelph.ca

Appendix A - Proposed By-law Enforcement Service Delivery Areas

Bylaw	Current Enforcement Agency	Proposed Enforcement Agency
Backflow Prevention	Building Service	Building Services
BCA & Building Code	Building Service	Building Services
Discharge Firearms	Police	Police
Display of Adult Materials	Clerk's Office	Operations
Animal Control	Humane Society	Humane Society
Encroachments	Realty Services	Operations
Encumbering Road Allowances	Parking	Operations
Exotic Animals	Humane Society	Humane Society
Fire Prevention - Admin. & Enforcement	Fire	Fire
FPPA & Fire Code	Fire	Fire
Fire works - Administration	Fire	Fire
Fireworks - Enforcement	Fire	Operations/Fire
Fortification - <i>pending by-law</i>	n/a	Police
Heavy Trucks	Police	Police
Idling - Enforcement	Police	Police
Lawn Watering - Administration	Water Works Division	Water Works Division
Lawn Watering - Enforcement	Parking	Operations
Leash By-law	Humane Society	Humane Society/Operations
Licensing-Enforcement	Clerk's Office	Operations
Licensing - Administration	Clerk's Office	Clerk's Office
Lodging Houses (Certification)	Building Services	Building Services
Massage Services (Licensing) - <i>pending by-law</i>	Clerk's Office	Operations
Motorized Snow Vehicles	Police	Police
Noise - Administration	Building Services	Operations
Noise - Enforcement	Police/Parking	Police/Operations
Parking (all)	Parking GPS	Operations/GPS
Pesticides	n/a	Waste Water Division
Poultry Bylaw	Building Services	Humane Society
Property Standards	Building Services	Building Services
Sewer Discharge	Waste Water Division	Waste Water Division
Shopping carts	Operations	Operations
Sidewalk Patios - Encroachment	Realty Services	Operations
Signs - Admin. & Enforcement	Building Services	Building Services
Signs/Posters - Retrieval on Road Allowance	Parking	Operations
Site Alteration	Engineering Services	Engineering/Building Services
Standing Water Bylaw	Building Services	Building Services
Stoop & Scoop	Humane Society	Humane Society/Operations
Storm Water Management	Engineering Services	Engineering Services
Swimming Pools	Building Services	Building Services
Termites	Building Services	Building Services
Trapping - <i>pending by-law</i>	Humane Society	Humane Society

Bylaw	Current Enforcement Agency	Proposed Enforcement Agency
Trees	Planning / Engineering	Operations
Two-unit House Bylaw	Building Services	Building Services
Waste Collection - by collectors	Solid Waste Division	Solid Waste Division
Waste Collection - in CBD	Solid Waste Division	Operations
Yard Maintenance - pending by-law	n/a	Building Services
Zoning - Administration & Enforcement	Building Services	Building Services
Zoning- Regulations Enforcement (limited in scope)	Parking	Operations

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Economic Development and Tourism Services

DATE April 17, 2008

SUBJECT Reduction of costs from downtown policing and garbage/cleanup

REPORT 08.05

RECOMMENDATION

“THAT staff be directed to continue work to reduce policing and clean up costs related to nightlife activity in the downtown in co-operation with the Downtown Guelph Business Association and Nightlife Task Force as outlined in the report of the Downtown Economic Development Manager dated April 17, 2008.”

BACKGROUND

At its meeting of December 5, 2007, the Finance, Administration and Corporate Services Committee passed the following resolution:

“THAT notwithstanding the Motion of the Finance, Administration & Corporate Services Committee, dated June 6, 2007, Council agrees that the matter of recovering of downtown policing and garbage collections/clean up costs be deferred to no later than March 2008;

AND THAT Council directs staff to develop options and recommendations in conjunction with the appropriate staff and in consultation with the Guelph Downtown Business Association and the Downtown Nightlife Task Force.”

REPORT

Notwithstanding the F.A.C.S. direction of December 5, 2007 directing staff to report on how to recover downtown policing and garbage collection costs, staff are recommending that we continue to provide the current policing and clean up services as required through the general tax base. Staff also recommend that we continue current efforts to reduce the source of these problems in a co-operative way.

Initiatives underway since Spring 2007 as well as market forces have led to a reduction in problems stemming from late night nightlife activity downtown. Staff also are of the opinion that imposition of penalties of any sort would have a negative economic impact on smaller targeted establishments and undermine the positive results from collaborative efforts now in place.

Operators of these establishments, Guelph Police, City staff, University of Guelph staff and the Downtown Business Association all have a common interest in reducing problems associated with late night activity. All have advised of the significant decrease in problems in the last two years. Although hard to quantify, reasons include:

- Most first year university students are below drinking age
- University of Guelph student code of conduct initiatives
- More cooperation, rigorous monitoring and age of majority checks by bars
- Improved police activity
- Improved late night bus and taxi services
- Minimum standard drink prices

Although the students cohort is identified specifically, they form just part of the nightlife along with general residents and out of town patrons. Having a high density of bars and restaurants in the downtown makes it the entertainment district of the City. This forms a gravity effect which encourages an even denser concentration of new uses of this type. Guelph is fortunate to have this momentum established in the downtown. Increased license fees for downtown bars may encourage their location elsewhere in the City. From a police perspective, having late night activities in a central location is actually cheaper and more efficient to police than if they were spread throughout the City.

Most cities have similar issues with nightlife activity and the problem in Guelph, although real, is being addressed and is on the decline. The bigger issue that remains is that of public perception of downtown safety and our work to reduce the issue is aimed at improving our image at night in a positive and cooperative way. A cost recovery program would bring negative publicity and an adversarial stance to the relationships we have established.

The general figure staff are able to generate for cleanup costs is about \$174,000 annually. \$125,000 for policing and \$49,000 for operational staff. Both the Police Services and Operations staff have cautioned that these figures are best estimates only as it is difficult to define what costs are "extra" to normal staff duties. In addition, late night activity changes constantly based on season, other downtown events and general improvements noted earlier.

Downtown police service is based on community policing principles which distinguishes it from the rest of the City. Community policing involves working collaboratively with residents, businesses and the DGBA to resolve local issues. In addition to policing bars and food establishments late at night, other enforcement specific to downtown includes property damage, enforcement of street and sidewalk by-laws as well as panhandling,

drug, public urination and after hours bars issues. The increased visibility of these after dark patrols also provide a sense of public safety.

Night Life Task Force:

This is comprised of:

Mark Rodford,	Chair, Downtown Guelph Business Association
Audrey Jamal,	Executive Director, Downtown Guelph Business Association
Chuck Cunningham,	Director of Communications, University of Guelph
Brenda Whiteside,	Associate VP, Student Affairs, University of Guelph
Ian Findlay,	City Councillor, Ward 2
Rob Davis,	Chief, Guelph Police Services
Brent Eden,	Deputy Chief, Guelph Police Services
Jim Riddell,	Director, Community Design and Development Services
David Corks,	Downtown Economic Development Manager
Conrad Aikens,	Van Gogh's Ear, Vinyl, Jimmy Jazz
Lorenz Calcagno,	Local neighbourhood group
Stan Kozak,	Local neighbourhood group

This group was formed in Spring 2007 and meets monthly as a cooperative venture surrounding late night bar scene and food seller issues. They have worked to solve problems, understand issues facing the various stakeholders groups and formed connections between stakeholders. During this time, the City and student population has grown while incidents relating to nightlife have decreased.

Downtown Guelph Business Association:

The Downtown Guelph Business Association represents the overall welfare of businesses within their own central downtown jurisdiction, this includes retailers, daytime businesses as well as late night bars and take out food businesses. Their Board has passed a resolution opposed to what they term "differential taxation" which is the levying of fees from specific types of business.

Model for Cost recovery:

There are three options that the City can pursue to recover these costs under the Municipal Act; in addition to sections 9 to 11, the fees and charges provisions allowed under subsection 391, the Business Licensing fee provisions under subsection 151 (1); and Special Service Charges provisions under Section 326.5.

While staff are not recommending the recovery of costs at this time, should Council direct such a recovery then staff will report back to Council with funding models which would apply only to those open downtown bars and food establishments after midnight. However it should be noted at this time that it is staff's opinion that it will be difficult to clearly establish which bars and food establishments contribute to the need for the extra police and clean up services, which may lead to challenges by these establishments.

CORPORATE STRATEGIC PLAN

- 1.5 The downtown as a place of community focus and destination of national interest
- 3.4 Fair tax policies and streamlined processes across all levels of government
- 5.2 A consultative and collaborative approach top community decision making
- 5.3 Open, accountable and transparent conduct of municipal business partnership to achieve strategic goals and objectives

FINANCIAL IMPLICATIONS

A total potentially about \$174,000 annually. \$125,000 for policing and \$49,000 for operational staff on an annual basis.

CONSULTATION

Guelph Police Services
Operations
Legal Services
Downtown Guelph Business Association
Nightlife Task Force
Association of Municipalities of Ontario

COMMUNICATIONS



Prepared By
David Corks
Downtown Economic
Development Manager

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Recommended By
Peter Cartwright
General Manager
Economic Development and
Tourism
519.822.1260 Ext. 2820
peter.cartwright@guelph.ca

COMMITTEE REPORT

TO Governance and Economic Development Committee

SERVICE AREA Economic Development and Tourism Services

DATE April 17, 2008

SUBJECT On Street Two Hour Free Parking – Mid Point Evaluation

REPORT 08.06

RECOMMENDATION

THAT the report of the Downtown Economic Development Manager dated April 17, 2008 with respect to On Street Two Hour Free Parking – Mid Point Evaluation, be received for information.

BACKGROUND

At its meeting of December 13, 2006, City Council passed the following resolution:

THAT staff be directed to investigate best practices with respect to 2 hour free on-street parking in the Downtown, and to report back within three months through the appropriate Standing Committee on the implications to the 2008 parking budget.

At its meeting of June 25, 2007, City Council passed the following resolution:

THAT Staff from Economic Development and Tourism, Operations and Finance be directed to work with representatives of the Downtown Board of Management to develop a two-hour free downtown "pilot" parking program, which includes performance measurements, targets and a communication and marketing program and a public education program;

AND THAT staff report back in six months with a status report on the pilot project;

AND THAT staff be directed that after a twelve month period the "pilot" parking program is to be evaluated within the context of a comprehensive longer-term parking program that supports the implementation of a Community Improvement Plan for the downtown.

REPORT

The one year pilot program which allows free on street parking for two hours per day in downtown Guelph began on September 22, 2007.

In other municipalities studied, it was found that free on-street parking:

- Is seen as a tool to draw customers and businesses to downtown
- Is used as a promotional tool as part of a larger financial incentive and revitalization program for downtown
- Is part of a larger parking strategy for downtown
- Is subject to abuse by employees and requires a "no re-parking" provision
- Needs stricter patrols to enforce abuse
- Requires a comprehensive public communications program

In Guelph, parking issues predominate the public agenda for downtown. The Council decision to implement this pilot program was aimed at creating a more vibrant and user friendly downtown. It is also seen as a competitive move in response to the criticism that commercial parking elsewhere in Guelph is free.

The estimated cost per year from lost meter revenue is anticipated at \$686,500. In addition, the pilot program also required new signage which was \$3,000 and communications of the program which cost an additional \$5,000. Until recently, staff were still fine tuning the implementation of the "no re-parking" provision in the program and the addition of more 15 minute on-street loading spaces. This is now complete and both signage and public notification has been undertaken.

Staff were directed by Council to monitor this program and report back at the half way mark which occurred on March 22, 2008. At this time there has been generally positive feedback from the public and the program is strongly supported by the Downtown Business Association. However, until now no objective statistics on public reaction has been gathered.

Staff, working with the Downtown Guelph Business Association and Corporate Communications commissioned a telephone survey during the March 2008 mid point undertaken by Oracle Poll Research, a Toronto consulting firm. The survey was designed to poll at least 400 residents from throughout the City and gather an objective understanding of the awareness and perceived effectiveness of the program. It was especially targeted at those residents for whom each trip downtown is a choice and so detailed responses excluded those who work, live or even came downtown for just entertainment.

Survey results:

- Eighty percent of all surveyed are aware of the two hour free parking program
- Almost half surveyed regularly come downtown for work, entertainment or because they live here.

Of the remainder, those who come by choice:

- 79% visited in the last year
- 35% said free parking resulted in them making more trips downtown
- The perception of parking availability has remained mostly unchanged

Despite the positive survey results at this point, the public awareness of the program is incomplete. A full year pilot program has allowed Operations time to refine the system, the public the time needed to understand the rules and a full twelve month operational window. There are no obvious factors that would cause staff to recommend making changes to the pilot program at this time.

CORPORATE STRATEGIC PLAN

1. An attractive, well-functioning and sustainable city.
3. A diverse and prosperous local economy.
5. A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

Approximately \$343,250 or half of the potential annual meter revenue.
Cost of the survey: \$4,725

DEPARTMENTAL CONSULTATION

Operations
Communications

COMMUNICATIONS

N/A

ATTACHMENTS

- 1) City of Guelph Parking Survey March 2008 - Executive Summary
- 2) Average Percentage Occupancy (Noon) in off street Parking Facilities

D.V. Corks

Prepared By

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Recommended By

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General Manager of Economic
Development and Tourism
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**City of Guelph -
Parking Survey**

Prepared for



By



March 2008

T a b l e o f C o n t e n t s

Methodology & Logistics7

Executive Summary8

Results by Question..... Error! Bookmark not defined.

Crosstabulations Error! Bookmark not defined.

M e t h o d o l o g y & L o g i s t i c s

Study Sample

- A total of 400 randomly selected residents from the Guelph area were interviewed by telephone between the days of March 6th and March 12th 2008. The following is the study sample breakdown by sector.

Survey Method

- The survey was conducted using computer-assisted techniques of telephone interviewing (CATI) and random number selection. A total of 20% of all interviews were monitored and the management of Oraclepoll Research Limited supervised 100%.

Logistics

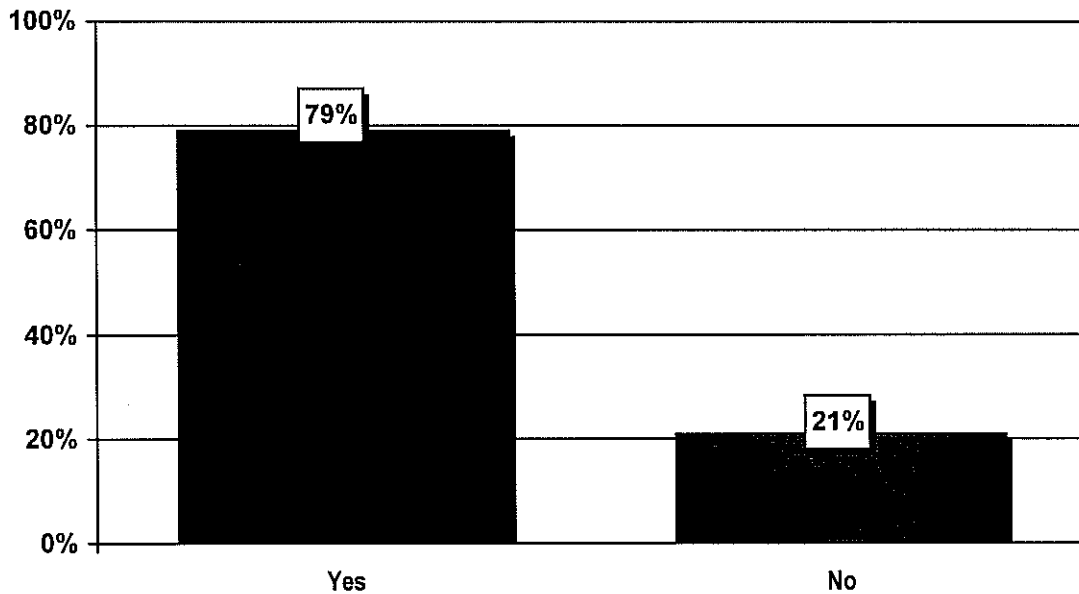
- Initial calls were made between the hours of 6:00 p.m. and 9:00 p.m. Subsequent callbacks of no-answers and busy numbers were made on a (staggered) daily rotating basis up to 10 times (from 10:00 a.m. to 9:00 p.m.) until contact was made. In addition, telephone interview appointments were attempted with those respondents unable to complete the survey at the time of contact. If no contact was made at a number after the fifth attempt, the number was discarded.

Executive Summary

Respondents were first asked if they conduct business or work, participate in entertainment or live in the downtown of the City of Guelph, of which 47% of those surveyed do and 53% do not.

The 53% that do not were then asked the following.

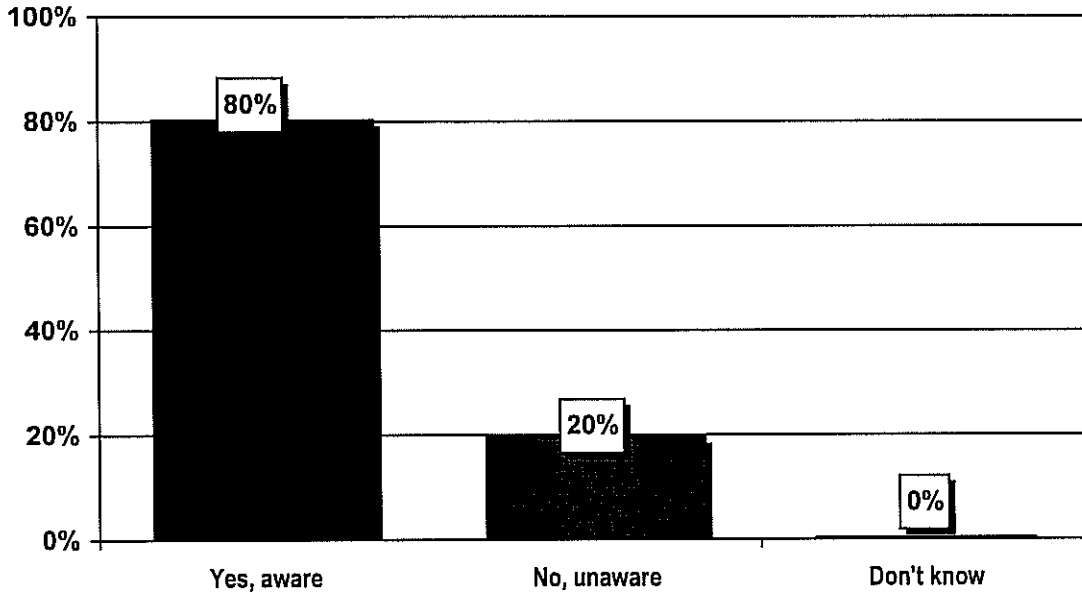
"Have you visited or shopped in the downtown in past 12 months?"



Among those that do not work/conduct business, live or participate in entertainment in the downtown, a total of 79% have visited or shopped in the downtown in the past year while 21% have not. When those that have not been downtown in the past 12 months were asked about the last time that they were in the area, 73% have been there 1-2 years ago, 16% 2-5 years ago, 7% longer than five years and 4% did not know.

All respondents were asked about their awareness of the 2 hour free parking pilot project.

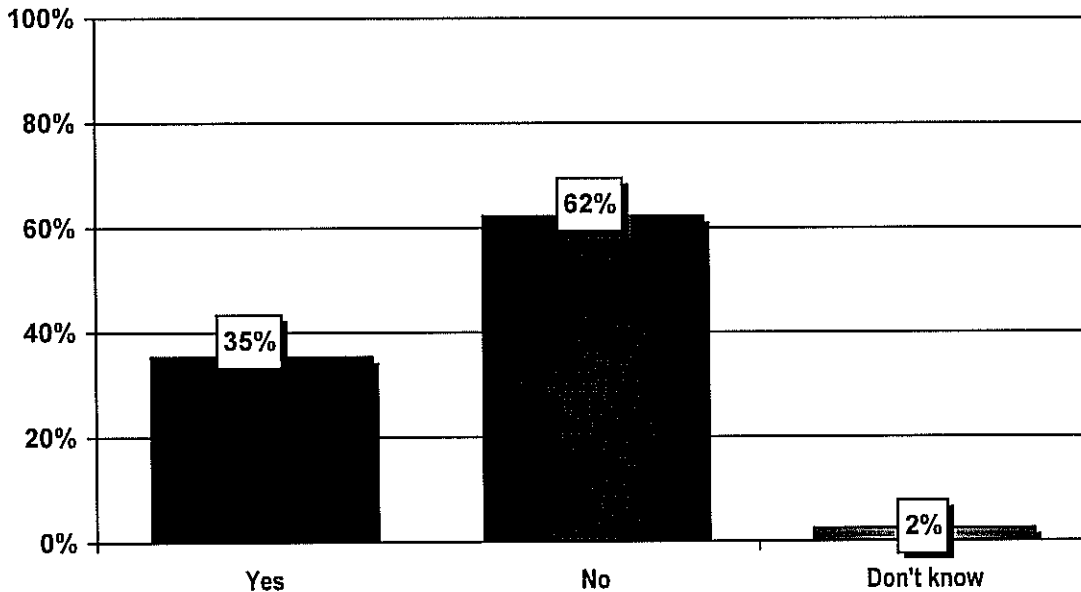
"Are you aware of the pilot project that offers 2 hours of free on street parking downtown?"



A high 80% of Guelph residents surveyed were aware of the 2 hour free on street parking program in the downtown. Those most aware of the project included females (86%), residents 55 and older (88%) and those that live, work/conduct business or participate in entertainment (86%) in the area.

Those residents (that do not live or work downtown) that were aware of the pilot project and have visited or shopped in the downtown within the last year were asked the following question about the influence of the program.

"Has the free parking pilot project resulted in you making more trips to the downtown?"

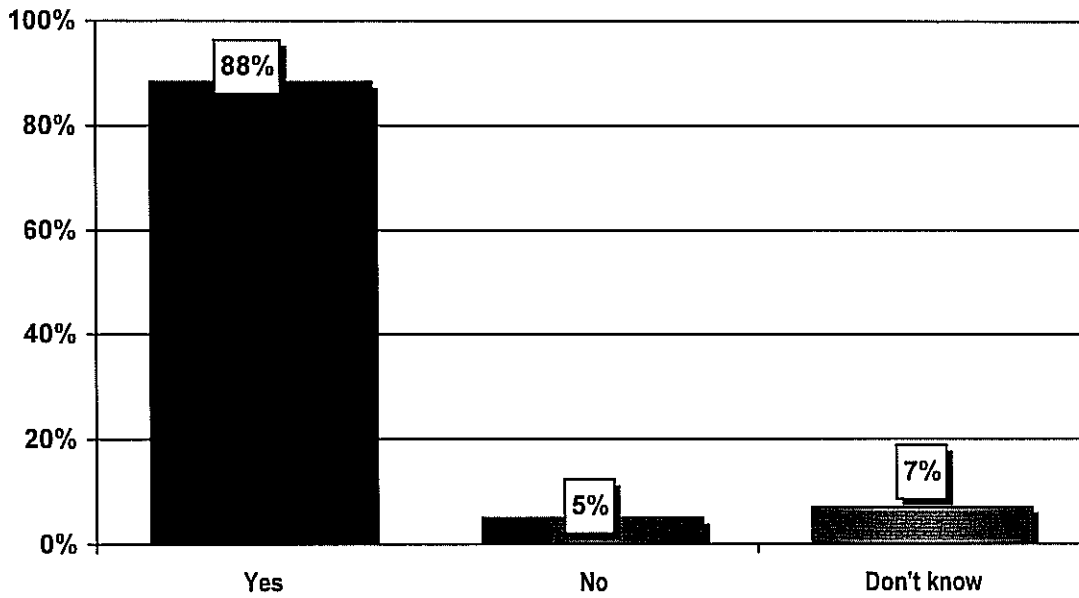


Slightly more than a third or 35% of residents said that the pilot project resulted in them making more trips to the downtown. Respondents earning under \$50,000 (38%) and under \$75,000-\$50,000 (44%) were more likely to have made additional trips compared to higher income earners or those making more than \$75,000 per annum (27%).

In addition, among those that have made additional trips to the downtown, 27% said that there have been changes in their ability to find on-street parking since the program has been in place, 45% do not feel that there have and 27% were unsure. When asked about the nature of that change, 70% claimed that their ability to find on-street parking has improved while 30% said it has stayed the same.

All respondents were asked about continuing the project on a permanent basis.

"Would you like free on-street parking downtown continued on a permanent basis?"



A high 88% of all residents would like to have the free on-street downtown parking continued on a lasting basis.

Attachment 2

Average Percentage Occupancy (Noon) in off street Parking Facilities September 2006 - February 2007 compared to September 2007 - February 2008

Baker St. Lot						
Capacity = 246	Sep	Oct	Nov	Dec	Jan	Feb
2006-2007	84	88	86	71	72	75
2007-2008	75	77	78	78	75	78
% difference	-9	-11	-8	7	3	3

West Parkade						
Capacity = 532	Sep	Oct	Nov	Dec	Jan	Feb
2006-2007	69	68	68	74	74	73
2007-2008	69	73	77	79	72	79
% difference	0	5	9	5	-2	6

East Parkade						
Capacity = 351	Sep	Oct	Nov	Dec	Jan	Feb
2006-2007	71	74	75	64	77	78
2007-2008	76	76	75	78	73	80
% difference	5	2	0	14	-4	2

Macdonell St. Lot						
Capacity = 60	Sep	Oct	Nov	Dec	Jan	Feb
2006-2007	73	76	73	65	63	72
2007-2008	76	78	79	79	81	81
% difference	3	2	6	14	18	9

Wilson St. Lot						
Capacity = 81	Sep	Oct	Nov	Dec	Jan	Feb
2006-2007	62	70	72	60	67	69
2007-2008	75	73	70	69	66	70
% difference	13	3	-2	9	-1	1

On Street Parking Changes September 2006 - February 2007 compared to September 2007 - February 2008

	2006-2007	2007-2008
Expired meter tickets	4153	0
Excess time tickets	164	1375

Source: City of Guelph Operations

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday April 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday, April 17, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillors Bell, Burcher, Farrelly and Hofland

Staff Present: Ms. L.E. Payne, Assistant Chief Administrative Officer/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design and Development Services; Ms. A. Pappert, Director of Community Services; Mr. B. Chapman, Manager of Traffic & Parking; Mr. D. Corks, Downtown Economic Development Manager; Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Sprigg, Manager of Corporate Communications; Mr. D. McMillan, Traffic Technologist; Mrs. L.A. Giles, Director 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 Findlay
Seconded by Mayor Farbridge
THAT the minutes of the Governance & Economic Development Committee meeting held on March 13, 2008 be confirmed as recorded and without being read.

Carried

2007 Corporate Communications

Ms. T. Sprigg, Manager of Corporate Communications, provided a brief summary of the 2007 highlights report for activities and services of the Corporate Communications division.

City of Guelph – Records Retention By-law Schedule

2. Moved by Councillor Piper
Seconded by Mayor Farbridge
THAT By-law No. (1995)-14868, being a by-law to establish schedules of retention, be amended to incorporate the revised retention periods as outlined in Schedule "A" attached to this report.

Carried

By-law Enforcement – Service Review

REPORT

3. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the Operations' report By-law Enforcement – Service Review of April 17th, 2008 be received;

AND THAT Council recognize that staff will immediately implement the reorganization of by-law enforcement service delivery as outlined in Appendix A of the Operations' Department Report By-law Enforcement – Service Review of April 17th, 2008.

AND THAT staff develop an operating approach for the delivery of by-law enforcement services that is consistent with the City's Strategic Plan for the consideration of Council.

AND THAT the By-law Enforcement Service Review Group continues to review other service related areas with respect to by-law enforcement.

Carried

Reduction of Costs from Downtown Policing and Garbage/Cleanup

REPORT

Ms. Audrey Jamal, on behalf of the Downtown Guelph Business Association was present to support the collaborative approach to respond to this issue. She recommended moving forward as quickly as possible on the Community Improvement Plan to help further resolve the issues. She urged the City to consider including public washroom facilities in the project planning for the transit transfer facility and the Wilson street parking structure, and commented on the need to build up the residential component of the downtown.

4. Moved by Councillor Piper
Seconded by Councillor Wettstein
THAT staff be directed to continue work to reduce policing and clean up costs related to nightlife activity in the downtown in co-operation with the Downtown Guelph Business Association and Nightlife Task Force as outlined in the report of the Downtown Economic Development Manager dated April 17, 2008.

AND THAT the success of the initiatives underway and the next steps be reported on an annual basis to Council.

Carried

On-Street, Two Hour Free Parking – Mid Point Evaluation

Mr. P. Cartwright

5. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the report of the Downtown Economic Development Manager dated April 17, 2008 with respect to On Street Two Hour Free Parking – Mid Point Evaluation, be received for information.

Carried

Other Business: The Committee concurred that the May 8th meeting will be cancelled and a meeting in May will only be scheduled if an urgent matter arises.

The meeting adjourned at 6:25 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE July 17, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

April 17, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>CAO EMPLOYMENT POLICY</p> <p>THAT the attached CAO Employment Policy be approved.</p>	<p>Approve</p>
<p>CODE OF CONDUCT FOR COUNCIL AND LOCAL BOARDS</p> <p>THAT the attached Code of Conduct for Council and Local Boards, be approved.</p>	<p>Approve</p>
<p>MEETING INVESTIGATIONS WELLINGTON /DUFFERIN/GUELPH BOARD OF HEALTH</p> <p>THAT the City of Guelph consent to the use of Mr. Norm Gamble for the purpose of conduct meeting investigations under S.239.1 of the Municipal Act.Click to insert item summary</p>	<p>Approve</p>
<p>CONTINUITY OF DECISION MAKING PROCESS IN EMERGENCY SITUATIONS</p> <p>THAT the Procedural By-law be amended to establish a standing committee to be known as the Emergency Governance Committee;</p> <p>AND THAT the Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council, and shall elect its own Chair;</p>	<p>Approve</p>

<p>AND THAT the Committee shall wherever practicable, conduct its meetings in accordance with the procedural by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be four;</p> <p>AND THAT Council delegate 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:</p> <ol style="list-style-type: none"> 1. 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; and 2. at such times 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; 3. for Council's normal decision making processes, and not for the management or co-ordination of emergency response activities. 	
<p>READING OF BY-LAWS</p> <p>THAT the practice of reading the by-laws to be adopted at the Council meeting, be discontinued;</p> <p>AND THAT the Procedural by-law be amended to provide that the by-laws as numbered be passed.</p>	Approve
<p>PROTOCOL FOR THE SHARING OF INFORMATION BETWEEN THE GUELPH POLICE SERVICES BOARD AND THE CORPORATION OF THE CITY OF GUELPH</p> <p>THAT the Information Services Report dated July 17, 2008, entitled "Protocol for the</p>	Approve

<p>Sharing of Information between the Guelph Police Services Board and the Corporation of the City of Guelph, be received;</p>	
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<p>AND THAT the Mayor and Clerk be authorized to sign the revised protocol agreement as shown within the report.</p>	
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OTHER BUSINESS

NEXT MEETING

September 11, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday April 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday, April 17, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillors Bell, Burcher, Farrelly and Hofland

Staff Present: Ms. L.E. Payne, Assistant Chief Administrative Officer/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design and Development Services; Ms. A. Pappert, Director of Community Services; Mr. B. Chapman, Manager of Traffic & Parking; Mr. D. Corks, Downtown Economic Development Manager; Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Sprigg, Manager of Corporate Communications; Mr. D. McMillan, Traffic Technologist; Mrs. L.A. Giles, Director 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 Findlay
Seconded by Mayor Farbridge

THAT the minutes of the Governance & Economic Development Committee meeting held on March 13, 2008 be confirmed as recorded and without being read.

Carried

2007 Corporate Communications

Ms. T. Sprigg, Manager of Corporate Communications, provided a brief summary of the 2007 highlights report for activities and services of the Corporate Communications division.

City of Guelph – Records Retention By-law Schedule

2. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT By-law No. (1995)-14868, being a by-law to establish schedules of retention, be amended to incorporate the revised retention periods as outlined in Schedule "A" attached to this report.

Carried

REPORT

April 17, 2008

Finance, Administration & Corporate Services

Page No. 2

By-law Enforcement – Service Review

REPORT

3. Moved by Mayor Farbridge
Seconded by Councillor Wettstein

THAT the Operations' report By-law Enforcement – Service Review of April 17th, 2008 be received;

AND THAT Council recognize that staff will immediately implement the reorganization of by-law enforcement service delivery as outlined in Appendix A of the Operations' Department Report By-law Enforcement – Service Review of April 17th, 2008.

AND THAT staff develop an operating approach for the delivery of by-law enforcement services that is consistent with the City's Strategic Plan for the consideration of Council.

AND THAT the By-law Enforcement Service Review Group continues to review other service related areas with respect to by-law enforcement.

Carried

Reduction of Costs from Downtown Policing and Garbage/Cleanup

Ms. Audrey Jamal, on behalf of the Downtown Guelph Business Association was present to support the collaborative approach to respond to this issue. She recommended moving forward as quickly as possible on the Community Improvement Plan to help further resolve the issues. She urged the City to consider including public washroom facilities in the project planning for the transit transfer facility and the Wilson street parking structure, and commented on the need to build up the residential component of the downtown.

REPORT

4. Moved by Councillor Piper
Seconded by Councillor Wettstein

THAT staff be directed to continue work to reduce policing and clean up costs related to nightlife activity in the downtown in co-operation with the Downtown Guelph Business Association and Nightlife Task Force as outlined in the report of the Downtown Economic Development Manager dated April 17, 2008.

AND THAT the success of the initiatives underway and the next steps be reported on an annual basis to Council.

Carried

April 17, 2008

Finance, Administration & Corporate Services

Page No. 3

On-Street, Two Hour Free Parking – Mid Point Evaluation

Mr. P. Cartwright

- 5. Moved by Mayor Farbridge
Seconded by Councillor Wettstein

THAT the report of the Downtown Economic Development Manager dated April 17, 2008 with respect to On Street Two Hour Free Parking – Mid Point Evaluation, be received for information.

Carried

Other Business: The Committee concurred that the May 8th meeting will be cancelled and a meeting in May will only be scheduled if an urgent matter arises.

The meeting adjourned at 6:25 p.m.

.....
Chairperson

TO **Governance and Economic Development Committee**

SERVICE AREA Human Resources
DATE July 17, 2008

SUBJECT CAO Employment Policy
REPORT NUMBER

RECOMMENDATION

That the attached CAO Employment Policy be approved.

BACKGROUND

At present, there are a number of processes/documents in existence that guide Council during the hiring, performance appraisal, development and termination of employment for the City's Chief Administrative Officer position. The processes are outlined in most cases in separate documents and have changed over the course of previous CAO's tenure with the City.

It is recommended that Council develop an overarching document that forms part of the framework of administrative governance to provide the current and future Councils with consolidated reference material covering all aspects of a CAO's employment with the City (i.e. from hiring through the development of an employment contract, the establishment or confirmation of CAO duties, to development, performance appraisal and potentially the discontinuation of the employment relationship).

REPORT

The City of Guelph model of administration follows the Municipal Act in the establishment of a Chief Administrative Officer position as the 'head' of the administrative arm of city government.

Guelph, like most other municipalities has, from time to time, been required to recruit for the CAO position. While there is a policy in place outlining the logistics of CAO recruitment (i.e. composition of the selection committee), specifics of the process are not well documented (e.g. options regarding when to utilize an executive search firm, overall competencies required etc.).

Upon hire, the City typically establishes an employment contract with an incumbent, which must include specific categories for a position at this level. Additionally, there have been various iterations of a CAO by-law outlining the roles and responsibilities of the CAO as well.

During the tenure of the CAO, previous Councils have adopted various models for appraising the performance of the CAO, and have adopted different approaches to compensation, and development.

Finally, the terms and conditions outlining the termination of the employment relationship have differed as well, depending on the unique circumstances of the incumbent CAO at the time.

A review of the above processes, documents and contracts reflects good human resource management practice. However, it appears that there is no one single reference to provide Council with a complete overview of the CAO employment cycle from hire until exit from the organization.

The current Council and future Councils would benefit from a single reference point or comprehensive CAO Employment Policy that outlines requirements and/or options for Council at each stage of a CAO's of employment (i.e. from hire to exit).

The attached policy therefore addresses this requirement.

Contained within the policy are the following subsections:

- 1) Recruitment
- 2) Selection/Offer of Employment
- 3) Hiring
- 4) Tenure of Employment – Development, Performance Appraisal
- 5) Appointment of Assistant, Acting and Interim CAO
- 6) Compensation
- 7) Termination of Employment

CORPORATE STRATEGIC PLAN

Goal 5 – A community focused, responsive and accountable government
Objective 5.3 – Open, accountable, transparent conduct of municipal business
Objective 5.6- Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

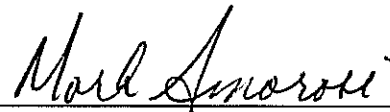
N/A

COMMUNICATIONS

N/A

ATTACHMENTS

CAO Employment Policy



Prepared and Recommended

By:

Mark Amorosi

Director, Human Resources

X2281

mamorosi@guelph.ca

CORPORATE POLICY AND PROCEDURE



POLICY No.

PAGE

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EFFECTIVE DATE

REVISION

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 (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 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.

**CORPORATE
POLICY AND
PROCEDURE**

POLICY No.

PAGE

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EFFECTIVE DATE

JUNE 19, 2007

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 Team will consist of the Mayor and Chairs of the Community Development and Environmental Services Committee, Emergency Services, Community Services and Operations Committee, Finance, Administration and Corporate Services Committee and Governance and Economic Development Committee, or their designates. An independent person from the community may form part of the Search team.
3. The recruitment process will be determined by the Search Team with the assistance of a recruitment consultant and/or recruitment search firm. The position will be advertised both internally and externally.
4. The Search Team 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 Team.
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 Team 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 Team to Council prior to offering the position to the candidate.

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) – 16837, and such other duties as Council may, from time to time, assign. The Employee shall report to the Mayor and City Council. A copy of the Position Description (will be attached as Appendix A to this Agreement upon hire of CAO).

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.

2.05 During the term of this Agreement and during any renewed terms of employment, the Employee agrees to reside within the City of Guelph. This residency requirement is to take effect as soon as practicable, and no later than *[Insert Data]*.

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 Data]* the Employer will pay the Employee an annual salary of *[Insert Data]* (subject to any deductions required under the Employer's policies and by law). The Employee's salary will be subject to annual adjustments at the same incremental rate as other senior staff of the Employer, including any adjustment for 2005. The Employee shall be classified in pay grade *[Insert Data]* of the City of Guelph's Job Evaluation and Salary Administration Plan. The Parties agree that if, at any time, a review of the position results in a higher salary grade and/or level approved for this position this Agreement will be amended to reflect such changes.

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. A schedule of these benefits currently in place will be attached as Appendix B (upon hire of CAO).

Automotive Allowance

4.03 The Employee will receive an automotive allowance of *[Insert Data]* er 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, 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.

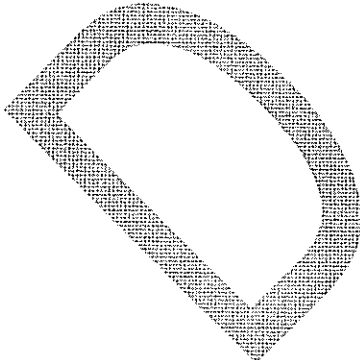
SIGNED, SEALED AND DELIVERED

Witness

The Employee

Mayor

Clerk



THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2008)- *[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" and Schedule "B" attached.

PASSED this *[Insert Data]* day of *[Insert Data]*, 2008.

KAREN FARBRIDGE – MAYOR

LOIS A. GILES – CITY CLERK

Schedule "A"

General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer (CAO) shall carry out the general duties, role 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 Senior Management Team (SMT) in the administration of the business affairs of the Corporation;
- (c) To delegate appropriate duties and responsibilities to the SMT 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 SMT 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 SMT, 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 the Council, in co-operation with the SMT, 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 coordination of all policy decisions of the Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to the Council except to regularly report to the Council upon action taken. Also, to develop and maintain, for reference purposes, of 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; and
- (l) 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. 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;
- (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 SMT 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 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;
- (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.

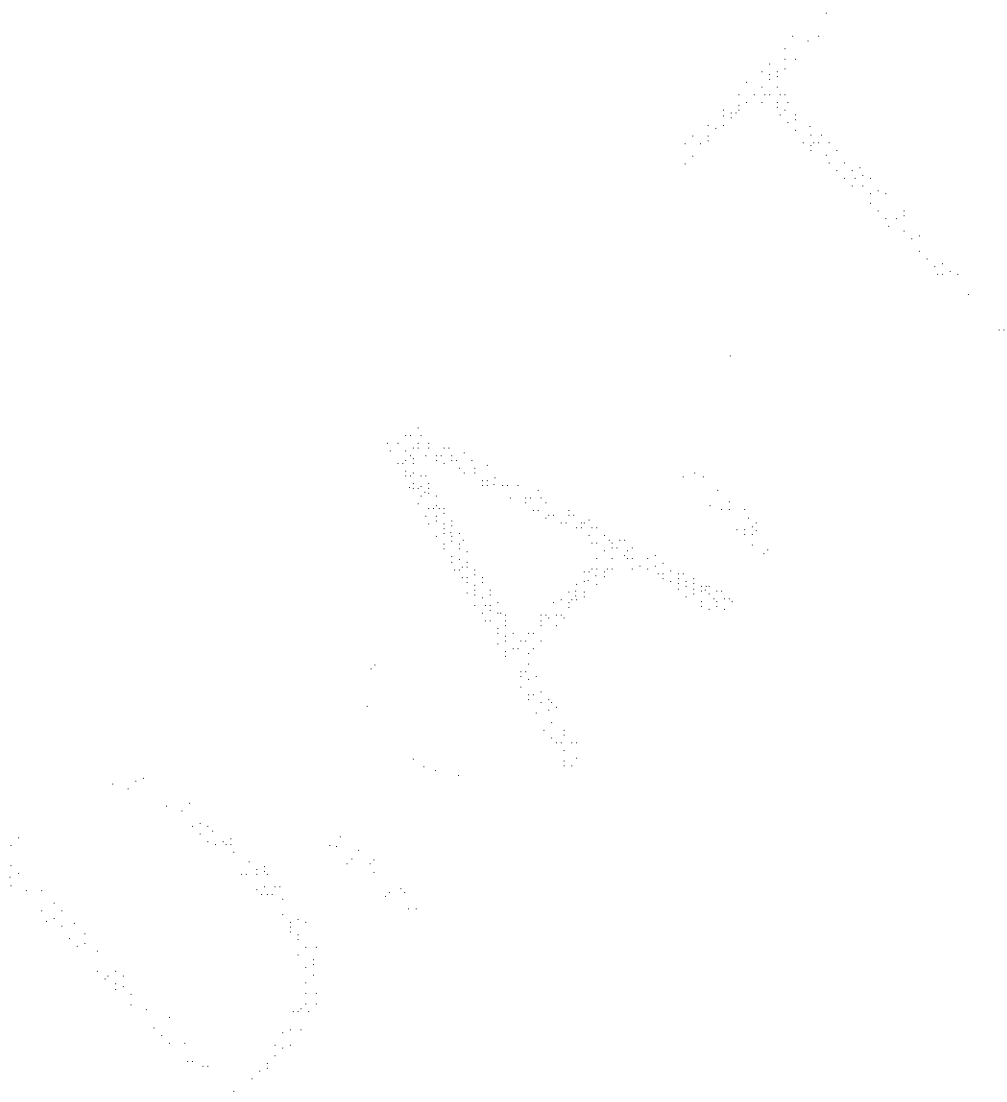
4. Administrative Organization and Management

- (a) To create and reorganize, in consultation with the SMT, 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 his/her 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.

Schedule "B"

Reporting Protocols

(to be developed)



City of Guelph

Position Mandate for the Position of Chief Administrative Officer

Key Responsibilities

Leadership

Coordinate staff support and provide advice to the Mayor and Council as they establish and maintain a clear vision and strategic direction for the City as well as priority setting for annual business plans and long term capital projects.

In conjunction with Directors, establish annual business plans and priorities to implement the City's vision and strategic direction.

Set a visible and positive leadership example in order to promote empowerment of employees through coaching, mentoring, two-way communications and delegation of responsibility; take necessary steps to anticipate impact of changes and to identify and remove barriers to empowerment.

Act as the chief policy advisor to Council and provide Council with advice based on professional standards and best practices.

Provide leadership in the on-going identification and tracking of "best practices" (including benchmarking of other municipalities) and latest technology; make recommendations for application to support continuous improvement efforts and to position the Administration at the leading edge of the state-of-the-art in Municipal Government.

Management

Oversee the day-to-day management of operations and service delivery ensuring efficient work scheduling for employees in all Departments; also ensure on a City-wide basis the proper hiring/dehiring practices, new employee orientation, job training as necessary, performance feedback, discipline when required, counselling and career development for the employees in all Departments.

Consolidate and review annual work plans and capital and operating budgets for all Departments with recommendation to Council for approval in accordance with established policies.

Establish procedures to monitor the performance of the Departments against plan/budget, identifying and correcting as necessary variances from plan/budget.

Review calls for tender and purchase requisitions requiring CAO's approval for facilities, equipment, rolling stock and contracted services; submit to Council for approval in accordance with established policies.

Provide direction to the Department Directors to ensure coordination of operations and service delivery between all City Departments.

Act as project leader for one or more Corporation-wide improvement projects involving multiple City Departments as regulated or directed by Council.

Technical Functions

Provide business and technical advice to the Mayor and Councillors re: decisions/actions requiring their approval; also provide input to Council on its corporate governance framework and modus operandi.

Review and approval of all materials and documentation sent to members of Council; final review and recommendation to Mayor and Committee Chairs re: Council and Council Committee agendas.

Implementation of Council directives and decisions; follow-up on implementation with initiation of corrective action where required.

Review on an on-going basis, technical trends, developments and advances being tracked by each Department; consolidate findings with results from best practices identification and benchmarking for potential application and continuous improvement of City operations, service delivery and administration.

Approve policies, operating procedures and work procedures for all Departments; monitor Departments operating performance against established policies and procedures and follow-up on corrective action in the Departments as required.

Approve and monitor the implementation of preventative maintenance programs and an asset management program for Corporation's infrastructure, facilities and rolling stock.

Approve and monitor the implementation of a quality assurance program covering the delivery of services by all Departments to residents and commercial interests; review customer complaints/inquiries with follow-up on corrective action taken.

Provide technical advice and problem-solving assistance to members of the Senior Management Team.

Coordinate and integrate the results of studies/analyses carried out by the Departments covering the forecasting of service delivery required to meet customer demand in the future.

Coordinate a corporation-wide risk assessment of potential exposure with recommendations to Council on remedial action and/or preventative measures.

Communications

Provide periodic reports to Council and Community representatives/partners with explanation and interpretation of the application of the policies, procedures and service standards relevant to City operations and administration of City Departments; also provide briefings to Council on the status of operations and service delivery by the Departments; also act as a key spokesperson for the City with the written and electronic media.

Communicate the long term direction and orientation of the Corporation to the members of the Management Team; arrange for periodic briefings of Department operations so employees within all City Departments can gain an appreciation of how each Department's service delivery fits into the "big picture".

Play a lead role in the on-going marketing and education to promote the various services delivered by City Departments to the public enabling residents and community associations/partnerships to understand the value received for their tax dollars and/or grants/contributions; act as an on-call speaker for community groups/associations and business and commercial groups/associations.

Develop and maintain a contact network covering: 1) citizens' associations/rate payer groups. 2) Representatives of development, business and industry, 3) counterparts in other municipalities, 4) representatives of professional associations, and 5) federal and provincial government officials at the policy level.

CHIEF ADMINISTRATIVE OFFICER CITY OF GUELPH Position Profile

SUMMARY OF QUALIFICATIONS

- minimum of ten to fifteen years municipal management experience with at least five to ten years as a CAO or a strong, well experienced Department Head with Council exposure – good academic credentials
- a generalist municipal manager with broad experiences in all areas (finance, planning issues)
- initiate, nurture and improve the Municipality's programs (strategic planning, administrative structure, team building, departmental business plans, priority setting with Council)
- able to build and maintain the organization's morale, and encourage bottom-up participation and empowerment of staff
- enhance relations with County, outside allied agencies (Province, Chamber, employers, etc.)
- aggressive negotiator, municipal visionary, business orientation,
- create transparent, openly communicative, team relationship between Council, staff

SUCCESS FACTORS

- high intelligence, integrity, honesty, provide Council with recommendations/options
- ability to make others comfortable – community's interests at heart – accessible to staff
- common sense, practical judgment, foresight, luck, a passion for the work
- able to carry a demanding workload over a long period of time

SKILL FACTORS

- team building experience, handling interpersonal relations, strategic planning
- situational analysis- (assessing the community's, staff and Council's needs)
- appropriate balance between leadership skills and management skills
- delegating authority and responsibility to management team, holding them accountable, supportive

STYLE FACTORS

- PROACTIVE STYLE- constantly initiates, tries things out – takes risks
- TEAMWORK STYLE- crosses organizational boundaries, vertically and horizontally
- MODIFIED CHANGE AGENT STYLE- sees turbulence, flux and ambiguity as opportunities
- COACH STYLE- sees self as mentor and developer of people

PERSONALITY FACTORS

- high energy level, self confident, team player – good sense of humor
- high need for achievement, optimistic yet a realist, objective, self sufficient
- willing and able to fit in with and lead the management team
- good social poise, comfortable dealing with and understanding others

CULTURAL DEVELOPMENT FACTORS

- able to ensure all groups are aware they are part of the team, are vital to it and are supportive of the culture
- willing to encourage a free flow of two-way information across the organization

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 Procedure for Hiring the Assistant 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	<p>Chief Administrative Officer (CAO) Long-term contractual position reporting directly to City Council.</p> <p>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.</p> <p>Interim CAO Appointment to carry out the duties of CAO for a specific period of time due to a vacancy in the CAO position.</p> <p>Assistant CAO Added temporary administrative responsibilities to a Director/Member of the Senior Management Team (SMT), 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 SMT.</p>
POLICY REQUIREMENTS	<p>Acting CAO Guelph City Council delegates authority to the CAO to appoint an Acting CAO.</p> <p>Interim CAO Guelph City Council appoints the Interim CAO.</p> <p>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".</p>

**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 Senior Management Team.
3. Added temporary administrative responsibilities will be assigned by the CAO to a Director/Member of the Senior Management 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 and Economic Development Committee

SERVICE AREA Information Services
DATE July 17th, 2008

SUBJECT Code of Conduct for Council and Local Boards
REPORT NUMBER

RECOMMENDATION

THAT the attached Code of Conduct for Council and Local Boards be approved.

BACKGROUND

In 2007, Council established a special committee to make recommendations with respect to the new accountability and transparency provisions in the Municipal Act. The committee has already fulfilled part of its mandate with respect to the development of mandatory policies and the appointment of a meeting investigator. The most recent focus of the committee has been the development of a code of conduct as directed by Council. Under the Municipal Act, this code would apply to members of Council and members of local boards as defined in the legislation.

REPORT

The committee reviewed a number of codes of conduct that have been developed by other municipalities, including Woodstock, Highlands East, Ingersoll, Kitchener (draft), and Toronto. There were common elements in most of the codes that were reviewed by the committee, including rules relating to gifts and benefits, confidentiality, use of municipal property, influence on staff, etc. The Committee recommends approval of this Code of Conduct.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

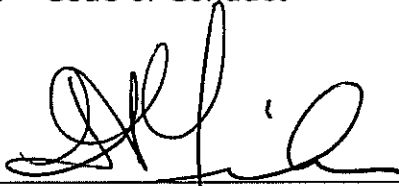
N/A

COMMUNICATIONS

N/A

ATTACHMENTS

1 – Code of Conduct



Recommended By:

Councillor Vicki Beard,
Chair – Accountability & Transparency Committee.

FOR:

CORPORATE POLICY AND PROCEDURE



POLICY No.

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EFFECTIVE DATE

REVISION

Tab	CITY COUNCIL
Authority	S. 223.2(1) Municipal Act
Subject	COUNCIL CODE OF CONDUCT
Related Policies	Accountability and Transparency
Approved by	Date
Review Date	Annually

POLICY STATEMENT	<p>A written Code of Conduct helps to ensure that the members of Council, advisory committees, and local boards of the municipality (as defined in the <i>Municipal Act</i>), 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:</p> <ul style="list-style-type: none">• 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 Guelph City Council.
PURPOSE	<p>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:</p> <ul style="list-style-type: none">• Protect the public interest.• Encourage high ethical standards among members of Guelph City Council and local boards.• Provide a comprehensive 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
- Committee of Adjustment
- Downtown Board of Management
- Board of Trustees of the Elliott
- Guelph General Hospital Commission
- Guelph Museums Board of Management
- Guelph Non-Profit Housing Corporation
- Heritage Guelph
- Property Standards/Fence Viewers Committee
- River Run Board of Directors

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 / 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 / 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 an in-camera (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 Freedom of Information and Protection of Privacy 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 Guelph City 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 use for personal purposes, or 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 Guelph City Council has been advised.

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 / her duties that is not available to the general public for any purposes other than his / 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

CORPORATE POLICY AND PROCEDURE

POLICY No.

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EFFECTIVE DATE

REVISION

of City employees working in that facility. No member shall use the services of persons for his / 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 / her personal or business use. No member shall use the services of persons for his / 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 his / her office for any purpose other than for the exercise of his / her 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.

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services

DATE Thursday July 17, 2008

SUBJECT Meeting Investigations Wellington/Dufferin/Guelph Board of Health

REPORT NUMBER

RECOMMENDATION

THAT the City of Guelph consent to the use of Mr. Norm Gamble for the purpose of conducting meeting investigations under S.239.1 of the Municipal Act.

BACKGROUND

As Council is aware, as of January 1, 2008 any person will be able to request that an investigation be undertaken respecting whether a municipality or local board, or a committee of either, has complied with closed meeting rules. Municipalities may appoint an Investigator for this purpose. If a municipality chooses not to appoint an Investigator, the authority to conduct investigations automatically defaults to the Provincial Ombudsman. The Act is silent with respect to who will investigate in the case of a joint board such as a Board of Health.

REPORT

The Wellington/Dufferin/Guelph Board of Health is jointly appointed by the Counties of Wellington and Dufferin, and the City of Guelph. Of the three municipal partners, Guelph and Dufferin are using AMO/LAS as their meeting investigator, while Wellington is using Mr. Norm Gamble.

Earlier this year, staff contacted both Counties and the Board of Health to determine their preferences as to who would be responsible for conducting meeting investigations under the Act. Both the Board of Health and the County of Wellington have indicated their preference to use the services of Mr. Gamble. The County of Dufferin did not indicate a preference, but suggested that the preference of the Board of Health should prevail.

In light of the above, it is recommended that the City of Guelph consent to the use of Mr. Norm Gamble for the purpose of conducting meeting investigations under S.239.1 of the Municipal Act for meetings of the Wellington/Dufferin/Guelph Board of Health.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

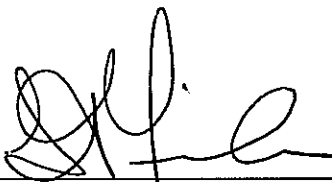
Corporate Services

COMMUNICATIONS

The Counties of Dufferin and Wellington, and the Wellington/Dufferin/Guelph Board of Health were consulted in this matter.

ATTACHMENTS

n/a



Recommended By:

Lois A. Giles

Director of Information Services/City Clerk

519-822-1260 ext. 2232

lois.giles@guelph.ca

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE Thursday July 17, 2008

SUBJECT Continuity of Decision Making Process in Emergency Situations

REPORT NUMBER

RECOMMENDATION

THAT the Procedural By-law be amended to establish a standing committee to be known as the Emergency Governance Committee;

AND THAT the Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council, and shall elect its own Chair.

AND THAT the Committee shall wherever practicable, conduct its meetings in accordance with the procedural by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be four.

AND THAT Council delegate to the Emergency Governance Committee authority to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations in the Municipal Act, with such delegated authority to only be exercised:

1. 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; and
2. at such times 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.
3. for Council's normal decision making processes, and not for the management or co-ordination of emergency response activities.

BACKGROUND

In 2007, staff identified the need to develop measures that would set out a process whereby continuity of Council functions could be maintained in the event of a catastrophic event which would incapacitate a majority of Council members. Such plans have not been common in Canada, due to the often prescriptive nature of

legislation that has governed municipalities. As a result of recent changes to the Municipal Act in Ontario, Councils now have greater ability to delegate their administrative, legislative and quasi-judicial powers.

REPORT

In addition to the City's emergency management planning activities that occur at the operational level, the City must also plan for the continuity of Council's regular decision making processes. It has been a long standing practice of Council to appoint the three longest serving councillors to act in the place of the Mayor during an emergency when the Mayor was incapacitated or otherwise unavailable. However, no such process exists for the Council, in the event a majority of council members were likewise unable to act. Until recently, there has been limited ability for Council as a whole to delegate its powers.

The Municipal Act provides that a majority of the members of a municipal council is necessary to form a meeting quorum. For our Council, a quorum is seven members. In the event of an emergency situation that resulted in seven or more members of Council being unavailable, we would not be able to meet the quorum requirements of the Act, and as such, there would be no ability for Council to continue to carry out its regular decision making responsibilities.

It is imperative that during natural and human caused disasters, essential government functions continue to exist. This presence promotes public confidence in the government's ability to cope in these types of situations. The Ontario Government set up a government sector working group under the Ontario Critical Infrastructure Assurance Program to develop a toolkit to assist municipalities in assessing their readiness and to take steps to ensure that normal decision-making can continue in extraordinary situations. One of the things this working group suggested is that municipalities consider developing plans to delegate authority for decisions normally made by Council.

As a result of recent changes to the Municipal Act, Council now has the ability to delegate all but the following administrative, legislative and quasi-judicial powers:

- the adoption or amendment of the budget;
- the setting of taxes, user fees, tax rates and ratios;
- the appointment or removal of statutory officers;
- the incorporation of municipal corporations;
- the adoption or amendment of the Official Plan; or
- the approval of Community Design Plans or a zoning by-law.

The delegation of legislative and quasi-judicial powers is restricted to matters under the Municipal Act, the Planning Act, a private Act relating to the City and such other acts as may be prescribed by the Province.

As part of the new requirements under the accountability and transparency provisions of the Municipal Act, Council established a general policy with respect to delegation of authority. That policy provides among other things, that all

delegations of Council powers, duties or functions are to be effected by by-law including any conditions or limitations to be imposed on the delegated authority, monitoring and accountability measures, as well as the transparency of the actions and decisions.

Emergencies can give rise to extraordinary situations, where the decision-making capability of a municipality can be compromised or where normal protocols may be impossible to meet. One of the methods by which Council can ensure that measures are in place to allow its routine decision making processes to continue, is the establishment of an Emergency Governance Committee to act in place of the Council in a declared emergency where at least seven members of Council are incapacitated through death, injury or illness and unable to exercise their powers due to the inability to meet quorum. Using the delegation of authority tools in the Municipal Act, Council would delegate its normal administrative, legislative and quasi-judicial powers to the Emergency Governance Committee to be exercised only for the duration of the emergency. The Committee would wherever practicable, conduct its meetings in accordance with the procedural by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be four.

CORPORATE STRATEGIC PLAN

This proposal supports the following:

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

N/A

DEPARTMENTAL CONSULTATION

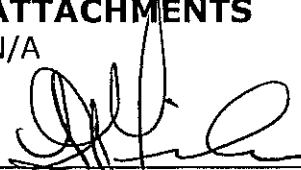
Emergency Services and Corporate Services were consulted in the preparation of this report.

COMMUNICATIONS

Information on this will be included along with other emergency management information on the City's web-site.

ATTACHMENTS

N/A



Prepared By:

Lois A. Giles
Director of Information Services/
City Clerk



Recommended By:

Shawn Armstrong
Director of Emergency Services.

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE Thursday July 17, 2008

SUBJECT Reading of By-laws
REPORT NUMBER

RECOMMENDATION

THAT the practice of reading the by-laws to be adopted at the Council meeting, be discontinued;

AND THAT the Procedural By-law be amended to provide that the by-laws as numbered be passed.

BACKGROUND

In an effort to better manage the time of City Council meetings, staff have conducted a survey of comparator municipalities to identify their procedures with respect to by-laws.

REPORT

Staff conducted a survey of comparator municipalities. It was found that most of the municipalities do not read the title of all the by-laws to be passed at the Council meeting. These municipalities read the number range of by-laws, for example By-law Number (2008)-18551 to By-law Number (2008)-18566. It was also found that the majority of municipalities give all three readings to the by-laws through one motion.

Government bills at the provincial and federal level require three readings and royal assent in order to come into effect. Prior to and in between the readings, a number of activities occur, including referral to committees, consultation, amendments, clause by clause review, etc. In the case of municipal by-laws, these steps normally occur prior to the point when a by-law is passed.

Since municipalities are created by provincial statute, it is likely that the practice of giving legislation three readings was also adopted at the municipal level. There is no statutory requirement in the Municipal Act for by-laws to be given three readings.

Therefore, staff are recommending that we do not verbally read the titles of the by-laws and that the practice of giving three readings to by-laws be discontinued. One motion for the by-laws to be passed is all that would be required. The complete listing of by-laws, as well as descriptive explanations of the by-laws will continue to be provided to Council.

CORPORATE STRATEGIC PLAN

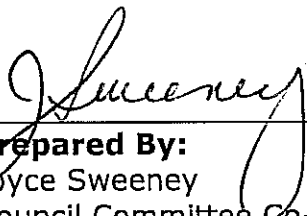
Goal #5 – A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

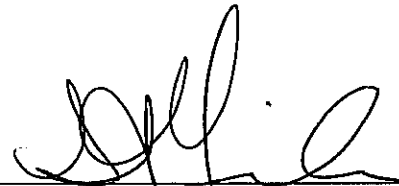
DEPARTMENTAL CONSULTATION

COMMUNICATIONS

ATTACHMENTS



Prepared By:
Joyce Sweeney
Council Committee Co-ordinator
519-822-1260 ext. 2440
joyce.sweeney@guelph.ca



Recommended By:
Lois A. Giles
Director of Information
Services/City Clerk
519-822-1260 ext. 2232
lois.giles@guelph.ca

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE July 17, 2008

SUBJECT Protocol for the Sharing of Information between the Guelph Police Services Board and The Corporation of the City of Guelph

RECOMMENDATION

THAT the Information Services Report dated July 17, 2008, entitled "Protocol for the Sharing of Information between the Guelph Police Services Board and The Corporation of the City of Guelph, be received;

AND THAT the Mayor and Clerk be authorized to sign the revised protocol agreement as shown within the report.

BACKGROUND

In 2002, The Guelph Police Services Board and The Corporation of the City of Guelph, entered into a Protocol for the Sharing of Information in order to establish a proactive approach to sharing information and providing effective, efficient and timely communications.

REPORT

The Guelph Police Services Board has submitted a revision of the protocol as a result of their 2007 Ministry Audit in order to set out specific dates by which the business plan should be provided to municipal council and members of the public. Section 3 of the protocol has been adjusted to provide:

- i) January 1st to be the deadline for submitting their Business Plan submission;
- ii) October 1st to be the deadline for submitting their Annual Report.

There were no other changes made to the protocol.

CORPORATE STRATEGIC PLAN

5.2 A consultative and collaborative approach to community decision making

FINANCIAL IMPLICATIONS

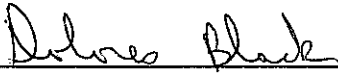
None

DEPARTMENTAL CONSULTATION

None

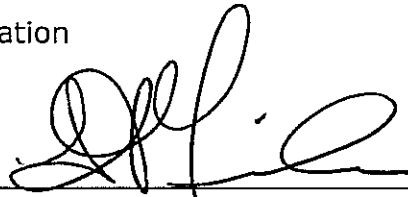
ATTACHMENTS

A copy of the revised Protocol for Sharing Information



Prepared By:

Dolores Black
Assistant Council Committee Co-ordinator



Recommended By:

Lois A. Giles
Director of Information Services/
City Clerk

**PROTOCOL FOR THE SHARING OF INFORMATION
BETWEEN
THE GUELPH POLICE SERVICES BOARD
AND
THE MUNICIPALITY OF GUELPH**

WHEREAS pursuant to Section 31(1) of the Police Services Act, as amended, the Guelph Police Services Board is responsible for the provision of adequate and effective police services in the City of Guelph;

AND WHEREAS the corporation of the City of Guelph is required, pursuant to Section 4(1) of the Police Services Act to provide adequate and effective police services in accordance with its needs;

AND WHEREAS the Board wishes, pursuant to Section 32(1) of Ontario Regulation 3/99 (the Adequacy Standards) to enter into a protocol with Council that addresses the following matters:

- A. The sharing of information with Council, including the type of information to be shared and the frequency of sharing such information;
- B. The dates by which the business plan and annual report shall be provided to Council;
- C. The responsibility for making public, the business plan and annual report, and the dates by which the business plan and report must be made public; and
- D. If Council chooses, jointly determining, and participating in the consultation processes for the development of the business plan.

THEREFORE THE PARTIES, HEREBY AGREE THAT

- 1) The Board shall provide the City Clerk for the City of Guelph:
 - a) In January of each year, with list of the dates, times and locations of the Board's regularly scheduled monthly public meetings for the following calendar year. In the event unforeseen circumstances arise, the Board will, where practicable, provide to the City, a two-week notice of any changes in the dates of the monthly public meetings, and City Council and staff shall consider these dates when making requests of the police service that require Board approval.
 - b) Copies of the public agenda at least three days before the Board's scheduled meeting date, or as soon thereafter as practicable; and
 - c) Copies of the previous month's approved minutes from the Board's said meetings, as soon as practicable after they are approved.

- 2) The Board shall invite Council members, department heads and the public, to attend consultations on the Police Service Budget and current policing issues, to be held annually as part of the budget process.
- 3) The Board shall:
 - a) Provide the City Clerk with at least 21 days written notice of any public meetings, or other consultation processes scheduled by the Board for the development of a business plan, along with an invitation to attend;
 - b) Provide the City Clerk with copies of the Police Service's business plan for distribution to all Council members and department heads by Jan 1 of the preliminary year of a business cycle;
 - c) Provide the City Clerk with copies of the Police Service's annual report of the previous calendar year for distribution to all Council members and department heads by Oct 1 of each year;
 - d) Make the business plan and annual report available to the public following their release to the City Clerk;
 - e) The Board shall, whenever confidentiality is not compromised and when to do so is not in contravention of the Police Service Act, inform the Council in advance of the intent to enter into a legal commitment or obligation which would result in the expenditure of any significant funds which were not specifically budgeted by the Board. For the purposes of this section, significant funds is defined as an expenditure in excess of 2% of the gross approved budget or \$200,000 whichever is the lesser. The Board must also indicate to Council, where possible, whether it believes the expenditure can be funded out of the police budget, or whether Council will likely have to fund the expenditure in accordance with Section 4.3 of the Police Services Act..
- 4) The Council shall:
 - a) Advise the Board Secretary in writing of its desire to jointly determine and participate in the consultation processes for the development of the business plan. Such request for participation shall be made at least 14 days after receiving written notice of the proposed consultation meeting or process.
 - b) Where it has specific issues/concerns which may impact the Guelph Police Services budget, invite senior Guelph Police Services staff to attend before it to enable Council to share its concerns and the Guelph Police Services staff shall attend such meeting.
 - c) Advise the Chief of Police of any policing issues to be discussed by an committee of Council, or Council, where staff or Council are aware of pending issues to be discussed, to permit police representation as appropriate.
- 5) This protocol is subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

Signed severally at the City of Guelph,
County of Wellington, by the respective parties hereto:

GUELPH POLICE SERVICES BOARD



C. David Clark – CHAIR

DATED and SIGNED at the City of
Guelph *1st* day of *May*, 2008.

THE CORPORATION OF THE CITY OF
GUELPH

Karen Farbridge – MAYOR

DATED and SIGNED at the City of
Guelph day of , 2008.

Lois A. Giles – CITY CLERK

DATED and SIGNED at the City of
Guelph day of , 2008.

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday July 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday July 17, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillors Beard and Hofland

Staff Present: Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Ms. S. Smith, Associate Solicitor; Mrs. L.A. Giles, Director 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 Piper
THAT the minutes of the Governance & Economic Development Committee meeting held on April 17, 2008 be confirmed as recorded and without being read.

Carried

CAO Employment Policy

REPORT

2. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the attached CAO Employment Policy be approved.

Carried

Code of Conduct for Council and Local Boards

Mrs. L.A. Giles

3. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the Code of Conduct for Council and Local Boards, be received and circulated to Local Boards for their comments;

AND THAT the clause under 'Work of a Political or Personal Nature' be clarified with respect to the use of city facilities, services or property;

AND THAT staff be directed to develop a procedure to implement the Code of Conduct for Council and Local Boards;

AND THAT the Code of Conduct for Council and Local Boards form part of a larger Corporate Code that is being developed.

Carried

Meeting Investigations Wellington-Dufferin-Guelph Board of Health

REPORT

4. Moved by Councillor Findlay
Seconded by Councillor Farbridge

THAT the City of Guelph consent to the use of Mr. Norm Gamble for the purpose of conducting meeting investigations under S.239.1 of the Municipal Act.

Carried

Continuity of Decision Making Process in Emergency Situations

REPORT

5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Procedural By-law be amended to establish a standing committee to be known as the Emergency Governance Committee;

AND THAT the Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council, and shall elect its own Chair;

AND THAT the Committee shall wherever practicable, conduct its meetings in accordance with the procedural by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be four;

AND THAT Council delegate 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:

1. 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; and
2. at such times 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
3. for Council's normal decision making processes, and not for the management or co-ordination of emergency response activities.

Carried

Reading of By-laws

REPORT

6. Moved by Councillor Findlay
Seconded by Mayor Farbridge
THAT the practice of reading the by-laws to be adopted at the Council meeting, be discontinued;

AND THAT the Procedural by-law be amended to provide that the by-laws as numbered be passed.

Carried

Protocol for the Sharing of Information between the Guelph Police Services Board and the Corporation of the City of Guelph

REPORT

7. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the Information Services Report dated July 17, 2008, entitled "Protocol for the Sharing of Information between the Guelph Police Services Board and the Corporation of the City of Guelph, be received;

AND THAT the Mayor and Clerk be authorized to sign the revised protocol agreement as shown within the report.

Carried

The meeting adjourned at 5:45 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE September 11, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

July 17, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>CODE OF CONDUCT FOR COUNCIL AND LOCAL BOARDS</p> <p>THAT the attached Code of Conduct for Council and Local Boards, be approved.</p>	Approve
<p>DISCRETIONARY POSITIONS UNDER MUNICIPAL ACT</p> <p>THAT no action be taken at this time to appoint the following discretionary positions under the Accountability and Transparency provisions of the Municipal Act:</p> <ul style="list-style-type: none">• Integrity Commissioner• Auditor General• Lobbyist Registrar• Ombudsman <p>AND THAT the appointment of these discretionary positions be reviewed again by June 2009;</p> <p>AND THAT City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.</p>	Approve
<p>CHANGE OF NAME FOR BOARD OF MANAGEMENT FOR THE DOWNTOWN BUSINESS IMPROVEMENT AREA; AND</p>	Approve

<p>APPOINTMENTS TO THE DOWNTOWN GUELPH BUSINESS ASSOCIATION</p> <p>THAT the name of the Board of Management for the Downtown Business Improvement Area be changed to "Downtown Guelph Business Association", and that By-law Number (1981)-10773 as amended, be further amended to reflect the change in name;</p> <p>AND THAT Council confirms the following citizen appointments to the Guelph Downtown Board of Management: John Allan, Tony DiBatista, Julia Grady, Sarah Harrison, Shelley Krieger, Andrew Lambden, Tom Lammer, Barbara Turley-McIntyre, Doug Minett, Konnie Peet, and Mark Rodford for a term expiring November 2010.</p>	
<p>SIDEWALK WINTER CONTROL SERVICE REVIEW</p> <p>THAT the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee, be approved.</p>	Approve

OTHER BUSINESS

NEXT MEETING

October 16, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday July 17, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday July 17, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillors Beard and Hofland

Staff Present: Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Ms. S. Smith, Associate Solicitor; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on April 17, 2008 be confirmed as recorded and without being read.

Carried

CAO Employment Policy

2. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the attached CAO Employment Policy be approved.

Carried

Code of Conduct for Council and Local Boards

3. Moved by Mayor Farbridge
Seconded by Councillor Wettstein

THAT the Code of Conduct for Council and Local Boards, be received and circulated to Local Boards for their comments;

AND THAT the clause under 'Work of a Political or Personal Nature' be clarified with respect to the use of city facilities, services or property;

AND THAT staff be directed to develop a procedure to implement the Code of Conduct for Council and Local Boards;

REPORT

Mrs. L.A. Giles

July 17, 2008

Governance & Economic Development Committee Page 2

AND THAT the Code of Conduct for Council and Local Boards form part of a larger Corporate Code that is being developed.

Carried

Meeting Investigations Wellington-Dufferin-Guelph Board of Health

REPORT

4. Moved by Councillor Findlay
Seconded by Councillor Farbridge

THAT the City of Guelph consent to the use of Mr. Norm Gamble for the purpose of conducting meeting investigations under S.239.1 of the Municipal Act.

Carried

Continuity of Decision Making Process in Emergency Situations

REPORT

5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the Procedural By-law be amended to establish a standing committee to be known as the Emergency Governance Committee;

AND THAT the Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council, and shall elect its own Chair;

AND THAT the Committee shall wherever practicable, conduct its meetings in accordance with the procedural by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be four;

AND THAT Council delegate 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:

1. 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; and
2. at such times 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
3. for Council's normal decision making processes, and not for the management or co-ordination of emergency response activities.

Carried

July 17, 2008

Governance & Economic Development Committee Page 3

Reading of By-laws

REPORT

6. Moved by Councillor Findlay
Seconded by Mayor Farbridge
THAT the practice of reading the by-laws to be adopted at the Council meeting, be discontinued;

AND THAT the Procedural by-law be amended to provide that the by-laws as numbered be passed.

Carried

Protocol for the Sharing of Information between the Guelph Police Services Board and the Corporation of the City of Guelph

REPORT

7. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the Information Services Report dated July 17, 2008, entitled "Protocol for the Sharing of Information between the Guelph Police Services Board and the Corporation of the City of Guelph, be received;

AND THAT the Mayor and Clerk be authorized to sign the revised protocol agreement as shown within the report.

Carried

The meeting adjourned at 5:45 p.m.

.....
Chairperson

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE September 11, 2008

SUBJECT Code of Conduct for Council and Local Boards
REPORT NUMBER

RECOMMENDATION

THAT the attached Code of Conduct for Council and Local Boards be approved.

BACKGROUND

At the July 17th, 2008 meeting of the Governance & Economic Development Committee, the committee received the Code of Conduct for Council and Local Boards and requested clarification on the clause with respect to 'Use of City Property'.

REPORT

Following the July meeting of the Governance & Economic Development Committee meeting, staff reviewed the "Use of City Property" section in the Code of Conduct for Council and Local Boards and revised this area to provide for a clearer explanation of the circumstances under which this provision would not apply. The following has been added to this section:

- 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.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

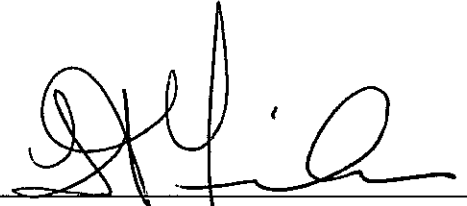
N/A

COMMUNICATIONS

N/A

ATTACHMENTS

1 – Code of Conduct

A handwritten signature in black ink, appearing to read 'Vicki Beard', written over a horizontal line.

Recommended By:

VB Councillor Vicki Beard
Chair - Accountability & Transparency Committee

CORPORATE POLICY AND PROCEDURE



POLICY	Council Code of Conduct
CATEGORY	
AUTHORITY	S.223.2(1) Municipal Act
RELATED POLICES	Accountability and Transparency
APPROVED BY	
EFFECTIVE DATE	
REVISION DATE	Annually

POLICY STATEMENT

A written 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, and their predecessors, and other boards which may be established from time to time:

- Accessibility Advisory Committee
- Committee of Adjustment
- Downtown Board of Management
- Board of Trustees of the Elliott
- Guelph General Hospital Commission
- Guelph Museums Board of Management
- Guelph Non-Profit Housing Corporation
- Heritage Guelph
- Property Standards/Fence Viewers Committee
- River Run Board of Directors

Confidential Information – while the classification of information as “confidential” is a matter of Council discretion whether labeled 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.

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 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 in an in-camera (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 her / 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 his or her 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 purpose 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.

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services

DATE Thursday September 11, 2008

SUBJECT Discretionary Positions under Municipal Act

REPORT NUMBER

RECOMMENDATION

THAT no action be taken at this time to appoint the following discretionary positions under the Accountability and Transparency provisions of the Municipal Act:

- Integrity Commissioner
- Auditor General
- Lobbyist Registrar
- Ombudsman

AND THAT the appointment of these discretionary positions be reviewed again by June 2009;

AND THAT City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

BACKGROUND

The Accountability and Transparency Committee, as part of their mandate, reviewed and considered the discretionary positions under the Municipal Act.

REPORT

Under the Accountability and Transparency provisions of the Municipal Act, a council has the discretion to appoint the following positions:

1. 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 members of local boards.
2. Registrar responsible for a lobby registration which is a formal tracking of lobbyists and their meetings with public officials that would be made available for public inspection.
3. Ombudsman responsible for investigating in an independent manner any decision or recommendation made or act done or omitted in the course of the administration of the municipality, its local boards and such municipally-controlled corporations as the municipality may specify.

4. Appoint an Auditor General responsible for assisting Council in "holding itself and its administration accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations". This does not include the duties of the municipal auditor.

In Ontario, except for the City of Toronto, these appointments are discretionary. As far as we can determine, only a few of the 445 Ontario municipalities have established any of these discretionary positions. The most common appointment is the position of Integrity Commissioner, with the majority of those individuals who have been appointed to this position have a background in law. It is our understanding that similar to the AMO/LAS meeting investigation services, most municipalities have made a financial arrangement that includes an annual retainer, daily rates for conducting inquiries and expenses.

Below is a summary of the information staff have been able to obtain with respect to appointments for these discretionary positions:

Integrity Commissioner	Lobbyist Registrar	Ombudsman	Auditor General
Hamilton Meaford Oakville Port Hope Toronto Vaughan Windsor (new Sept. 2/08) Woodstock	Toronto	None	Ottawa Toronto

The Committee felt that as there is such limited experience in Ontario at this time with respect to these appointments, it was felt that it would be beneficial to review the need for these discretionary positions in June 2009 and at this time to take no action.

The Accountability & Transparency Committee is also recommending that City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

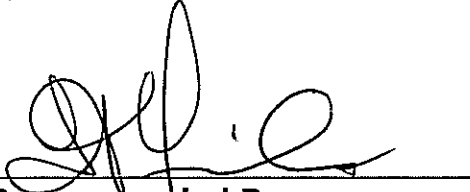
N/A

COMMUNICATIONS

N/A

ATTACHMENTS

N/A

A handwritten signature in black ink, appearing to read 'Vicki Beard', written over a horizontal line.

Recommended By:

FOR: Councillor Vicki Beard
Chair – Accountability & Transparency Committee

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE September 11, 2008

SUBJECT **A)Change of name for the Board of Management for the Downtown Business Improvement Area, and;
B)Appointments to the Downtown Guelph Business Association**

REPORT NUMBER

RECOMMENDATION

That the name of the Board of Management for the Downtown Business Improvement Area be changed to "Downtown Guelph Business Association", and; that By-law Number (1981)-10773 as amended be further amended to reflect the change in name, and;

That Council confirm the following citizen appointments to the Board:

<u>Appointment</u>	<u>Term to expire</u>
John Allan	November, 2010
Tony DiBatista	November, 2010
Julia Grady	November, 2010
Sarah Harrison	November, 2010
Shelley Krieger	November, 2010
Andrew Lambden	November, 2010
Tom Lammer	November, 2010
Barbara Turley -McIntyre	November, 2010
Doug Minett	November, 2010
Konnie Peet	November, 2010
Mark Rodford	November, 2010

BACKGROUND

As a result of the Bill 130 changes to the Municipal Act we have been in discussions with the executive of the Downtown Board of Management with regard to complying with the provisions. The Municipal Act requires that Council confirm appointments to the Board.

REPORT

We have been notified by the Guelph Downtown Board of Management of their recommended appointees for the Board. We are bringing forward same for Council's

consideration and are recommending that they be appointed for a term to expire concurrently with Council's term. In addition, it is recommended that an amending by-law be prepared for Council's approval to change Board's name, to the "Downtown Guelph Business Association", which has been adopted for use by the Board.

CORPORATE STRATEGIC PLAN

This recommendation supports strategic objective 5: A community –focused, responsive and accountable government; specifically, 5.2 a consultative and collaborative approach to community decision making, 5.3 Open accountable and transparent conduct of municipal Business and, 5.4 Partnerships to achieve strategic goals and objectives.

FINANCIAL IMPLICATIONS

Not Applicable

DEPARTMENTAL CONSULTATION

Not applicable

COMMUNICATIONS

Not Applicable

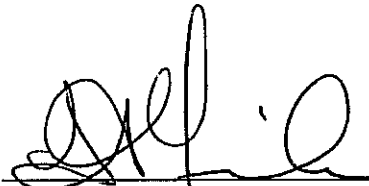
ATTACHMENTS

N/A



Prepared By:

Tina Agnello
Deputy Clerk
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tina.agnello@guelph.ca



Recommended By:

Lois Giles
Director of Information
Services/Clerk
519 822 1260 ext. 2232
lois.giles@guelph.ca

COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Operations
DATE Thursday, September 11, 2008

SUBJECT Sidewalk Winter Control Service Review
REPORT NUMBER

RECOMMENDATION

That the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee be approved.

BACKGROUND

On April 14, 2008 Council approved the following resolutions- "[t]hat a service review be initiated in 2008 to examine sidewalk snow clearing practices" and "[t]hat staff be directed to report back to Council on the proposed parameters for undertaking the service review on sidewalk snowplowing".

A Council directed service review is designed to provide Council and staff with the information necessary to understand the service as well as the full implications of changing, not changing, or removing the service. *The review must include public input to ensure, first and foremost, that the service is desired.* It must also determine the most appropriate way to provide the service and include strategies where possible for reducing the cost of delivery while maintaining or improving the service and community-defined service levels.

The 2008 Community Survey indicated clearly that while 73% of residents are satisfied with the current service, they are evenly split in terms of whether or not Sidewalk Winter Control should be provided for able-bodied residents.

Additional work is required to complete the Sidewalk Winter Control Service Review. To that end, a project plan and time lines have been developed to guide the review process. This plan is consistent with the Council approved Service Review Framework, tabled on July 12, 2007.

REPORT

The Service Review Plan proposed in this report will ensure the objectives, scope, cost, assessment methodology, and timeframe are achieved.

The Service Review Plan

Purpose:

To determine whether Sidewalk Winter Control 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 Sidewalk Winter Control Service Review will focus on snow plowing, snow removal, salting and sanding practices of City sidewalks (including bus stops) and the methods in which the service is performed.

Objectives:

Phase One

- To provide Council with a full understanding of the current service, its structure, costs, objectives, standards and outcomes
- To examine other municipal practices with respect to Sidewalk Winter Control
- To research alternative delivery model options for consideration by Council
- To make an informed recommendation with strong rationale for either continuing to provide the service or not in the most cost-effective, efficient and sustainable manner

Phase Two

- To identify the expected service delivery outcomes and community-defined service levels for the Sidewalk Winter Control service as recommended from Phase One

Timeframe:

Assuming Council approves the Service Review Plan on September 22, 2008, Phase One assessment will begin immediately, with results presented to Council on November 24, 2008. Phase Two will be completed in 2009.

Team:

The Service Review team will be directed by the Operations Department with representation from the Operations management team, Finance and Corporate Administration. A consultant will be brought in to assist with Phase Two.

The Review Methodology

This service review process includes planning, current assessment, public consultation, implementation and evaluation. These steps will take place in two phases.

Phase One

1. Current State Assessment

In accordance with the Assessment phase of the Service Review Framework, service objectives, standards and performance outcomes will be identified along with service strengths and issues. Practices and service delivery models from other municipalities will also be examined. Key questions to be addressed include:

- What is this service intended to accomplish? What are the benefits?
- What are the current standards, targets and core processes?
- How is performance managed? Is the service effective and efficient?

-
- What aspects of the service compare most favorably with other municipalities and demonstrate operational excellence?
 - Do any work processes create inefficiencies? Are there any barriers to operational excellence or performance gaps?
 - What options are possible for delivering this service to the community?

2. Options Identification

Options for alternative delivery approaches that look to maximizing benefits and reducing costs will be researched, assessed and designed.

3. Internal Consultation

Draft recommendations that arise from the current state assessment and option identification work will be presented to the Senior Management Team members for independent review and discussion prior to the report being presented to Council.

4. Report

A comprehensive report summarizing the Phase One results of the service review will be presented for Council review and approval on November 24, 2008.

Phase Two

Phase Two includes the public consultation, implementation and evaluation of the service review process.

1. Stakeholder Focus Groups

There are a number of key stakeholders identified who can provide valuable and unique input and who will be invited to participate in separate focus group sessions:

- Guelph Downtown Business Association & Downtown Coordinating Committee
- Guelph Accessibility Committee
- Neighbourhood Associations

Consultations will take place with a professional, independent facilitator. The sessions will focus on the options recommended from Phase One and will determine the community-defined service levels for the Sidewalk Winter Control Service.

2. Internal Consultation

Draft recommendations that arise from focus groups will be presented to the Senior Management Team members for independent review and discussion prior to the report being finalized.

3. Report

A comprehensive report summarizing the results of Phase Two of the service review will be presented for Council review and approval.

4. Implementation & Evaluation

The last steps of this service review process include implementation and evaluation. The Council approved recommendations will be implemented, monitored and evaluated to determine the effectiveness and efficiency of the changes. A final report will summarize assessment findings and next steps to ensure the ongoing sustainability of the service review outcome(s).

CORPORATE STRATEGIC PLAN

Objective 5.2 – “A consultative and collaborative approach to community decision making”

Objective 5.6 – “Organizational excellence in planning, management, human resources and people practices....”

FINANCIAL IMPLICATIONS

An estimated cost of \$8,000 for the completion of Phase One will be funded through the 2008 Operations Department Operating Budget. Phase Two is estimated to be \$10,000 and will be funded through the 2008 and 2009 approved Operations Department budget.

DEPARTMENTAL CONSULTATION

Consultation took place with a number of departments in the development of this project plan including Corporate Services, Community Services, Financial Services, Economic Development and Tourism.

COMMUNICATIONS

n/a

ATTACHMENTS

n/a



Prepared By:

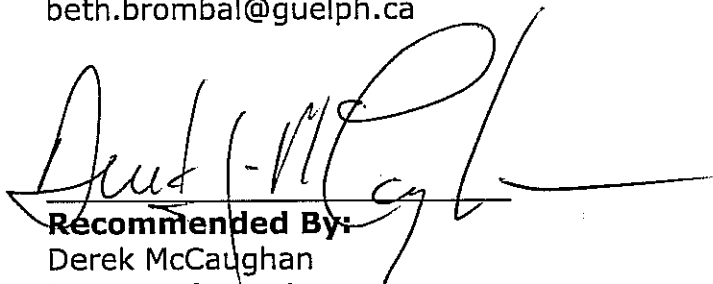
Beth Brombal
Coordinator, Service Performance & Devel't

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Recommended By:

Brenda Boisvert
Manager, Strategic Planning &
Corporate Initiatives
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Recommended By:

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Director, Operations
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**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday September 11, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday September 11, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillor Bell

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. D. McCaughan, Director of Operations; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on September 11, 2008 be confirmed as recorded and without being read.

Carried

Code of Conduct for Council and Local Boards

2. Moved by Mayor Farbridge
Seconded by Councillor Piper

REPORT

THAT the Code of Conduct for Council and Local Boards, as attached, be approved.

Carried

Discretionary Positions Under the Municipal Act

3. Moved by Councillor Piper
Seconded by Mayor Farbridge

REPORT

THAT no action be taken at this time to appoint the following discretionary positions under the Accountability and Transparency provisions of the Municipal Act:

- Integrity Commissioner
- Auditor General
- Lobbyist Registrar
- Ombudsman

AND THAT the appointment of these discretionary positions be reviewed again by June 2009;

AND THAT City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

Carried

Change of Name for Board of Management for the Downtown Business Improvement Area; and Appointments to the Downtown Guelph Business Association

REPORT

- 4. Moved by Councillor Findlay
Seconded by Mayor Farbridge

THAT the name of the Board of Management for the Downtown Business Improvement Area be changed to "Downtown Guelph Business Association", and that By-law Number (1981)-10773 as amended, be further amended to reflect the change in name;

AND THAT Council confirms the following citizen appointments to the Guelph Downtown Board of Management: John Allan, Tony DiBatista, Julia Grady, Sarah Harrison, Shelley Krieger, Andrew Lambden, Tom Lammer, Barbara Turley-McIntyre, Doug Minett, Konnie Peet, and Mark Rodford for a term expiring November 2010.

Carried

Sidewalk Winter Control Service Review

REPORT

- 5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee, be approved.

Carried

The meeting adjourned at 5:30 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE October 30, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
2009 BUDGET PRESENTATIONS <ul style="list-style-type: none">• Economic Development• Police• Library• Museum• Agencies/Shared Services	

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday, October 30, 5:15 p.m.**

A regular meeting of the Governance and Economic Development Committee was held on Thursday, October 30, 2008 in Council Chambers at 5:15 p.m.

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

Also Present: Councillors Beard, Bell, Farrelly, Hofland and Salisbury

Staff in Attendance: Mr. H. Loewig, Chief Administrative Officer; Ms. M. Neubauer, Director of Finance, Chief R. Davis, Police Chief; Mr. P. Cartwright, Manager of Economic Development & Tourism Services; Mr. R. Hagey, Supervisor of Budgets; Mr. N. McLeod, Chief Librarian; Ms. S. Trerise, Visitor and Convention Services Manager; Mr. J. Mairs, Economic Development Project Manager; Mrs. L.A. Giles, City Clerk; and Ms. D. Black, Assistant Council Committee Coordinator.

There was no disclosure of pecuniary interest.

The Director of Finance provided an overview of the Budget process.

Council Budget

Mrs. L.A. Giles, Director of Information Services/City Clerk presented the proposed 2009 Council budget and responded to questions.

Guelph Police Services

Ms. S. Morris, Director of Corporate Services, Police Services provided highlights of the proposed 2009 Guelph Police Services budget. Chief Davis provided additional information in response to questions raised.

Councillor Bell retired from the meeting at 6:15 p.m.

Economic Development & Tourism Services

Mr. P. Cartwright, General Manager of Economic Development presented the proposed 2009 budget for Economic Development and Tourism Services, and capital budget projects.

Guelph Public Library Board

Mr. N. McLeod, Chief Librarian provided highlights of the proposed 2009 Guelph Public Library Board budget.

Guelph Museums

Ms. K. McCracken, Museum Director, presented the proposed 2009 budget for the Guelph Museums, and requested that Council fund the proposed capital project relating to Museum digital storage.

Other Boards & Agencies

Ms. M. Neubauer, Director of Finance, provided information on:

- Social Housing increases,
- the Youth Shelter operating and capital costs.
- Community Grants
- special projects and civic celebrations.
- Provincial Government's announcements with respect to uploading.

The meeting adjourned at 7:35 p.m.

.....

Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE November 18, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

September 11, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>HUMAN RESOURCES/PEOPLE PRACTICES STRATEGY</p> <p>THAT Council approve the Human Resource Strategy for the City of Guelph;</p> <p>AND THAT Council endorse the re-naming of the Strategy to the People Practices Strategy;</p> <p>AND THAT staff report back annually on the status and progress made in implementing the Strategy.</p>	<p>Approve</p>
<p>RESPONSE TO QUESTIONS REGARDING INFORMATION TECHNOLOGY</p> <p>THAT the report from the Information Services Department dated November 18, 2008, be received.</p>	<p>Receive</p>
<p>FLAG RAISING POLICY</p> <p>THAT the policy regarding raising, displaying and half masting of outdoor flags on City of Guelph properties attached hereto be adopted.</p>	<p>Approve</p>
<p>REVIEW OF GUELPH CITY COUNCIL GOVERNANCE FRAMEWORK</p>	<p>Approve</p>

Recommendation No. 1 - THAT staff be mandated through the Governance Committee to review and recommend improvements to the Governance Framework and associated elements during each term of Council.

Recommendation No. 2 - THAT the following structure for standing committees as outlined in the report of the Director of Information Services dated November 18, 2008, be adopted for the balance of the 2006-10 term of Council:

Governance Working Committees	Operational Standing Committees
Governance Committee (Mayor + Chairs of Standing Committees)	Community Development & Environmental Services Committee (Mayor + 4 Councillors)
Audit Committee (4 Councillors + Mayor)	Community Services, Emergency Services & Operations Committee (Mayor + 4 Councillors)
Emergency Governance Committee	Finance, Administration & Corporate Services Committee (Mayor + 4 Councillors)
	Land Ambulance Committee / Joint Social Services Committee (3 City ECO Members, 3 County Councillors Mayor & Warden)

Recommendation No. 3 – THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council’s new governance structure be reviewed by the City and the County of Wellington.

Recommendation No. 4 – THAT the establishment of an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a

business licence be referred to the Finance, Administration & Corporate Services Committee.

Recommendation No. 5 – THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

Recommendation No. 6 – THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

Recommendation No. 7 – THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

Recommendation No. 8 – THAT commencing with the 2010-14 term of Council, members of Council no longer be appointed to advisory committees.

Recommendation No. 9 – THAT at the beginning of each Council term, significant time should be spent in clarifying the roles and relationships between Council, the CAO and Administration.

Recommendation No. 10 – THAT at the beginning of each Council term, significant time should be spent in reviewing the Council/staff protocol.

Recommendation No. 11 – THAT all new projects/initiatives, or inquiries of significance where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to

<p>either an operational function or a formally identified strategic priority, be formally acknowledged by Council and referred to the annual strategic priority planning sessions in early spring.</p> <p>Recommendation No. 12 – THAT the use of consent agendas be adopted for use by the Standing Committees.</p> <p>Recommendation No. 13 – THAT staff presentations at regular Council meetings, be scheduled at the beginning of the agenda, and that staff presentations at planning and special meetings continue to be scheduled to suit the content of the agenda.</p> <p>Recommendation No. 14 – THAT Council consider scheduling Mondays for all council and standing committee meetings.</p> <p>Recommendation No. 15 – THAT the automatic 11:00 p.m. adjournment be permitted only once to no later than 11:59 p.m.</p>	
<p>FULL VS. PART TIME COUNCILLORS</p> <p>THAT the report of the Director of Information Services/Clerk with respect to full-time vs. part-time councillors, be received.</p>	<p>Receive</p>
<p>SIDEWALK WINTER CONTROL SERVICE REVIEW REPORT</p> <p>THAT the Governance and Economic Development Committee report <u>Sidewalk Winter Control Service Review Report of November 18, 2008</u> be received;</p> <p>AND THAT Sidewalk Winter Control continues to be a service provided to the citizens of Guelph;</p> <p>AND THAT staff commence with Phase 2 of the Sidewalk Winter Control review process to identify expected service delivery outcomes</p>	<p>Approve</p>

<p>and community defined service levels through public consultation;</p> <p>AND THAT staff be directed to implement operational improvements for the 2008/2009 winter season as identified in the Governance and Economic Development Committee report <u>Sidewalk Winter Control Service Review Report</u>.</p>	
<p>IN CAMERA</p> <p>THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:</p> <ul style="list-style-type: none"> ▪ personal matters about identifiable individuals. 	

OTHER BUSINESS

NEXT MEETING

December 11, 2008

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday September 11, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Thursday September 11, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillor Bell

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. D. McCaughan, Director of Operations; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meeting held on September 11, 2008 be confirmed as recorded and without being read.

Carried

Code of Conduct for Council and Local Boards

2. Moved by Mayor Farbridge
Seconded by Councillor Piper

THAT the Code of Conduct for Council and Local Boards, as attached, be approved.

Carried

Discretionary Positions Under the Municipal Act

3. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT no action be taken at this time to appoint the following discretionary positions under the Accountability and Transparency provisions of the Municipal Act:

- Integrity Commissioner
- Auditor General
- Lobbyist Registrar
- Ombudsman

REPORT

REPORT

September 11, 2008

Governance & Economic Development Committee Page No. 2

AND THAT the appointment of these discretionary positions be reviewed again by June 2009;

AND THAT City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

Carried

Change of Name for Board of Management for the Downtown Business Improvement Area; and Appointments to the Downtown Guelph Business Association

REPORT

- 4. Moved by Councillor Findlay
Seconded by Mayor Farbridge

THAT the name of the Board of Management for the Downtown Business Improvement Area be changed to "Downtown Guelph Business Association", and that By-law Number (1981)-10773 as amended, be further amended to reflect the change in name;

AND THAT Council confirms the following citizen appointments to the Guelph Downtown Board of Management: John Allan, Tony DiBatista, Julia Grady, Sarah Harrison, Shelley Krieger, Andrew Lambden, Tom Lammer, Barbara Turley-McIntyre, Doug Minett, Konnie Peet, and Mark Rodford for a term expiring November 2010.

Carried

Sidewalk Winter Control Service Review

REPORT

- 5. Moved by Councillor Piper
Seconded by Mayor Farbridge

THAT the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee, be approved.

Carried

The meeting adjourned at 5:30 p.m.

.....
Chairperson

COMMITTEE REPORT



TO **Governance and Economic Development Committee**

SERVICE AREA Human Resources
DATE November 13, 2008

SUBJECT **Human Resources/People Practices Strategy**
REPORT NUMBER

RECOMMENDATION

That Council approve the Human Resource Strategy for the City of Guelph.

That Council endorse the re-naming of the Strategy to the People Practices Strategy.

That staff report back annually on the status and progress made in implementing the Strategy.

BACKGROUND

The Human Resources Strategy Framework was approved by City Council in November 2007, which provided approval in principle for the development of a City-wide Human Resource Strategy, as well as authorization to proceed with a consultation process to inform the directions outlined in the Strategy.

The overarching principle from which the Strategy was derived is Council's strategic direction to achieve "organizational excellence in planning, management, human resources and people practices, to be recognized as a top employer in the community".

The People Practices Strategy in Appendix A provides a "path" for how the "Top Employer in the community" strategic objective will be achieved. It describes four 'Strategic Goals' or pillars, with associated objectives and suggested activities to be explored for implementation.

Workplans for each of the objectives will be developed to provide context for Council and City staff which will provide a means by which progress toward the goal may be measured, and accountabilities to be identified to ensure that progress is made.

The Strategic Goals, objectives and suggested activities have been supported by research of Top 100 Employers, best practices of local employers and tested through an extensive consultation process within the organization and with employee representatives and Council.

The importance of the Strategy and associated objectives reflects the City's commitment to initiating work on many of the attributes of 'Top Employers' (i.e. where "proposed action items" are listed).

Where the Strategy indicates that the City will explore the feasibility of a particular item, this reflects a commitment of the City to the item in principle. Further research, analysis and exploration will be required in the broader context of the City's priorities and subject to available financial resources. For these reasons, it may be determined that some items may not be feasible or may require deferral. This does not diminish however the City's commitment to achieve 'Top Employer' status.

It must also be noted that many of the items contained within the People Practices Strategy that enhance benefit and/or vacation entitlements for employees would be subject to negotiation with appropriate bargaining agents and would form part of the overall negotiation of collective agreements.

In conclusion, the ability of the City to deliver on the goals and objectives contained within the People Practices Strategy and to over time make modifications based on best practices and employee feedback will determine the pace at which 'Top Employer' status will be achieved.

REPORT

The People Practices Strategy identifies strategic directions for meeting current and future human resource challenges. It provides structure, substance and meaning to all activities related to human resource management throughout the organization. It provides a context for the City to develop innovative ways to attract, develop, support, evaluate, reward and retain its human resources. Moreover, it provides a framework and direction for the City to achieve Council's Strategic Objective; to become a top employer in the community characterized by excellence in human resources and people practices.

Critical to the City's success and effectiveness in meeting service and business objectives in support of Council's strategic directions will be the extent to which the City creates an environment that enables continuous improvement, learning and excellence in service delivery. A Corporate People Practices Strategy is required as an integral part of the Corporate

Strategic Plan to provide a context for the direction and integration of human resource management approaches into departmental operational plans.

In essence the People Practices Strategy constitutes the employment promise or commitment to staff to be delivered by all departments and will advance the City's position to be recognized as a top employer in the community, where employees want to work and build successful careers.

The People Practices Strategy is needed to respond to increasing current and future pressures in the labour market, and to anticipate and address the needs of a changing workforce. It considers such things as:

- cultivating excellence in performance and service to the community
- meeting the City's obligation and desire to provide safe, healthy, accessible, inclusive and respectful workplaces
- creating an environment supportive of effective "work/life" harmony for employees
- ensuring that the City has a workforce reflective of the community it serves
- planning for and managing succession to ensure continuity and retain organizational knowledge
- providing leadership and career development programs and opportunities to build capacity for the future.

Among the many benefits associated with a People Practices Strategy for the City include;

- The organization benefits in that the strategy allows for a full integration of human resources planning into business/operational planning by providing context and direction.
- Council benefits from having an official reference point when deliberating policy and/or resource allocation as it relates to human resource services and programs.
- Senior staff is guided in human resource related decision-making.
- Employees benefit from a strategy that officially recognizes the value of their contributions and that focuses organizational effort on providing challenging employment, rewarding careers, continuous learning and ultimately job satisfaction.

The measure of an effective People Practices Strategy will reflect: senior administrative and political leadership commitment to the strategy and programs and initiatives that flow from it, that the City lives up to its promise to employees, that there are aligned and supportive people

practices, and that there is a high level of commitment among employees in the organization.

The Strategy consists of four Strategic Goals or pillars:

1. A Well Workplace

Being a “Top Employer” means providing employees with challenging, rewarding, enjoyable and fulfilling careers and assisting them in balancing career with home and personal life through supportive human resource policies and management approaches. The desired end-state is that people will choose to work for the City and dedicate themselves to the City’s success.

2. Learning Organization

The learning organization can best be described as one that fosters learning as a way of life, that encourages creativity, and that actively and visibly promotes and invests in the ongoing skill and knowledge development of its employees, tied to the organization’s goals. It can also be described as commitment and support for an alignment of career development with personal goals and corporate objectives.

3. Leadership

Leadership is vision, motivation, and action. It creates the future, provides guidance, direction, inspiration and empowers people to realize their potential. The City needs to capitalize on its leaders at all levels in the organization, to cultivate energy, enthusiasm, and a sense of purpose and direction. Lastly, leadership is taking responsibility for decisions taken or not taken and is characterized by integrity and credibility. Leadership inherently reflect the values of our organization i.e. Integrity, Excellence and Wellness.

4. Business and Service Excellence

Within the City of Guelph context, business and service excellence can be described as providing ‘best in class’ customer service. This is achieved through an integration of business objectives, optimal use of technology, well-trained staff and effective management of change. In addition, objectively measuring performance acts as a key component to continuous improvement.

These strategy elements demonstrate and reinforce the City’s commitment to carefully planning for its ‘people’ challenges, to help ensure that the City’s broader strategic and operational goals can be achieved.

Work has commenced or has been underway on many of the objectives contained in the People Practices Strategy, most notably initiatives related to

wellness, diversity, succession management, analysis regarding competitive compensation, employee recognition, corporate values, communications strategy, and service excellence (i.e. customer service).

Within the Strategy there are a number of strategic initiatives that will come forward as part of the annual Council/SMT priority setting exercise to ensure integration the City's workplan going forward. These initiatives are:

- A comprehensive Wellness Strategy
- A workplace Diversity Strategy
- Succession Management/Replacement Planning Strategy
- Information Technology Strategy
- Corporate Communications Strategy
- Customer Service/Service Excellence Strategy
- Corporate Environmental Responsibility Strategy

Over time, the Strategy will be reviewed regularly with a view to continuously improving all elements of human resource management in the City and to ensure alignment with the City's overall strategic direction.

Appendix "A" provides a listing of each Strategic Goal, with accompanying objectives and associated/suggested activities or tactics.

CORPORATE STRATEGIC PLAN

The People Practices Strategy will be used as the road map to accomplish several goals and objectives from the Strategic Plan, as follows;

Goal 2: A healthy and safe community where life can be lived to the fullest
2.5 Comprehensive life-long learning opportunities

Goal 3: A diverse and prosperous local economy
3.5 A diverse and skilled local workforce

Goal 5: A community-focused, responsive and accountable government
5.6 Organizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community

FINANCIAL IMPLICATIONS

The existence of a People Practices Strategy does not in itself create new costs. There are costs associated with the implementation of many of the "tactics" described in Appendix A and intended to move the City in the direction of becoming a "top employer in the community". However, many of the "tactics" are at low or no new cost, as they are derived from the efforts of existing staff.

Where new cost is to be incurred, appropriate submission in the annual budget request process will be made. The level of funding allocated to such things as training and leadership development, succession management, diversity programs, etc., will determine the pace with which the Strategy can be implemented and “top employer” status achieved.

DEPARTMENTAL CONSULTATION

Consultations were conducted with Members of the 2007 – 2010 Council, the City’s Senior Management Team, representatives of employees from all City departments and employees’ bargaining representatives.

In addition, research of Mediacorp’s “Canada’s Top 100 Employers” was undertaken as well as thirteen distinguished employers in the Guelph surrounding area were contacted regarding their human resource/people practices to gauge the City’s position relative to local competition for talent.

COMMUNICATIONS

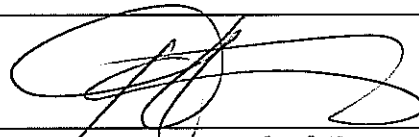
Following approval of the Strategy, HR Staff will work extensively with Corporate Communications to develop and implement communication of the Strategy and associated objectives to all City staff.

ATTACHMENTS

Appendix A – People Practices Strategy

**Prepared and Recommended By:**

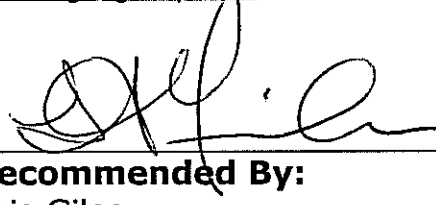
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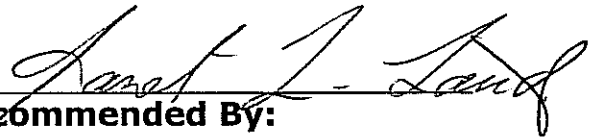
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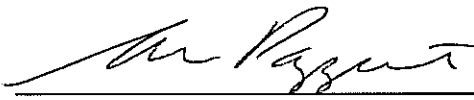
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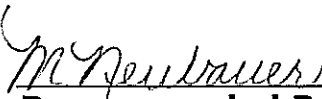
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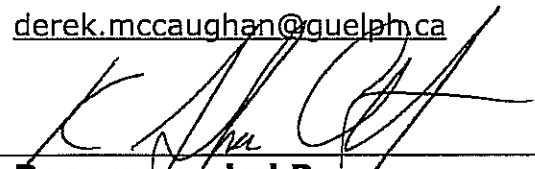
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APPENDIX A
CITY OF GUELPH
PEOPLE PRACTICES STRATEGY

PEOPLE PRACTICES STRATEGY

GOAL 1

A WELL WORKPLACE

Being a “Top Employer” means providing employees with challenging, rewarding, enjoyable and fulfilling careers and assisting them in balancing career with home and personal life through supportive human resource policies and management approaches. The desired end-state is that people will choose to work for the City and dedicate themselves to the City’s success.

Strategic Objective:

1.1 A comprehensive Wellness Strategy that fully addresses the physical, social and psycho-social needs of employees and maintains and enhances the current commitment to employee health, safety and wellness.

Proposed action items:

- Continued marketing and ensured maintenance of the Employee Assistance Program
- Continued marketing and ensured maintenance of existing wellness initiatives i.e. ongoing communication/promotion of health/wellness topics, walking programs, healthy eating promotion etc.
- To explore the feasibility for the following wellness initiatives:
 - A fitness center e.g. utilizing the Annex building
 - A “wellness account” as part of the City’s benefit package to be used toward fitness activities e.g. corporate membership/discount for fitness centers in Guelph
 - Employee discounts for city delivered programs
 - Workplace childcare
 - Healthy food choices at city locations
 - Employee lounge space
 - Formalized flexible work arrangements

1.2 Competitive compensation practices to attract and retain talent while balancing fiscal responsibility

Proposed action items

- To explore the feasibility for the following initiatives
 - o Provide cafeteria style benefits to employees – allowing employees to choose from a menu of benefit options, within a determined monetary ceiling – pilot with non-union employees from which an evaluation would ensue to determine success from employee’s perspective and cost savings from the employer perspective
 - o Modify vacation entitlements and eligibility – to provide employee’s with vacation entitlement in the first year of employment
 - o Maternity/paternity leave top up – options include top up beyond Employment Insurance Benefits to 75%
 - o Modifying the current overtime practices for NUME employees
 - o Establish a council approved ‘competitive’ position with an approved comparator group to maintain salary competitiveness for the Non-union group of employees
 - o Conduct a review of the City’s Income Protection Plan (e.g. sick leave entitlement) to ensure competitiveness and alignment with the Corporate Values
 - o A computer purchase program – e.g. interest free loans to employees payable within a defined term through payroll deduction

1.3 A Workplace Diversity Strategy

Proposed action items:

- To undertake the following initiatives
 - o Confirm the City’s commitment to attraction, recruitment, development and retention efforts to ensure a workforce that recognizes (is reflective of) the community it serves
 - o Education/awareness diversity training initiatives
 - o Employee diversity/affinity groups
 - o Employment systems review to ensure systemic barrier free recruitment
 - o Communications that regularly promotes/celebrates/highlights the diversity of City employees
 - o Development and implementation of workplace harassment, diversity and anti-violence policies that facilitate respectful workplace practices

- Establish Council Advisory Committees that reflect diverse communities in Guelph to advise the City on issues affecting them (e.g. employment, accessibility, public consultation etc.)

1.4 Employee Recognition

Proposed action items

- To maintain the City's commitment to recognition of employee contributions e.g.
 - Annual recognition evening
 - Summer BBQ
 - Holiday celebrations
 - Employee and website FROG program

1.5 Flexible Work Arrangements

Proposed action items

- To explore the feasibility of the following options
 - flexible work hours
 - compressed work week
 - telecommuting
 - job sharing
 - flexible retirement options
 - Community volunteering – defined hours to a maximum each year during work hours

1.6 Continuity and Integration of the City's Corporate Values

Proposed action items

- To:
 - Annually reconfirm the City's commitment through SMT and Council communication
 - Regular marketing
 - Incorporation of the Corporate values into human resource policies, programs and services e.g. performance appraisals, selection and recruitment, training

1.7 Employee Involvement in decision making

Proposed action items

- To explore the feasibility for the following items:
 - o Utilization of ad hoc employee focus groups
 - o More effective consultation and communication with employees where decisions affect their work
 - o Department information sessions to receive employee input into department workplans
 - o Establish corporate advisory/strategy groups e.g. Human Resources, Information technology, Financial sustainability, Efficiency/Effectiveness

GOAL 2

Learning Organization

The learning organization can best be described as one that fosters learning as a way of life, that encourages creativity, and that actively and visibly promotes and invests in the ongoing skill and knowledge development of its employees, tied to the organization's goals. It can also be described as commitment and support for an alignment of career development with personal goals and corporate objectives.

2.1 A Core Learning Curriculum

Proposed action items

- o Re-evaluate competencies identified for employees and establish clear linkages between
 - Core competencies required by all City employees
 - Role competencies (e.g. Director, manager, professional/technical, skilled/semi-skilled workers)
 - Job specific competencies
- o Develop a series of cyclical courses/training programs which develop these skills

2.2 A Learning Policy that supports learning that is linked to the City's Strategic Plan and that addresses learning that is:

- Required by legislation for different role or professions
- Job related
- Used to build individual capacity and skills, enabling learners to move to other roles in the organization

Proposed action items

- To explore the feasibility of the following:
 - Internal and external job exchanges
 - Job enrichment or 'stretch assignments
 - Cross departmental learning
 - Equitable access to professional development courses/conferences/seminars
 - Partnerships with external learning institutions
 - Education leaves
 - Secondments

2.3 Best in class Recruitment practices

Proposed action items

- To explore the feasibility of the following:
 - to incorporate assessment of 'Corporate Values'
 - to remove 'credentialism' as systemic barriers for internal and external applicants
 - to leverage existing internal talent e.g. incorporation of performance assessment information as part of selection process

GOAL 3

Leadership

Leadership is vision, motivation, and action. It creates the future, provides guidance, direction, inspiration and empowers people to realize their potential. The City needs to capitalize on its leaders at all levels in the organization, to cultivate energy, enthusiasm, and a sense of purpose and direction. Lastly, leadership is taking responsibility for decisions taken or not taken and is characterized by integrity and credibility. Leadership inherently reflect the values of our organization i.e. Integrity, Excellence and Wellness.

3.1 A Succession Management Program

Proposed action items

- Develop a succession management model for approval that would incorporate the following:
 - o Identification of key leadership and 'high risk' positions
 - o Identification of key feeder positions and/or high potential candidates
 - o development programs for potential successors to develop skills, knowledge and competencies to assume key leadership and/or high at risk positions

3.2 A Performance Appraisal System for all employees to capture meaningful feedback and plans for employees, to support their competency development and career plans, tied to the Strategic Plan.

Proposed action items:

- Establish formal expectation that all employees will participate in at least an annual performance discussion with their direct report
- Conduct a review of the current process and associated forms to facilitate performance reviews/appraisals and to include an assessment of achievement of goals/objectives based on agreed workplans

To explore the feasibility of:

- a pay for performance system for NUME employees

3.3 A Leadership Development program

Proposed action items

- develop a program which builds leaders at levels in the organization that develops skills and competencies to deliver efficient and effective services, while motivating, developing and engaging employees

- formally establish an expectation that new management employees complete the online Leadership Orientation program

GOAL 4

Business and Service Excellence

Within the City of Guelph context, business and service excellence can be described as providing ‘best in class’ customer service. This is achieved through an integration of business objectives, optimal use of technology, well-trained staff and effective management of change. In addition, objectively measuring performance acts as a key component to continuous improvement.

4.1 A Replacement Planning Strategy that builds the skills of existing employees and identifies the sources of future staffing needs to meet the needs of future workforce requirements.

Proposed actions:

To explore the feasibility of:

- apprenticeship programs
- mentoring programs
- internship programs
- management training programs
- enhanced Co-operative education placement programs
- targeted outreach recruitment
- Partnerships with educational institutions

4.2 An Information Technology Strategy

Proposed actions

- Development of a long range plan to ensure effective deployment of technology that provides:
 - o Secure and reliable infrastructure
 - o IT systems that enable and support streamlined business decision making
 - o Enhanced customer service by leveraging available technology
 - o Leveraging of ‘e-government’ options
 - o Enabled knowledge workers
 - o City wide online employee access e.g. Kiosk availability
 - o Streamlined business processes through data sharing and system integration

4.3 A Corporate Communications Strategy

Proposed actions:

- Develop a plan involving representatives from all departments to develop a plan which identifies the mechanisms in which information will be shared internally and externally, the expectation of employees, leaders, and resources available.
- Develop plans which facilitate a two way employee communication exchange, supports employee engagement and markets City services with pride

4.4 A Customer Service/Service Excellence Strategy

Proposed actions:

- Develop a plan involving representatives from all departments, which outlines delivery standards for both internal and external customer service and accompanying training resources.
- Explore future enhancements to customer service methods (e.g. 311 call centre)

4.5 Effective Change Management

Proposed actions:

- For every change initiative ensure there is an accompanying People Transition Plan that includes robust communication, involvement where possible affected employees in the pre, during and post change and business continuity plans to ensure uninterrupted service delivery

4.6 Commitment to Standard Operating Procedures and Policy development

Proposed actions:

- Establish expectations as to the use of corporate vs. departmental policies and procedures, when they should be in place, templates, approval process and training resources.

4.7 Commitment to consistent to business process design and service review methodology

Proposed actions:

- Develop the above with elements that include methods to ensure:
 - That processes are easily understood by employees
 - That employees are assisted in seeing how their work contributes to the Strategic Plan
 - consistent measurement methods are used to demonstrate improvements
 - resources are in place to support plans (e.g. People, equipment, and training)

4.8 A corporate Environmental Responsibility Strategy

Proposed actions:

- develop a plan, involving representatives from all departments, which outlines how City staff and departments will conduct themselves, processes and practices in an environmentally friendly manner.
 - o Examples to explore include : requirement to turn off lights, computers, vehicles when not in use (i.e. elimination of idling), use of re-usable cups, utensils etc in all city facilities, city policies to buy green products and services, employee suggestions to improve environmentally responsible actions

COMMITTEE REPORT

TO Governance and Economic Development Committee

SERVICE AREA Information Services
DATE November 18, 2008

SUBJECT Response to questions regarding Information Technology
REPORT NUMBER

RECOMMENDATION

“THAT the report from the Information Services Department be received.”

BACKGROUND

One of the integral parts of a well functioning Information Technology division is sound governance with visionary strategic planning, monitoring of those plans as well as policies and processes that ensures the integrity of internal controls and management of information systems. The Canadian Institute of Chartered Accountants' Information Technology Advisory Committee has developed a list of questions a governing body such as Council should ask their IT division in order to stay abreast of issues pertaining to the strategic planning, policies and processes used for the management and control of systems. The report below is the response from the Information Technology Services division to those questions.

REPORT

Question 1:

Does management have a strategic information systems plan in place that is monitored and updated as required?

Response:

A strategic information systems plan was established in 1996 that has become the basis of the operational procedures and practices of the Information Technology Services (ITS) division. That plan called for the acquisition and implementation of a Corporate level Enterprise Resource Planning (ERP) system. An ERP consist of several systems and in the case of the City of Guelph, our ERP includes the following systems:

- JDEdwards Financial module
- JDEdwards Human Resources module
- JDEdwards Payroll module
- JDEdwards Fixed Assets module
- Synergen(SPL) Purchasing
- Synergen(SPL) Enterprise Asset Management
- Kronos Time and Attendance
- ESRI/ARC Geographic Information System
- AMANDA Building Permits and Licensing
- Vailtech VTAX for tax billing
- CLASS for on-line registration, facilities management and on-line payment transactions

Because of the substantial investment needed to acquire and implement these systems, the ITS strategic plan has adapted to ensure the evolution, configuration, use and timely availability of the ERP. Since the implementation of these systems, ITS has adopted practices and procedures to work collaboratively with the users to ensure those systems meet the needs of the user community. These practices include, but are not limited to, the use of Corporate Level Steering Committees that ensures the direction, use and configuration of these systems meets the Corporation's current and future needs. As these systems were deployed and put into production, a capital life cycle reserve was established to ensure the computer hardware, network infrastructure, printers, software upgrades and technology growth were funded. These budgets maintain our ERP and associated infrastructure to the latest versions available.

In 2006, the Information Technology Services (ITS) division conducted an extensive operational review. This process consisted of interviews with all ITS staff including directors, managers, supervisors and front line staff. In the past, several studies had been undertaken such as the GIS Strategic Plan (2004), The Environment and Transportation Technology Plan(2005), as well as recommendations from the Cuff Report(2004). The purpose of the review was to consolidate into one strategy all of these reports and recommendations at the same time taking a very good look at the work ITS was doing and where improvements could be realized. The intent was to provide current and on-going strategies for the next 3 years.

As a result of the review, ITS developed an organizational structure and mandate to meet the current and future IT needs of the Corporation. The following divisional mandate was adopted: " Information Technology Services proactively facilitates corporate service excellence through the provision and planned evolution of technology and support related services."

For 2008, the ITS management team has been conducting strategy sessions to determine the best operational strategy and update it's 3 year forecast for resources and technology trends. The strategies devised take into account fiscal realities, new technology requests and the extension of forecasts to 2011. The ITS division will continue to update our strategies and planning on a yearly basis. These reviews and strategies are shared with the Senior Management Team and adjusted based on their feedback.

Question 2:

Does this strategic information systems plan form the basis of annual plans, annual and long-term budgets and the prioritization of information technology projects?

Response:

Yes. The review generates annual and long term (3 years) plans and associated budgets to fund those plans. Business systems analysts work closely with all departments and divisions to advise and consult on the best use of technology for their respective areas. Prioritization of information technology projects is done by balancing available resources, user community needs and impending urgency to deliver the requested solutions. Legislated requirements, such as Public Sector Accounting Board 3150, are always treated as the highest priority. Other projects are delivered as a consequence of the "intake assessments" performed when they are requested.

As well, ITS has identified the use of Information Technology Infrastructure Library (ITIL) compliant Help Desk system, asset management system and all practices and procedures. This long term plan also includes new Capital Project funding requests for 2010 and 2011.

Question 3:

Have appropriate procedures been established to ensure the organization is aware of technology trends, periodically assessing them and taking them into consideration when determining how it can better position itself?

Response:

IT Technology Leadership is distributed amongst the four ITS teams, such that infrastructure technology trends are reviewed and integrated in the ITS capital projects. Similarly, corporate-wide business systems operations are reviewed with other municipalities, with specialty user groups and associated technology trends, and form the underpinnings of the capital initiatives identified for future years. (i.e. Payment Manager to integrate all payments at the Central Service Counter/Service Guelph in 2008, Employee Self Service and E-Recruit for HR in 2010). Each of these projects would have a guiding Steering Committee.

For each technology, for example networking, there is a primary person responsible for its life cycle management. This includes the selection of leading edge products and services when it is time for technology refresh. ITS management and staff regularly attend technology demonstrations from major vendors. They also subscribe to technology updates via mailing lists, technical journals, and on-line webinars. The needs of our clients, growth, cost, risk, training, resources, and integration are taken into consideration prior to final technology selection. Some recent success stories are the VoIP (Voice over Internet Protocol) project, complete MAN (Metropolitan Area Network) refresh to utilize MPLS (Multi-Protocol Label Switching), implementation of a high performance SAN (Storage Area Network), and the introduction VMware which is a server virtualization technology.

Question 4:

Have key performance indicators and drivers of the IT department been determined?

Response:

Yes. Since 2007, ITS has adopted Project Management Institute (PMI) methodology in managing IT projects. A service area within ITS was created in 2006 called Projects and Development with the purpose of standardizing all ITS projects and ensuring they are tracked, monitored and evaluated upon completion.

As well, since 2007 the Client Services area has adopted Information technology Infrastructure Library (ITIL) methodologies and nomenclature in how the Help Desk and support staff deliver their service. Standard service benchmarks have been established and tracked to ensure our service levels are maintained. Break/fix and incident definitions have been adopted with specific target times for response and resolution. The use of service requests and associated intake assessment has also been implemented.

Question 5:

Are they monitored from time to time and are they benchmarked against industry standards?

Response:

Bi-weekly reviews of all ITS call tickets are done by the management team. Trends are tracked such as total open calls and %calls completed by target date. Periodic adjustments are made to target dates when appropriate. Municipal industry benchmarks are not available and private sector standards have been adopted.

Question 6:

Have relevant indicators been defined and monitored to manage the performance of the organization's third-party information technology providers?

Response:

Yes. For example, our managed network service provider is contracted to provide specific service levels. That contract requires they send us a notification every time a network link fails. They also send a follow-up detailed report of the actions taken to restore the service as our contract stipulates an MTTR (Mean Time To Restore) of four hours. These reports are monitored to ensure compliance with the service levels stipulated in the contract. As well, Network Services proactively monitors the quality and availability of

each link with an NMS (Network Management System) to detect even the slightest variance in performance.

Question 7:

How has management identified the required information technology expertise?

Response:

The City of Guelph has the advantage of owning ERP systems which have majority stakes in the worldwide ERP market. Along with that ownership, comes standardized industry recognized skill sets needed to support those systems. Job definitions, roles and responsibilities are aligned with those recognized necessary skill sets.

As well, the ITS division is an active member in a variety of organizations which meet regularly to share best practices and experiences. Groups such the Municipal Information Systems Association / Association des systèmes d'information municipale Canada, Eastern Canada Regional User Group (ECRUG), ERP Municipal Task Force (chaired by York Region), AMANDA User Group, Synergen SPL, CLASS User Group. By participating in these organizations, ITS can see trends and directions taken by larger municipalities including novel ideas tried and tested. This provides the necessary background to identify successful technologies and what expertise is needed to support them.

ITS is also consulted when existing positions are reviewed and new positions are created to ensure a proper definition of the IT skill sets required.

Question 8:

How is top information technology talent attracted?

Response:

Recruitment practices and guidelines are the responsibility of Human Resources. Policies related to recruitment are geared to ensure fair access to public sector employment. ITS occasionally directs HR to publish job openings in specific publications or web sites to ensure a panel of qualified candidates can be evaluated and interviewed.

Question 9:

Does management have appropriate procedures to address information technology employee turnover, training and project assignment?

Response:

Turnover during the last 2 years in the ITS division has been at an all time low with an average of 2 staff per year in a complement of 27 positions. The division has a 100% return rate on Performance Development Plans for all staff. The PDP sets the training and personal development expectations for staff and provides the basis of good communication between staff and management. Staff will participate in at least one typical 5 day training session per year. This investment in resources translates into loyalty and appreciation for the organization.

Question 10:

Has the board considered the creation of an IT subcommittee or assigned a board member specific responsibility for the organization's investment in and use of information technology?

Response:

No. The ITS division is part of the Information Services department which reports through the standing Council Committee structure. Sub-committee's have been used for some applications through the establishment of Corporate Steering Committees such as the AMANDA evolution, and Electronic Document Management. Membership of these committees consists of directors, managers, supervisors and front line

staff as well as key ITS staff. When systems are identified as Corporate in nature, i.e. systems that are used by multiple departments, the use, configuration, and future development of them becomes governed by these committees.

Question 11:

Has the responsibility for IT corporate governance been assigned to a person in a sufficiently senior management position?

Response:

Yes. The director of Information Services is part of the senior management team.

Question 12:

How does the management communicate their IT policies to personnel?

Response:

At the time of hire, new employees are provided with access to all applicable policies including ITS policies. As a condition of employment, new hires agree to comply to Corporate policies. All Corporate IT policies are communicated through the use of e-mails, electronic publications as well as the Intranet site. Finally, when each user logs in, an informational message indicates that logging into the computer means the user has read and will comply with the Responsible Computing policy.

Question 13:

What procedures are in place to ensure that the company's information systems and management are in compliance with Sarbanes-Oxley and/or CSA Investor Confidence rules, as appropriate?

Response:

The Canadian Securities Administrators Investor Confidence rules apply to financial reporting of private sector organizations.

Question 14:

Does management have a plan to periodically conduct risk assessments covering the organization's use of information technology including internal systems and processes, outsourced services and the use of third-party communications and other services?

Response:

Yes. A full time resource in the Network Services area is solely dedicated to network security for all systems supported and provided through ITS. Daily security risk assessments are conducted and appropriate action plans devised as a result of that assessment. All aspects of security both internal and external are considered when devising the action plan.

On a yearly basis, external auditors perform a security audit of applications and systems. Industry best practices are compared and recommendations for improvements are made (if any). Formal review and response to any recommendations is prepared and the GEDC committee is informed.

Question 15:

If management does have a risk management plan, are the results of the assessments acted on where appropriate or required?

Response:

Yes. As indicated in question 14, formal review and response to any recommendations (by the auditors) is prepared and provided to the appropriate standing committee. As well, security risk assessments on potential vulnerabilities are performed daily. Action plans are prioritized based on the results of the risk identified in the assessments.

Question 16:

How does management ensure data integrity, including relevance, completeness, accuracy and timeliness, and its appropriate use within the organization?

Response:

The major corporate systems at the City have inherent data integrity and data change logging and these run on the most robust, integrated and secure Oracle Relational Data Base Management System and server infrastructure. Integration updates occur nightly between corporate systems ensuring critical information data items are up to date. Each data owner (department) is responsible for the correctness and timeliness of the corporate system information. Security levels in Corporate applications are set to ensure the appropriate levels of access are granted.

Question 17:

What arrangements does the organization have for the regular review and audit of its systems to ensure risks are sufficiently mitigated and controls are in place to support the major processes of the business?

Response:

A yearly external audit is performed by third party auditors which examines all computer systems and practices utilized to administer those systems. As well, the City has obtained Payment Card Industry (PCI) certification for the handling of on-line financial transactions. Along with that certification comes a standardized quarterly review by a third party company which verifies practices, procedures as well as security tests of the City's network.

Question 18:

Has the organization assigned someone the responsibility for privacy policy, privacy legislation and compliance therewith?

Response:

The Director of Information Services.

Question 19:

Has the organization identified the set of legislative and regulatory requirements for protecting personal information and developed a policy and procedures for monitoring compliance with them?

Response:

Yes. The City complies with all legislative requirements governed by Personal Information and Protection of Electronic Documents Act (PIPEDA) and Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Also, the PCI certification ensures the City has an incident response plan in the event of a breach. Policies and procedures have been put in place requiring staff to sign a Non-Disclosure Agreement (NDA) and obtain criminal background checks for those who handle credit card information. Regular vulnerability tests are performed on the City's systems by a third party company in order to maintain that certification. ITS staff along with stakeholders meet quarterly to ensure the incident response plan is up to date and that we are compliant with PCI regulations.

Question 20:

If the organization uses e-business to buy or sell products or services, has there been a specific review of the risks and controls over the e-business activities?

Response:

Yes. Comprehensive and exhaustive controls have been put in place as a result of our PCI certification. A quarterly vulnerability scan performed on our e-business infrastructure by Trustwave, an information and

security compliance organization. We must pass the Trustwave tests to remain PCI (Payment Card Industry) compliant or we lose our ability to perform on-line payments.

Again, ITS has an incident response plan that it maintains along with stakeholders. The incident response team meets quarterly to ensure the incident response plan is up to date and that we are compliant with PCI regulations. As well, an annual test of the plan is scheduled for 2008.

Question 21:

Are the organization's e-business activities appropriately protected from external and internal attack by unauthorized persons or others that, if successful, would result in loss of customer satisfaction or public embarrassment?

Response:

Yes, the vulnerability scans (see question 20) ensure protection against external and internal attacks. Further security measures are in place but are not appropriate to divulge in public documents.

Policies are also in place that require signing of a non-disclosure agreement for staff with access to credit card information. As well, criminal background checks are required for new hires with administrative access to the same data.

Question 22:

Has the organization adopted formal "availability" policies (i.e. that systems and data are available)?

Response:

Yes. A support matrix defines the hours of support and availability for major corporate level applications. Hours of availability vary from standard business hours to 24/7 depending on the application. A maintenance window is also identified for planned scheduled maintenance.

Question 23:

Has the organization implemented effective controls to provide reasonable assurance that systems and data are available in conformity with availability policies?

Response:

Yes. A Monitoring system monitors application and system availability 24 hours a day and notifies the appropriate support staff when an outage is detected. As well, the Help Desk is available 24 hours a day for users reporting system outages or problems. Unplanned system outages are given the highest priority for resolution.

Question 24:

Does the organization understand the impact of an interruption in service and are there plans in place to deal with potential interruptions?

Response:

The Senior Management team, as well as all managers at the City have been provided with detailed documentation listing the impacts of a data centre outage and the possible alternative solutions available in order for operations to continue. Departments and divisions are responsible to develop business continuity plans that take into account the loss of critical computer systems and provide for alternative solutions. For example, the recreation centers have continuity plans to maintain the centers open but use manual cash handling procedures in the event their booking/payment system is unavailable.

Question 25:

Has a business continuity plan been adopted? And if so, is it tested regularly and are the results used to improve the plan?

Response:

Yes we have an Information Technology Services Business Continuity Plan that is tested once a year. It updated regularly to reflect changes to the computing and organizational environment. In 2008, the yearly test consisted of restoration of two critical systems (email and the Building Permit system). The test was successful, the results were analyzed and associated procedures modified to enhance the success of the plan.

It should also be noted that with the construction of the South End Fire Hall, a secondary data centre has been proposed for that site to act as a redundant site for critical applications such as telephones, web services and major applications. Should the data centre at City Hall suffer a catastrophic loss, servers would seamlessly fail over to the secondary site and minimize impacts to users.

Question 26:

Has management considered and addressed legal implications that pertain to the use of software, hardware, service agreements and copyright laws?

Response:

Yes. Agreements are reviewed by the legal services before being submitted to Council for ratification.

Question 27:

Have policies covering licenses, agreements, copyright and acceptable use been formulated and disseminated to all personnel?

Response:

Yes. The Responsible Computing policy covers these areas. The method of communication of this policy is indicated in the answer to question 12. As well, the Information Technology Asset Control Officer is tasked with auditing license compliance as part of the asset inventory procedures.

CORPORATE STRATEGIC PLAN

FINANCIAL IMPLICATIONS

There are no financial implications.

DEPARTMENTAL CONSULTATION

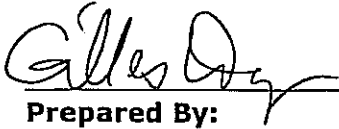
Information Technology Services

COMMUNICATIONS

N/A

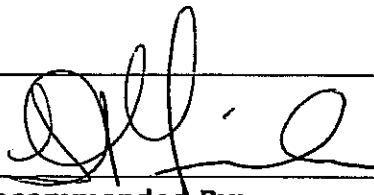
ATTACHMENTS

N/A



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COMMITTEE REPORT



TO Governance and Economic Development Committee

SERVICE AREA Information Services

DATE November 18, 2008

SUBJECT Flag Raising Policy

REPORT NUMBER

RECOMMENDATION

That the policy regarding raising, displaying and half masting of outdoor flags on City of Guelph properties attached hereto be adopted.

BACKGROUND

Currently the City of Guelph has three flag poles in front of city hall. They fly the Canadian, Ontario and City of Guelph flags. Courtesy flags that are requested by groups and organizations to be flown are processed through the mayor's office. There are currently no guidelines with respect to the flying of flags, but as a practice, when the courtesy flags are requested to be flown the city flag is taken down and the courtesy flag is flown for a temporary amount of time on that same pole.

REPORT

With the building of our new city hall there are opportunities to have a fourth pole installed and also to approve policies regarding the criteria and process for raising, displaying and half masting of outdoor flags at all municipal facilities. It is proposed that four flag poles be installed in front of the new city hall with three flag poles flying the Canadian, provincial and city flags and the fourth to be used as a courtesy flag pole. This will allow the City flag to fly at all times.

In preparing the policies, the Department of Canadian Heritage flag protocols were reviewed; staff have incorporated components of those protocols in the policy. In addition, various flag policies from other municipalities including Chatham-Kent, London, Oakville, Ottawa, and Toronto were reviewed.

The attached policy applies to flags flown outdoors only. The policies regarding the courtesy flag will be applied only to the courtesy flag pole located in front of city hall. The rules regarding the flying of flags and half masting will apply to all exterior flags, with the exception of flags that cannot be raised and lowered without the assistance of special machinery.

CORPORATE STRATEGIC PLAN

This report supports strategic initiative 2 regarding personal and community well-

being, specifically, 2.6 a well connected and accessible community that values diversity, multiculturalism, volunteerism and philanthropy.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

The Office of the Mayor, Emergency Services, Information Services, Corporate Communications and Corporate Services- Property and Legal were consulted.

COMMUNICATIONS

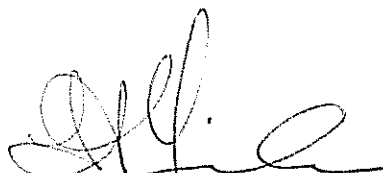
Information regarding courtesy flags and flags flown at half mast will appear on the city's website.

ATTACHMENTS

Flag policy
Outdoor Flags on Municipal Properties



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CORPORATE POLICY AND PROCEDURE



POLICY	Raising, displaying and half-masting of outdoor flags at City properties and facilities.
CATEGORY	Corporate
AUTHORITY	Information Services, City Clerk's
RELATED POLICES	
APPROVED BY	Council
EFFECTIVE DATE	
REVISION DATE	

POLICY STATEMENT

This policy applies to requests for flying courtesy flags in front of City Hall and occasions for the raising, displaying and half-masting of outdoor flags at all municipal facilities. This policy supersedes all previous policies or resolutions.

PURPOSE

To define the criteria and process for raising, displaying and half-masting of outdoor flags at City properties and facilities of the Corporation of the City of Guelph.

DEFINITIONS

The Canadian Flag: The Canadian Flag of Canada as approved by Parliament and proclaimed by Her Majesty Queen Elizabeth II, Queen of Canada, on February 15, 1965.

The Ontario Flag: The current Ontario Flag as proclaimed by the Flag Act on May 21, 1965.

The Guelph Flag: The current Guelph Flag as adopted by the Guelph City Council in April 1979. The original crest on the flag was adopted when Guelph became a City in 1879.

PROCEDURES

A. Displaying Permanent Flags

The City Hall and Municipal facilities shall fly the Canadian, Ontario and City Flags where provision for the display of such flags has been made in accordance with the following rules:

1. A flag is to be removed and replaced when it becomes worn, noticeably faded or otherwise unfit for service.

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2. No flag should be displayed above or higher than the Canadian flag.
 3. In locations with only one flag pole the Canadian flag shall be flown.
 4. In locations with two flag poles, the Canadian flag shall always be flown on the left as seen by spectators in front of the flags.
 5. In locations with three flag poles, the Canadian flag shall be flown on the centre pole, with the next ranking flag to the left and the third ranking flag to the right as seen by spectators in front of the flags.
 6. In locations with more than three flag poles, the flags shall be flown with the Canadian flag to the left of the observer facing the flags followed by flags representing other sovereign nations ordered alphabetically, followed by flags of provinces/territories, then cities, then organizations. An additional Canadian flag may be flown at the end of the line.
 7. In front of City Hall with four flag poles the provincial flag shall be flown to the left of the Canadian flag and the City flag shall be flown to the right of the Canadian flag and the courtesy flag pole to the right of the City flag pole as seen by spectators in front of the flags.
 8. When raising and lowering flags, since the Canadian flag shall always be equal to or higher than the other flags, the Canadian flag shall be raised first.
 9. All worn and faded flags which have been replaced are to be neatly folded in a large envelope and sent to the Guelph Fire Services for disposal.
 10. Municipal sites with more than one flag pole shall fly the Canadian flag, and may choose which other flags they want to fly, as long as they follow the rules for displaying flags as per this policy.

B. i) Courtesy Pole Flag Raisings or Displaying Flags

1. The courtesy flag pole at the City Hall only, shall be used for the raising and displaying of flags other than the Canadian, Ontario and Guelph flags.
2. Requests for the raising and displaying of flags may be approved:
 - a. To celebrate the achievement of a non-profit or charitable organization in connection with a particular event of the organization and for public awareness campaigns;
 - b. In recognition of a state visit to the City for the duration of the visit or for one week, whichever is the lesser;
 - c. In recognition of a visit from representatives of other governments with whom the City has a relationship, such as, but not limited to, twinning, FCM or AMO programs;
 - d. In recognition of other organizations or events not identified in this section, at the discretion of the Mayor and/or CAO.
3. Requests shall not be approved for the following:
 - a. Political parties or political organizations;
 - b. Religious organizations or the celebration of religious events;
 - c. Commercial entities;
 - d. If the intent is contrary to City policies or By-laws;
 - e. If the group requesting the raising espouses hatred, violence or racism;
 - f. More than one time per year per group.

C. ii) Process for Courtesy Flag Pole Displaying and or Raising of Flags

1. Requests to use the courtesy flag pole at City Hall shall be submitted in writing to the Clerk's Office using the form in Appendix A;
2. The Clerk's Office shall review all requests in accordance with City procedure and advise the Mayor's office of the outcome of the review;
3. If the requestor would like the Mayor or representative to be present for the flag raising, he or she should contact the Mayor's Office before submitting a request to the Clerk's Office;
4. Requests shall be processed and confirmed on a first come first served basis and where there is a conflict the completed form which was received first shall take precedence;
5. Notwithstanding section Bi)2b. courtesy flags shall be raised and displayed for one week, unless there are no other requests to fly a courtesy flag, in which case the existing flag can be flown for more than one week if specified on the application;
6. The Clerk's office shall notify Corporate Property of the flags to be raised and displayed as appropriate;
7. Requesters shall provide their flag to the City at least 5 days in advance of the event with instructions regarding how the flag is to be flown;
8. Corporate Property staff shall be responsible for the raising and displaying of flags as required, unless there is a request for a ceremonial raising of the flag where it shall be installed by staff and raised by the applicant;
9. Flags shall be raised and lowered during regular business hours when staff and equipment resources are available.
10. Public notice of the raising of the courtesy flag shall be posted on the City web-site.

D. i) Half-masting

1. Flags are flown at the half-mast position at City Hall and municipal facilities as a sign of respect and condolence or to commemorate significant dates.
2. A flag is half mast when the centre of the flag is half-way down the mast.
3. Some flags cannot be lowered to half mast or removed without the use of an aerial truck. Because these flags cannot be readily lowered to half mast they shall always fly at the top of the flag pole. An example is the flag at Exhibition Park.
4. All flags shall be flown at half mast, for the following specific occasions from the day the City is aware of the death until the funeral:
 - a. On the death of a current or former Mayor;
 - b. On the death of a current Member of Council;
 - c. On the death of a current City of Guelph employee;
 - d. On the death of the current Lieutenant Governor of Ontario, or the Premier of Ontario;
 - e. On the death of the current Governor General, or the current Prime Minister;
 - f. On the death of the current Sovereign or a member of the Royal Family related in the first degree to the Sovereign (spouse, son or daughter, father, mother, brother or sister), their spouse or their children;

-
- g. On the death of a current local Member of Parliament or local Member of Provincial Parliament;
 - h. In recognition of the death of a current Police Chief, or active City Police Officer.
5. Flags may be flown at half-mast in respect of a person or persons not specifically identified in this section, at the discretion of the Mayor and/or the CAO.

D. ii) Process for Half-masting

1. The Clerk's Office shall be responsible for notifying the staff of all facilities of the half-masting of flags (as per the attached list), with respect to the reason, and the duration that the flag shall be flown at half-mast.
2. When hoisted to or lowered from a half mast position, a flag should be first raised to the masthead.
3. When lowering flags to half mast the Canadian flag shall be the last to be lowered and the first to rise again.
4. When a flag is flown at half-mast, all other flags shall also be flown at half-mast and at no time should the Canadian flag be flown lower than any other flag.
5. Corporate Property Services shall maintain an inventory of all government flags flown at City Hall and its corporate properties.
6. The appropriate staff at each location shall be required to lower and raise the flags in accordance with the Clerk's office notification;
7. Public notice of the reason for the half-masting shall be posted on the City website.

Appendix A
**Request to Raise and Display a Flag on the
Courtesy Flag Pole**

Name and Address and email of Organization
Organization's mandate, purposes or goals and objectives (please attach)
Contact Person and contact information
Reason for Request
Dates for Flying flag
Signature of requestor
<i>Please note: If you would like the mayor or designate to be present at the flag raising, arrangements should be made in advance of submitting your application as her availability may affect your dates. Please contact the Mayor's Office at 519-837-5643 or mayor@guelph.ca.</i>

As per City of Guelph Policy, flag display requests shall not be approved for the following:

- a. Political parties or political organizations;
- b. Religious organizations or the celebration of religious events
- c. Commercial entities
- d. If the intent is contrary to City policies or By-laws
- e. If the group requesting the raising espouses hatred, violence or racism; or,
- f. More than one time per year per group.

Personal Information on this form is collected and used for the purpose collected, under the authority of Municipal Act, as amended. Questions about the collection of personal information should be directed to: the Clerk's Office, 519-822-1260.

Outdoor Flags on Municipal Properties

Facility	number of flag poles	type of flag	contact person	ext.
New City Hall, 1 Carden Street	4 poles	Canadian, Ontario, Guelph, Courtesy	Spvsr. Corporate Property	2644
Fire Station 1 Main Hall	1 poles	Canadian	Fire services Admin	519-824-6590
Fire Station 2 Speedvale	1 poles	Canadian	Fire services Admin	519-824-6590
Fire Station 3 Stone Rd	1 poles	Canadian	Fire services Admin	519-824-6590
Fire Station 4 Imperial Rd	1 poles	Canadian	Fire services Admin	519-824-6590
Fire Station 5 Elizabeth St	1 poles	Canadian	Fire services Admin	2064
Landfil Site Eastview	1 poles	Canadian	Supervisor, Public Services	2064
Operations	3 poles	Canadian, Guelph and Ontario	Manager, Feet Services	2003
Riverside Park	1 pole	Canadian	Lead Hand, Park Infrastrctr	2764
Sleeman's Centre	2 poles	Canadian, Ontario	Spvsr., Operations	2849
Solid Waste Resources	3 poles	Canadian, Guelph and Ontario	Supervisor, Public Services	2064
Transit	1 pole	Canadian	Building Maintanance	519-822-1811
Wastewater	3 poles	Canadian, Guelph and Ontario	Operator	5629
Waterworks	1 pole	Canadian	Cust. Service Administrator	2175
West End Community Centre	1 pole	Canadian	Facility Manager	2720
Flags that cannot be raised/lowered				
Evergreen Seniors Centre	1 pole	Canadian	Seniors' Service Mgr.	2683
Exhibition Park	1 pole	Canadian	Lead Hand, Park Infrastrctr.	2764
Larry Pearson	1 pole	Canadian	Lead Hand, Park Infrastrctr.	2764

November , 2008

COUNCIL REPORT



TO Guelph City Council

SERVICE AREA Information Services
DATE November 18th, 2008

SUBJECT Review of Guelph City Council Governance Framework
REPORT NUMBER

RECOMMENDATIONS:

Recommendation No. 1 – THAT staff be mandated through the Governance Committee to review and recommend improvements to the Governance Framework and associated elements during each term of Council.

Recommendation No. 2 – THAT the following structure for standing committees as outlined in this report, be adopted for the balance of the 2006-10 term of Council:

GOVERNANCE WORKING COMMITTEES	OPERATIONAL STANDING COMMITTEES
GOVERNANCE COMMITTEE (MAYOR + CHAIRS OF STANDING COMMITTEES)	COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE (MAYOR + 4 COUNCILLORS)
AUDIT COMMITTEE (4 COUNCILLORS + MAYOR)	COMMUNITY SERVICES, EMERGENCY SERVICES & OPERATIONS COMMITTEE (MAYOR + 4 COUNCILLORS)
EMERGENCY GOVERNANCE COMMITTEE	FINANCE, ADMINISTRATION & CORPORATE SERVICES COMMITTEE (MAYOR + 4 COUNCILLORS)
	LAND AMBULANCE COMMITTEE / JOINT SOCIAL SERVICES COMMITTEE (3 CITY ECO MEMBERS, 3 COUNTY COUNCILLORS MAYOR & WARDEN)

Recommendation No. 3 - THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council's new governance structure be reviewed by the City and the County of Wellington.

Recommendation No. 4 - THAT the establishment of an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a business licence be referred to the Finance, Administration & Corporate Services Committee.

Recommendation No. 5 - THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

Recommendation No. 6 - THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

Recommendation No. 7 - THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

Recommendation No. 8 - THAT commencing with the 2010-14 term of Council, members of Council no longer be appointed to advisory committees.

Recommendation No. 9 - THAT at the beginning of each Council term, significant time should be spent in clarifying the roles and relationships between Council, the CAO and Administration.

Recommendation No. 10 - THAT at the beginning of each Council term, significant time should be spent in reviewing the Council/staff protocol.

Recommendation No. 11 - THAT all new projects/ initiatives, or inquiries of significance where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to either an operational function or a formally identified strategic priority, be formally acknowledged by Council and referred to the annual strategic priority planning sessions in early spring.

Recommendation No. 12 – THAT the use of consent agendas be adopted for use by the Standing Committees.

Recommendation No. 13 – THAT staff presentations at regular Council meetings, be scheduled at the beginning of the agenda, and that staff presentations at planning and special meetings continue to be scheduled to suit the content of the agenda.

Recommendation No. 14 – THAT Council consider scheduling Mondays for all council and standing committee meetings.

Recommendation No. 15 – THAT the automatic 11:00 pm adjournment be permitted only once to no later than 11:59 pm.

BACKGROUND

The governance framework is the system for decision-making used by the City for directing and managing this organization and for making the decision-makers accountable. In order to ensure that continuous improvements are made to the governance structure, and that the evaluation of the proposed changes are reviewed to determine effectiveness, efficiency, accountability and opportunity for public input, the governance framework should be reviewed by Council at least once each term. This report is prepared to assist Council in reviewing its governance framework. Included in the report are recommendations with respect to governance matters, as well as procedural recommendations from staff.

REPORT

Part “A” – Guelph City Council

I. Composition

Guelph is governed by a Mayor and 12 Councillors. The Mayor and Councillors are elected for a four-year term. Other than the school boards, which are independent of Council, there are no other elected boards or commissions in the City.

II. Ward System

From 1929 until 1988, voters in Guelph elected the Mayor and Councillors under an at large system. The "at large system" meant that all voters were able to vote for every candidate running for a seat as a Councillor.

In early 1988, a group of residents urged the City to change from the current at large system to a ward system for electing councillors. City Council felt it was important to obtain the opinion of the general public, and in November 1988, placed a question on the ballot in the municipal election. 55.43% of the vote returned favoured a change to a ward system. As a result, City Council agreed to implement a ward system of 6 wards with 2 Councillors elected per ward.

In 2006, a question on the ballot in the municipal election, asked voters if they were in favour of retaining the current ward system as the method of electing City councillors. Over 80% of ballots were cast in support of retaining the current system.

III. Full Time vs. Part Time

The Governance & Economic Development Committee will be considering a staff report on a process for reviewing full time/ part time councillors, including but not limited to:

- Establishment and role of a citizen review committee;
- Measures to quantify time Councillors spent on City business; and
- Compensation.

This process is tentatively planned to take place prior to the end of 2008.

Part "B" – Governance Framework

I. Standing Committees

Definition – Committees comprised of the Mayor and Councillors to review, report and make recommendations to Guelph City Council on matters within their functional areas of responsibility, which provide a structured but less formal environment than a Council meeting, for the development of recommendations relating to policy, legislation and service delivery, including interaction with the public and other key stakeholders.

Guelph City Council uses standing committees as part of the local decision-making process. They expedite the work of council, since the committees deal with the detailed work of an issue, and present final recommendations for the consideration of council. The meetings of standing committees are much less formal than Council meetings, and this informal atmosphere allows for greater interaction between councillors and staff, as well as the public.

Each Committee appoints a Chair, whose responsibility it is to report on the work of the committee at the Council level. In doing so, the chair will consult with the Mayor, CAO and other staff in the development of agendas. It is the role of the Chair:

- To maintain order and decorum during meetings, decide questions of procedure, and generally ensure that the committee work proceeds smoothly according to the committee's mandate;
- To ensure that adequate and appropriate opportunities are provided for input by the public and other key stakeholders at meetings;
- To engage all members in the decision making process.

It is the role of the individual committee members:

- To read all agenda material, and seek clarification on any matters prior to meetings in order to make the most effective use of the committee's time;
- To attend meetings and participate fully in all committee work;
- To debate the issues in an open, honest and informed manner to assist the decision-making process;
- To actively contribute to reaching committee recommendations and directions;
- To represent and advocate on behalf of constituents, keeping in mind the entire municipality when considering and addressing issues.

The current standing committee structure of Council includes the following:

STANDING COMMITTEES
Community Development & Environmental Services Committee (Mayor + 4 Councillors)
Community Services, Emergency Services & Operations Committee (Mayor + 4 Councillors)
Emergency Governance Committee (Minimum of 4 and Maximum of 6 Members of Council)
Finance, Administration and Corporate Services Committee (Mayor + 4 Councillors) <ul style="list-style-type: none"> • Audit Committee • Business Licence Appeals Hearing Committee
Governance & Economic Development Committee (Mayor + 4 Councillors)
Land Ambulance Committee / Social Services (joint committee with County of Wellington) (Mayor + 3 City Councillors + Warden + 3 County Councillors)

In addition to this structure, Council has also appointed a CAO Performance Appraisal Committee, which is made up of the Mayor and Chairs of the Standing Committees.

In general, the standing committee structure is working, but could be improved by separating Council's governance role from its approval role, with greater emphasis being placed by Council at the strategic governance level. With this separation of roles, operational matters would continue to flow through standing committees, with the agenda being largely staff driven. Matters relating to governance, strategic planning and the role of Council, would be more politically driven.

Recommendation No. 1 – THAT staff be mandated through the Governance Committee to review and recommend improvements to the Governance Framework and associated elements during each term of Council.

Recommendation No. 2 – THAT the following structure for standing committees as outlined in this report, be adopted for the balance of the 2006-10 term of Council:

GOVERNANCE COMMITTEES	OPERATIONAL COMMITTEES
GOVERNANCE COMMITTEE (MAYOR + CHAIRS OF STANDING COMMITTEES)	COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE (MAYOR + 4 COUNCILLORS)
AUDIT COMMITTEE (MAYOR + 4 COUNCILLORS)	COMMUNITY SERVICES, EMERGENCY SERVICES & OPERATIONS COMMITTEE (MAYOR + 4 COUNCILLORS)
EMERGENCY GOVERNANCE COMMITTEE	FINANCE, ADMINISTRATION & CORPORATE SERVICES COMMITTEE (MAYOR + 4 COUNCILLORS)
	LAND AMBULANCE COMMITTEE / JOINT SOCIAL SERVICES COMMITTEE (3 CITY ECO MEMBERS, 3 COUNTY COUNCILLORS MAYOR & WARDEN)

GOVERNANCE COMMITTEES

1. Governance Committee

The Governance Committee will be composed of Mayor and Chairs of the Finance, Administration and Corporate Services Committee, the Emergency Services, Community Services, and Operations Committee, and the Community Design and Environmental Services Committee. The Committee is generally responsible for:

- Oversight of Governance Policies (e.g. Code of Conduct)
- Strategic Planning Processes
- Council Performance Evaluation & Professional Development
- Oversight of CAO and Senior Management Team
- Succession Planning

2. Audit Committee

The Audit Committee will be composed of four councillors and the Mayor. The Committee is generally responsible to oversee and advise Council on matters of financial accountability and internal control, including:

- Ensuring the annual audit is conducted in an efficient, cost-effective and objective manner;
- Overseeing the City's financial systems and control systems;
- Recommending to Council approval of the annual financial statements, including selection of appropriate accounting policies and practices;
- Recommending the appointment of the external auditor, and the appropriate fee;
- Monitoring of audit results and follow-up activities;
- Risk Assessment;
- External and internal audit.

3. Emergency Governance Committee

The Emergency Governance Committee will be comprised of a minimum of four and a maximum of six members of Council and is delegated authority by Council to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations in the Municipal Act, with such delegated authority to only be exercised:

- 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; and
- at such times 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.
- for Council's normal decision making processes, and not for the management or co-ordination of emergency response activities.

OPERATIONAL COMMITTEES

I. Emergency Services, Community Services & Operations Committee

The Emergency Services, Community Services & Operations Committee will be composed of four councillors and the Mayor. The following functional areas will report through this committee:

- Emergency Services
- Community Services
- Operations

2. Community Development and Environmental Services Committee

The Community Development and Environmental Services Committee will be composed of four councillors and the Mayor. The following functional areas will report through this committee:

- Community Design & Development Services
- Environmental Services
- Economic Development

3. Finance, Administration & Corporate Services Committee

The Finance, Administration & Corporate Services Committee will be composed of four councillors and the Mayor. The following functional areas will report through this committee:

- Corporate Services
- Finance
- Human Resources
- Information Services

4. Land Ambulance Committee / Joint Social Services Committee

The Land Ambulance Committee is a standing committee of City Council with representation from both the City of Guelph and the County of Wellington. The City is the designated service provider for land ambulance service in both Guelph and Wellington County. The Committee is composed of three City councillors, the Mayor, three County councillors and the Warden. Joint Social Services Committee is a standing committee of County Council having the same representation as the Land Ambulance Committee.

Recommendation No. 3 - THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council's new governance structure be reviewed by the City and the County of Wellington.

Currently, the City's Licensing By-law delegates to the Finance, Administration and Corporate Services Committee, authority to act as an Appeals Committee for the purpose of hearing appeals with respect to the revoking, suspending or cancelling of a business licence. A number of municipalities have delegated this role to a non-standing committee. In light of the workload of the standing committees, consideration should be given to the establishment of a separate appeals committee.

Recommendation No. 4 – THAT the Finance, Administration & Corporate Services Committee explore the feasibility of establishing an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a business licence.

II. Advisory Committees

Definition - established at Council's discretion and provide a means of regular, on-going community input with respect to particular issues and policies. Advisory committees report to a specific Standing Committee and have a relationship with a specific City Department. Advisory Committees enlist persons with special knowledge or interest in a particular topic to give representation to such interests. They report on a regular basis to the Standing Committee. Some advisory committees have an on-going function, while others are created to deal with a specific issue and are established for a limited period of time.

Historically, these advisory committees have been composed of both members of the council and representatives of the community and special interest groups. These committees can be responsible for making recommendations to Council on matters relating to specific subject areas, while in other cases, the committees are aligned with a corporate service area.

The advantages of advisory committees are numerous, and can be briefly summarized as follows:

-
- Because advisory committee members aren't directly involved in a service area, they feel free to raise critical questions that may prompt Guelph City Council and staff to re-evaluate traditional outlooks on certain issues.
 - Being people with substantial experience themselves, they contribute fresh ideas that often work well.
 - Ease the meeting workload of standing committees and council.
 - Provide for improved community outreach within their mandated areas.

While it has been past practice for members of Guelph City Council to be appointed to some advisory committees, there has recently been discussion over the concern that this places a councillor in the position of being not only the giver and the recipient of advice, but the decision maker as well. In addition, due to the number of advisory committees that exist, this creates a very heavy workload for councillors when combined with the growing number of meetings, and draws Council's time away from its important governance role. As well, some advisory committees exist with potentially overlapping mandates, which can result in conflicting advice or positions taken by the respective committees. As part of this governance review, it should be determined whether members of Council should continue to sit on advisory committees. The function of all advisory committees should also be reviewed to ensure that no overlap or duplication of function exists.

A second concern that has been raised is that the sheer volume of advisory committees has significantly increased the meeting workload for staff and Council, which directly impacts the capacity of the governance system overall. In other words, the number of meetings currently being held restricts our capacity to deal with new and emerging issues. Before creating new advisory committees, serious consideration should be given to availability of resources and time in Council's legislative calendar.

When it is appropriate to establish an advisory committee, it should have established terms of reference which outline the composition, duration and reporting mechanism to the appropriate standing committee. These terms should clearly indicate that the committee is to be an advisory body only. The committee's relationship to staff is to be clear, wherein the committee has no authority to direct staff. Senior management are to be provided an opportunity to include comments to standing committees on advisory committee recommendations. The meetings of advisory committees are to be open to the public in accordance with the provisions of the Municipal Act.

The current advisory committees are:

Name of Committee	Mandatory/ Discretionary	Reporting Relationship	Departmental Affiliation	Duration
Accessibility Advisory Committee	Mandatory	FACS	Corporate Svcs.	On-Going
Accountability & Transparency Committee	Discretionary	GED	Information Svcs.	Limited & Task Specific
Development Charge Advisory Committee	Discretionary	FACS	Finance	Limited & Task Specific
Downtown Coordinating Committee	Discretionary	CDES	Economic Dev't.	On-Going
Environmental Advisory Committee	Discretionary	CDES	CDDS	On-Going
Economic Development Advisory Committee	Discretionary	CDES	Economic Dev't.	On-Going
Green Plan Steering Committee	Discretionary	CDES	Environmental Svcs.	On-Going
Guelph Sports Hall of Fame Board of Directors	Discretionary	ECO	Community Svcs.	On-Going
Guelph Twinning Committee	Discretionary	CDES	Economic Dev't.	On-Going

Heritage Guelph	Discretionary	CDES	CDDS	On-Going
Local Growth Management Strategy	Discretionary	CDES	CDDS	Limited & Task Specific
Locomotive 6167 Community Advisory Committee	Discretionary	ECO	Operations	On-Going
Organic Processing Technology Advisory Committee	Discretionary	CDES	Environmental Svcs.	Limited & Task Specific
Physician Recruitment and Retention Committee	Discretionary	CDES	Economic Dev't.	Limited & Task Specific
Recreation & Parks Master Plan/South End Community Centre Advisory Committee	Discretionary	ECO	Community Svcs.	Limited & Task Specific
River Systems Advisory Committee	Discretionary	CDES	CDDS	Limited & Task Specific
Transit Ad-Hoc Committee	Discretionary	ECO	Community Svcs.	On-Going
Wastewater Treatment Plant Master Plan Public Steering Committee	Discretionary	CDES	Enviornmental Svcs.	Limited & Task Specific
Water Conservation & Efficiency Strategy Update Public Advisory Committee	Discretionary	CDES	Enviornmental Svcs.	Limited & Task Specific
Well Interference Committee	Discretionary	CDES	Environmental Svcs.	Limited & Task Specific

Recommendation No. 5 – THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

Recommendation No. 6 – THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

Recommendation No. 7 – THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

Recommendation No. 8 – THAT commencing with the 2010-14 term of Council, members of Council no longer be appointed to advisory committees.

III. AGENCIES, BOARDS, COMMISSIONS/COMMITTEES (ABC's)

Definition - are usually established through legislation that mandates the composition whether it is elected members or citizen members or both, have responsibility for the management and administration of certain public services, are appointed in whole or in part by Council and have such authority as is delegated to them by the relevant by-laws of Council or by an Act of the provincial or federal government.

Board or Committee Name	Statutory authority	Council Appointees	Citizen Appointees
Board of Commissioners of Guelph General Hospital	Specific Legislation	1	6 by City 2 by Wellington Cty. 6 by GGH
Board of Directors of Family and Children's Services	Child & Family Services Act	1	n/a
Board of Trustees of The Elliott Community	Specific Legislation	1	9
Committee of Adjustment	Planning Act	n/a	7
Downtown Board of Management	Municipal Act	2	12
Eastview Public Liaison Committee	Environmental Protection Act	2	3 by City 3 by Guelph-Eramosa 2 by Developers

Grand River Conservation Authority	Conservation Authorities Act	2	0
Guelph Cemetery Commission	Specific Legislation	0	2 by City 2 by Guelph-Eramosa 2 by Church of England
Board of Directors of Guelph Hydro	Ontario Energy Board Act	1	8
Guelph Junction Railway Company Directors	Specific Legislation	3 Councillors + Mayor	4
Guelph Museums Board of Management	Municipal By-law	1	9
Guelph Non-Profit Housing Corporation Board of Directors	Social Housing Reform Act	1	6
Guelph Police Services Board	Police Services Act	2	1
Guelph Public Library Board	Public Libraries Act	1	5 by City 2 by UGDSB 1 by WDCSB
MacDonald Stewart Art Centre Board of Trustees	Specific Legislation	1	2
Property Standards/Fence Viewers Committee	Planning Act/Line Fences Act	0	5
River Run Centre Board of Directors	Municipal By-law	1	14
Board of Trustees of St. Joseph's Health Care Centre	Public Hospitals Act	1	0
Wellington Dufferin Guelph Health Unit	Health Protection & Promotion Act	1 Councillor + Mayor	1 by City 4 by Province 3 by Wellington County 2 by Dufferin County

IV. DELEGATION OF AUTHORITY

Guelph City Council, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a

majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties by which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff. (See Appendix 5)

PART "C" – GOVERNANCE RESPONSIBILITIES

I. ROLE OF CITY COUNCIL

The Municipal Act provides that it is the role of the Mayor –

- to act as chief executive officer of the municipality;
- to preside over council meetings so that its business can be carried out efficiently and effectively;
- to provide leadership to the council;
- to provide information and recommendations to the council with respect to the role of council in ensuring that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council and in ensuring the accountability and transparency of the operations of the municipality, including the activities of the senior management;
- to represent the municipality at official functions; and
- to carry out the duties of the head of council under this or any other Act.

The Municipal Act provides that it is the role of Council –

- to represent the public and to consider the well-being and interests of the municipality;

-
- to develop and evaluate the policies and programs of the municipality;
 - to determine which services the municipality provides;
 - to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
 - to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - to maintain the financial integrity of the municipality; and
 - to carry out the duties of council under this or any other Act.

An effective relationship between the mayor and the councillors will help to promote the successful delivery of council's strategic priorities in an atmosphere of accountability and transparency. The relationship needs to be based on mutual respect and understanding of the different roles. Some important aspects of the relationship are:

- The mayor is the leader of the council and this role should be respected by all councillors.
- The mayor acts as chief spokesperson for major initiatives involving the City.
- The mayor should facilitate an inclusive approach to decision-making and involvement in council activities in general.
- The mayor can assist councillors to get their issues considered by the council.
- The mayor should take some responsibility for councillors' training and development and should work with the CAO to ensure that Councillors receive necessary training opportunities.
- The mayor is able to help councillors and should assist in facilitating the resolution of any disputes between councillors.

II. CAO/SENIOR MANAGEMENT TEAM

A fundamental role 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. The Senior Management Team (SMT) is accountable to the

CAO for the effective operation of their departments and related service areas.

The hiring of the CAO is one of the key responsibilities of Council. The CAO is the only position that Council is directly responsible for hiring. Hiring of the statutory positions of City Clerk and City Treasurer has been delegated to the CAO. A number of policies and by-laws govern the Council's role with respect to the CAO, including recruitment, terms of employment, tenure, compensation, performance appraisal, etc. *(See Appendix 1)*

While Councils are responsible for strategy, policy and governance, the Senior Management Team is responsible for advice, implementation and operations. To govern effectively, this role differential must exist and be well understood by both groups. There should however, be a sophisticated approach to how this differential works. While both Council and the Senior Management Team have their own roles, each will also have a legitimate interest in the roles of the other. For example, the CAO is responsible for the establishment of management structures, but Council will have an interest in the management structure and whether the structure is achieving the council's goals. Therefore it is imperative that the CAO will always consult with Council before making significant changes to the management structure. Similarly, while policy and strategy are elected representative roles, the Senior Management Team should be consulted and offer advice when policy or strategy is being contemplated by Council.

This relationship requires an understanding that the administration is working with and for an elected council in a political environment and one of its key functions is to assist the elected council to meet its accountability requirements to its constituency and in accordance with legislative requirements. There will be a need for administration to acknowledge that political and community pressures are part of the local government environment and are legitimate factors that need to be taken into account when considering the development of advice to Council on matters of policy and service delivery.

In 2000, City Council formally adopted a document entitled "Expectations of Working Together". This document recognizes the benefits of Council and the Senior Management Team working together, and speaks to the values that are to be reflected in the work of Council and staff. *(See Appendix 2)*

At the beginning of each Council term, significant time should be spent in clarifying these roles, and acknowledging the legitimate interest

each entity has in the other. This can also be achieved through appropriate training programs that will assist each party in fulfilling their roles effectively.

III. COUNCIL/STAFF PROTOCOL

In order to support a highly effective working relationship between staff and City Council, a protocol that sets out the working ground rules is essential for all. This Council/staff protocol augments other formal governance policies and procedures, such as the code of conduct, delegation of authority, accountability and transparency, etc, as well as other corporate policies and procedures including health and safety. *(See Appendix 3)*

Given that staff and the elected representatives are all individuals with different personalities and styles, there must be some flexibility within the guidelines for working relationships. In all cases, we commit to the following requirements of a highly effective working relationship together:

Contact– A formal relationship exists between City staff and members of Council. This will ensure that all members of staff and Council are treated equitably without favouritism. A chain of command exists to deal with issues of significance. Council members are encouraged to discuss clarification of reports and related information directly with the Director and/or author of the report. Issues, additions, changes and/or challenges to the content of any report are to be addressed through senior staff at the Director level in order to ensure an appropriate departmental response. Senior staff may suggest direct consultation with other staff members and/or continue open communication through the senior staff channel. All staff should feel comfortable responding appropriately to straightforward Council requests, advising their supervisors of the inquiry. Any staff response to a request for information from a member of Council between Committee deliberations and the Council meeting at which a decision is to be made on a specific issue, should be answered in writing and circulated to all Council members.

Expectations – Open lines of communication are essential. It is expected that Council members will:

- Request staff input prior to making important policy decisions and convey feedback to staff;
- Discuss issues with staff and advise staff of questions prior to committee and Council meetings, whenever possible;

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- Request advice from the City Clerk about the appropriate wording of motions, amendments, and formal directions to staff in accordance with the procedural by-law; and
 - Consult with staff prior to making commitments to constituents.

It is expected that staff will:

- Ensure that Council is apprised of any issues that may impact upon their decision making process;
- Present a departmental or corporate perspective, in writing, at Council or in person at committee;
- In answer to questions, where a departmental position may not be available, staff may clarify that their comments reflect their professional opinion, and are not necessarily representative of a departmental or corporate position;
- Notify Council in a timely fashion of changes to legislation and any unintended or unexpected impacts of policy decisions through written reports or presentations;
- Through senior staff at the manager, director or CAO level, convey feedback to Council members who may not be aware of existing policy or other workload demands and related issues.

Time is valuable. Priorities and timelines should be respected, and changes to anticipated timelines should be well communicated. When staff are asked to complete a task, the timeline should always be clarified. Recognizing that priorities may need to shift at the Council level, discussion should take place if re-prioritization is necessary in order to accommodate a new project or initiative that is not identified in Council's priorities.

The City's annual planning cycle includes the following components:

- Departmental Workplan Preparation– January/February
- Strategic Priorities– April/May
- Budget Planning - July/August/September
- Budget Deliberations and Approval – October/November/December

These steps are balanced throughout the year to allow for a natural progression that ensures that established priorities are re-assessed in light of any new and emerging issues. Once a budget is approved, City departments will then proceed to develop workplans to accomplish the currently identified priorities. In the spring, Council will review identified priorities for the upcoming year, and determine if any adjustments to priorities are necessary to

accommodate a new project or initiative. Staff will then proceed to prepare budgets for the coming year based on Council's established priorities. Through the budget approval process, Council will align appropriate resources and funding to the priority projects and initiatives. These budget decisions then form the basis of the on-going cycle for the upcoming year.

In recognition of the limitations placed on City resources (budget, time, identified priorities, day to day operational requirements, etc.), it is imperative that requests requiring a detailed inquiry into potential new projects or initiatives are directed to the appropriate step in the City's planning cycle. A new project or initiative would be defined as a request where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to either an operational function or a formally identified strategic priority. By referring new projects and initiatives to the strategic planning process, Council can deliberate them, and balance their importance against established priorities and the availability of resources to achieve the desired outcomes.

While individual members of council will have their own personal views on what constitutes a priority project for the City, it is the formally adopted Council priorities that will determine how resources are to be aligned. Once Council's priorities are formally established during the annual planning cycle, new requests would be identified and brought forward to the whole of Council for formal consideration and direction. The ideal timing for this to occur is the strategic priority process. In this way, the whole of Council determines whether a previously unidentified project or initiative will take precedence over and use resources committed to an established priority project. Strategic priority deliberations are open to the public, and having new projects or initiatives introduced at this time, supports the concepts of accountability and transparency.

Social Events – Various City-sponsored social events take place which both City staff and members of Council attend, such as recognition events and barbeques. Informal social events are also held to celebrate life events such as marriages or the birth of a child. Staff are to ensure that where a Council presence is required, all members of Council receive an invitation. For social events that include the general public, Council members and City staff should recognize that they are representatives of the City and are encouraged to enjoy themselves appropriately. These City sponsored events are considered to be a workplace, and all

corporate policies will apply to City staff and members of Council who attend.

Recommendation No. 9 – THAT at the beginning of each Council term, significant time should be spent in clarifying the roles, relationships between Council, the CAO and Administration.

Recommendation No. 10 – THAT at the beginning of each Council term, significant time should be spent in reviewing the Council/staff protocol.

Recommendation No. 11 - THAT all new projects/ initiatives, or inquiries of significance where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to either an operational function or a formally identified strategic priority, be formally acknowledged by Council and referred to the annual strategic priority planning sessions in early spring.

IV. STRATEGIC DIRECTION

To be developed separately.

V. OVERSIGHT AND MONITORING

To be developed separately.

VI. ACCOUNTABILITY AND TRANSPARENCY

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its community stakeholders. The Province of Ontario made changes to the Municipal Act in 2007 to ensure that local councils are accountable to the public and that the processes for making decisions are transparent. These provisions included:

- Integrity provisions which speak to the ability of council to appoint certain integrity officers and to create a council code of conduct;
- Transparency of government provisions which deal with the requirements for open meetings; and

-
- Policy development provisions which detail the obligations of the municipality to develop policies in certain areas.

In responding to this legislation, Guelph City Council has implemented the following measures:

- Adoption of a Code of Conduct for members of Council and local boards. The code is designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. *(See Appendix 4)*
- Adoption of new policies –
 - Notice To The Public *(See Appendix 5)*
 - Accountability And Transparency *(See Appendix 6)*
 - Delegation Of Authority *(See Appendix 7)*
- Appointment of the Association of Municipalities of Ontario Local Authority Services Ltd. (LAS) as the City's Investigator pursuant to S. 239 of the Municipal Act with respect to closed meetings. *(See Appendix 8)*
- Guiding Principles for Public Involvement. *(See Appendix 9)*. These principles ensure that participation will be:
 - Inclusive not Exclusive
 - Voluntary
 - Purpose Driven
 - Respectful of Diverse Interests
 - Adaptable as Required

PART "D" – PROCEDURAL IMPROVEMENTS *(See Appendix 10)*

I. Consent Agendas For Standing Committees. The advantage of using a consent agenda at standing committee meetings, would be that public attendees and staff would not have to sit through a full meeting if their item of interest was adopted by consent and without discussion at the beginning of the meeting. In addition, the reports of standing committees to Council would be presented in a consent agenda format. This eliminates the need for standing committee chairs to read lengthy recommendations. For the benefit of attendees and viewers, items on the consent agendas could be identified by general topic.

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- II. **Staff Presentations** - As a general rule, staff presentations should be made at standing committee meetings and not at the regular Council business meetings. Where it is determined that a staff presentation is required at a regular Council meeting, such presentation will be listed at the beginning of the agenda. Staff presentations at planning and special meetings will be scheduled to suit the content of the agenda.
- III. **Monday Meetings** - Council may wish to give consideration to using Mondays for all council and standing committee meetings, so that all reports would go to the 4th Monday regular business meeting.
- IV. **Extending 11 p.m. Adjournment** - Staff are recommending only one extension of the automatic 11 p.m. adjournment to no later than 11:59 p.m. Where it is clear that additional time is required, Council will set a date and time for the continuance of the meeting.

Recommendation No. 12 – THAT the use of consent agendas be adopted for use by the Standing Committees.

Recommendation No. 13 – THAT staff presentations at regular Council meetings, be scheduled at the beginning of the agenda, and that staff presentations at planning and special meetings continue to be scheduled to suit the content of the agenda.

Recommendation No. 14 – THAT Council consider scheduling Mondays for all council and standing committee meetings.

Recommendation No. 15 – THAT the automatic 11:00 pm adjournment be permitted only once to no later than 11:59 pm.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

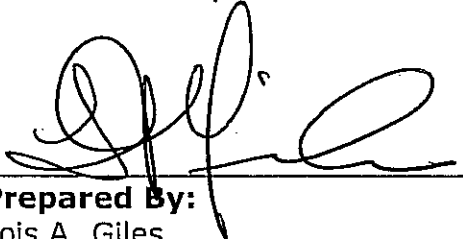
n/a

COMMUNICATIONS

Through the City's web-site.

ATTACHMENTS

- I. Chief Administrative Officer
 - a. By-law to Define the General Duties, Roles and Responsibilities of the CAO
 - b. CAO Employment Policy
 - c. Procedures for Hiring the CAO
 - d. Position Mandate for the CAO
 - e. Position Profile for the CAO
 - f. CAO Employment Agreement Template
 - g. Delegation of CAO Duties
- II. Council Code of Conduct
- III. Occupational Health and Safety Policy Statement
- IV. Expectations of Working Together
- V. Notice Policy
- VI. Accountability and Transparency Policy
- VII. Delegation of Authority Policy
- VIII. AMO/LAS Meeting Investigator By-law
- IX. Guiding Principles for Public Involvement
- X. Procedural By-law



Prepared By:

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"A" - CAO By-law

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2008)- [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" and Schedule "B" attached.

PASSED this [Insert Data] day of [Insert Data], 2008.

KAREN FARBRIDGE – MAYOR

LOIS A. GILES – CITY CLERK

Schedule "A"

General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer (CAO) shall carry out the general duties, role 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 Senior Management Team (SMT) in the administration of the business affairs of the Corporation;
- (c) To delegate appropriate duties and responsibilities to the SMT 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 SMT 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 SMT, 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 the Council, in co-operation with the SMT, 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 coordination of all policy decisions of the Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to the Council except to regularly report to the Council upon action taken. Also, to develop and maintain, for reference purposes, of 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; and

(l) 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. 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;

(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 SMT 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 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;

(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 reorganize, in consultation with the SMT, 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 his/her 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.

Schedule "B"

Reporting Protocols

**Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES -
con't...**

“B” – CAO Employment Policy

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 (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 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 PRECEDING 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.

**Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES -
con't...**

“C” - 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 Team will consist of the Mayor and Chairs of the Community Development and Environmental Services Committee, Emergency Services, Community Services and Operations Committee, Finance, Administration and Corporate Services Committee and Governance and Economic Development Committee, or their designates. An independent person from the community may form part of the Search team.
3. The recruitment process will be determined by the Search Team with the assistance of a recruitment consultant and/or recruitment search firm. The position will be advertised both internally and externally.
4. The Search Team 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 Team.
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 Team 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 Team to Council prior to offering the position to the candidate.

Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES - con't...

“D” - Position Mandate for the Position of Chief Administrative Officer

Key Responsibilities

Leadership

Coordinate staff support and provide advice to the Mayor and Council as they establish and maintain a clear vision and strategic direction for the City as well as priority setting for annual business plans and long term capital projects.

In conjunction with Directors, establish annual business plans and priorities to implement the City’s vision and strategic direction.

Set a visible and positive leadership example in order to promote empowerment of employees through coaching, mentoring, two-way communications and delegation of responsibility; take necessary steps to anticipate impact of changes and to identify and remove barriers to empowerment.

Act as the chief policy advisor to Council and provide Council with advice based on professional standards and best practices.

Provide leadership in the on-going identification and tracking of “best practices” (including benchmarking of other municipalities) and latest technology; make recommendations for application to support continuous improvement efforts and to position the Administration at the leading edge of the state-of-the-art in Municipal Government.

Management

Oversee the day-to-day management of operations and service delivery ensuring efficient work scheduling for employees in all Departments; also ensure on a City-wide basis the proper hiring/dehiring practices, new employee orientation, job training as necessary, performance feedback, discipline when required, counselling and career development for the employees in all Departments.

Consolidate and review annual work plans and capital and operating budgets for all Departments with recommendation to Council for approval in accordance with established policies.

Establish procedures to monitor the performance of the Departments against plan/budget, identifying and correcting as necessary variances from plan/budget.

Review calls for tender and purchase requisitions requiring CAO's approval for facilities, equipment, rolling stock and contracted services; submit to Council for approval in accordance with established policies.

Provide direction to the Department Directors to ensure coordination of operations and service delivery between all City Departments.

Act as project leader for one or more Corporation-wide improvement projects involving multiple City Departments as regulated or directed by Council.

Technical Functions

Provide business and technical advice to the Mayor and Councillors re: decisions/actions requiring their approval; also provide input to Council on its corporate governance framework and modus operandi.

Review and approval of all materials and documentation sent to members of Council; final review and recommendation to Mayor and Committee Chairs re: Council and Council Committee agendas.

Implementation of Council directives and decisions; follow-up on implementation with initiation of corrective action where required.

Review on an on-going basis, technical trends, developments and advances being tracked by each Department; consolidate findings with results from best practices identification and benchmarking for potential application and continuous improvement of City operations, service delivery and administration.

Approve policies, operating procedures and work procedures for all Departments; monitor Departments operating performance against established policies and procedures and follow-up on corrective action in the Departments as required.

Approve and monitor the implementation of preventative maintenance programs and an asset management program for Corporation's infrastructure, facilities and rolling stock.

Approve and monitor the implementation of a quality assurance program covering the delivery of services by all Departments to residents and commercial interests; review customer complaints/inquiries with follow-up on corrective action taken.

Provide technical advice and problem-solving assistance to members of the Senior Management Team.

Coordinate and integrate the results of studies/analyses carried out by the Departments covering the forecasting of service delivery required to meet customer demand in the future.

Coordinate a corporation-wide risk assessment of potential exposure with recommendations to Council on remedial action and/or preventative measures.

Communications

Provide periodic reports to Council and Community representatives/partners with explanation and interpretation of the application of the policies, procedures and service standards relevant to City operations and administration of City Departments; also provide briefings to Council on the status of operations and service delivery by the Departments; also act as a key spokesperson for the City with the written and electronic media.

Communicate the long term direction and orientation of the Corporation to the members of the Management Team; arrange for periodic briefings of Department operations so employees within all City Departments can gain an appreciation of how each Department's service delivery fits into the "big picture".

Play a lead role in the on-going marketing and education to promote the various services delivered by City Departments to the public enabling residents and community associations/partnerships to understand the value received for their tax dollars and/or grants/contributions; act as an on-call speaker for community groups/associations and business and commercial groups/associations.

Develop and maintain a contact network covering: 1) citizens' associations/rate payer groups. 2) Representatives of development, business and industry, 3) counterparts in other municipalities, 4) representatives of professional associations, and 5) federal and provincial government officials at the policy level.

**Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES -
con't...**

“E”- Chief Administrative Officer City Of Guelph Position Profile

SUMMARY OF QUALIFICATIONS

- minimum of ten to fifteen years municipal management experience with at least five to ten years as a CAO or a strong, well experienced Department Head with Council exposure – good academic credentials
- a generalist municipal manager with broad experiences in all areas (finance, planning issues)
- initiate, nurture and improve the Municipality’s programs (strategic planning, administrative structure, team building, departmental business plans, priority setting with Council)
- able to build and maintain the organization’s morale, and encourage bottom-up participation and empowerment of staff
- enhance relations with County, outside allied agencies (Province, Chamber, employers, etc.)
- aggressive negotiator, municipal visionary, business orientation,
- create transparent, openly communicative, team relationship between Council, staff

SUCCESS FACTORS

- high intelligence, integrity, honesty, provide Council with recommendations/options
- ability to make others comfortable – community’s interests at heart – accessible to staff
- common sense, practical judgment, foresight, luck, a passion for the work
- able to carry a demanding workload over a long period of time

SKILL FACTORS

- team building experience, handling interpersonal relations, strategic planning
- situational analysis- (assessing the community’s, staff and Council’s needs)
- appropriate balance between leadership skills and management skills
- delegating authority and responsibility to management team, holding them accountable
- supportive

STYLE FACTORS

- PROACTIVE STYLE- constantly initiates, tries things out – takes risks
- TEAMWORK STYLE- crosses organizational boundaries, vertically and horizontally

-
- MODIFIED CHANGE AGENT STYLE- sees turbulence, flux and ambiguity as opportunities
 - COACH STYLE- sees self as mentor and developer of people

PERSONALITY FACTORS

- high energy level, self confident, team player – good sense of humor
- high need for achievement, optimistic yet a realist, objective, self sufficient
- willing and able to fit in with and lead the management team
- good social poise, comfortable dealing with and understanding others

CULTURAL DEVELOPMENT FACTORS

- able to ensure all groups are aware they are part of the team, are vital to it and are supportive of the culture
- willing to encourage a free flow of two-way information across the organization

**Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES –
con't...**

"F" – CAO EMPLOYMENT AGREEMENT TEMPLATE

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) – 16837, and such other duties as Council may, from time to time, assign. The Employee shall report to the Mayor and City Council. A copy of the Position Description (will be attached as Appendix A to this Agreement upon hire of CAO).

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.

2.05 During the term of this Agreement and during any renewed terms of employment, the Employee agrees to reside within the City of Guelph. This residency requirement is to take effect as soon as practicable, and no later than **[Insert Data]**.

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 Data]** the Employer will pay the Employee an annual salary of **[Insert Data]** (subject to any deductions required under the Employer's policies and by law). The Employee's salary will be subject to annual adjustments at the same incremental rate as other senior staff of the Employer, including any adjustment for 2005. The Employee shall be classified in pay grade **[Insert Data]** of the City of Guelph's Job Evaluation and Salary Administration Plan. The Parties agree that if, at any time, a review of the position results in a higher salary grade and/or level approved for this position this Agreement will be amended to reflect such changes.

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. A schedule of these benefits currently in place will be attached as Appendix B (upon hire of CAO).

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, 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

City Clerk

Appendix I – CAO RELATED BY-LAW, POLICIES, AND PROCEDURES
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"G" – Delegation of CAO Duties

Tab	CITY COUNCIL
Subject	DELEGATION OF CAO DUTIES
Related	Procedure for Hiring the CAO
Policies	Procedure for Hiring the Assistant 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 a Director/Member of the Senior Management Team (SMT), 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 SMT.

**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 Senior Management Team.
3. Added temporary administrative responsibilities will be assigned by the CAO to a Director/Member of the Senior Management 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.

Appendix II – Code of Conduct for Council and Local Boards

Tab	CITY COUNCIL
Authority	S. 223.2(1) Municipal Act
Subject	COUNCIL CODE OF CONDUCT
Related Policies	Accountability and Transparency
Approved by	Date
Review Date	Annually

POLICY STATEMENT

A written 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
- Committee of Adjustment
- Downtown Board of Management
- Board of Trustees of the Elliott
- Guelph General Hospital Commission
- Guelph Museums Board of Management
- Guelph Non-Profit Housing Corporation
- Heritage Guelph
- Property Standards/Fence Viewers Committee
- River Run Board of Directors

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.

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 an in-camera (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.

Appendix III – Occupational Health and Safety Policy Statement



Occupational Health and Safety Policy Statement

The Corporation of the City of Guelph values the health and safety of every individual,

and is committed to a safe, healthy work environment for all employees. Guided by our corporate values of integrity, excellence and wellness, continual improvement of health and safety is an integral part of this corporation. The City will strive to eliminate any foreseeable hazards which may result in personal injury or property loss and damage.

The City recognizes and accepts its overall responsibility for the occupational health and safety of its employees. All employees deemed to be Supervisors under the Occupational Health and Safety Act are held accountable for the health and safety of their employees. They are responsible to ensure that any machinery and/or equipment provided is in proper and safe condition and that employees work in compliance with established legislation, safe work practices and procedures.

All employees are dedicated to the continuing objective of reducing injury and risk to health, and must protect themselves by working in compliance with relevant legislative requirements and generally accepted industry practices. All employees will receive the required training about their respective health and safety responsibilities, and relevant job specific tasks. Everyone is individually accountable for fulfilling their responsibilities to comply with established health and safety programs.

It is in the best interest of all employees, volunteers and contractors to consider health and safety in every activity. City management, in cooperation with the City's Joint Health and Safety Committee, is responsible for designing, implementing, monitoring and maintaining health and safety programs which support this policy.

Hans Loewig, CAO

Karen Farbridge, Mayor

Ann Pappert, Community Services

Lois Payne, Corporate Services

Derek McCaughan, Operations

Margaret Neubauer, Finance

Janet Laird, Environmental Services

Mark Amorosi, Human Resources

Jim Riddell, CDDS

Peter Cartwright, Economic Development

Lois Gilles, Information Services

Shawn Armstrong, Emergency Services

May 2008

Appendix IV - Values and Behaviours

In 2000, City Council formally adopted the following Values and Behaviours Statements.

City of Guelph Expectations of Working Together			
<p>As members of the City Council and the City's Senior Management Team, we recognize the benefits of working together:</p>	<ul style="list-style-type: none"> • Improved quality and image of the public service – better decision making • Increased efficiency and effectiveness – a better run municipality • A satisfying work environment – being an employer of choice 		
<p>We value the following characteristics and are committed to see that they are reflected in our work with Council, staff community partners and residents.</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Respect Trust Understanding Openness Supportive Leadership </td> <td style="width: 50%; vertical-align: top;"> Professionalism Positive Attitudes Ethical Behaviour Mutually </td> </tr> </table>	Respect Trust Understanding Openness Supportive Leadership	Professionalism Positive Attitudes Ethical Behaviour Mutually
Respect Trust Understanding Openness Supportive Leadership	Professionalism Positive Attitudes Ethical Behaviour Mutually		
<p>These expectations will be demonstrated through the following behaviours:</p>	<ol style="list-style-type: none"> 1. Working together to achieve common goals. 2. Being polite to each other and treating everyone fairly. 3. Listening carefully to all views expressed. 4. Keeping promises made to each other and to the group. 5. Encouraging creativity in our thinking and in our work. 6. Being consistent in what we say and how we act. 7. Supporting each other individually and as a group. 8. Recognizing publicly each other's accomplishments. 		

	<ul style="list-style-type: none">9. Demonstrating and supporting leadership.10. Sharing information.11. Encouraging ongoing learning, training and skills enhancement.12. Moving forward and accepting the democratic decision-making process.
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Appendix V - Notice Policy

Tab	Council Policy
Authority	Clerk's Office, Corporate Services
Subject	PUBLIC NOTICE PROVISIONS
Related Policies	Guiding Principles for Public Involvement
Approved by	Council
Revision Date	As required

POLICY STATEMENT This policy is to establish public notice provisions for matters directly affecting the public that are not otherwise prescribed by legislation.

PURPOSE To allow for the giving of notice to the public of matters that may affect them and to afford them the opportunity to make submissions, attend, and delegate before Council and standing committees.

PROCEDURE In this policy, "Newspaper" means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers.

Where notice provisions are prescribed for by statute or in a City By-law, those notice provisions shall prevail over this policy.

Nothing in this policy shall prevent the City from exceeding the notice provisions as set out in this policy.

Where Council or staff deems it in the public interest to exceed the standards set out in this policy, additional notice using various methods may be used, which may include but not be exclusive to the

following: newspaper advertisements, notice by mail, notice by personal delivery etc.

Where the City is required to give notice under a provision of the Municipal Act in respect of a matter set out in the Schedules attached hereto, the notice shall be given in a form and manner and at the times set out in the Schedules unless:

(a) the Municipal Act, another Act, or a regulation prescribes otherwise for the notice;

(b) the requirements for notice are prescribed in another City by-law; or

(c) Council directs that other notice is to be given that Council considers adequate to give reasonable notice under the provision.

Where notice is required under the Municipal Act for a matter to be considered by Council, but such notice is not otherwise provided for, notice shall be given by way of passing of a Council resolution at an open meeting of Council. Such notice shall be provided a minimum of ten days before the meeting at which the matter will be considered and the notice shall contain the following information:

a) a general description of the matter;

b) relevant section of the Act, including reference to regulations, if applicable;

c) the date, time and place of the meeting at which the matter will be considered;

d) where the matter relates to specific lands within the City of Guelph, sufficient particulars of such lands, such as municipal address, legal description or key map; and

e) where additional information may be obtained.

Notice of Council and Standing Committee meetings shall be given in accordance with the Procedural By-law.

If a matter for which notice was given under this policy is deferred, adjourned or continued to a future meeting, no further notice is required, unless there is a statutory requirement requiring otherwise, if:

a) a public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement, or

b) a written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered urgent, time sensitive or an extraordinary occasion, or which could affect the health, safety or well-being of the residents of the City of Guelph, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements of this policy may be waived and the City Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.

SCHEDULE TO POLICY REGARDING PUBLIC NOTICE PROVISIONS:

CLOSURE OR RENAMING OF HIGHWAYS

(a) Highway Closings and Alterations

1. In this Schedule,

“Permanently Altering” means if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person’s land over any highway.

2. The following are the requirements for giving notice of intention to pass a by-law in respect of permanently closing a

highway or permanently altering a highway:

(1) Manner of Notice

Notice shall be published in a Newspaper.

Where the highway that is to be permanently closed or permanently altered is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

(2) Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks in the Newspaper before the meeting at which the proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Municipal Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter

-
- which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(b) Changing Names of Highways

1. The following are the requirements for giving notice of intention to pass a by-law renaming a highway:

(1) Manner of Notice

Notice shall be published in a Newspaper.

Where the highway that is to have its name changed is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

(2) Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks before the meeting at which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;

-
- (iii) The date, time and location of the meeting;
 - (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
 - (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
 - (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

**(II) ADDITION OF NEW BUSINESS LICENSING
CATEGORY OR AMENDMENT TO
CONDITIONS REQUIRED FOR OBTAINING
OR MAINTAINING A BUSINESS LICENCE**

1. The following are the requirements for giving notice of intention to pass a by-law amending the Business Licensing By-law to add a new business licensing category or to amend the conditions required for obtaining or maintaining a business licence.

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of fourteen days prior to the meeting at which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following

information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(III) AMENDMENT TO THE CITY'S SIGN BY-LAW REGARDING SIGNAGE REQUIREMENTS

1. The following are the requirements for giving notice of intention to pass a by-law amending the Sign By-law to make any changes regarding signage requirements

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of fourteen days prior to the meeting at

which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(IV) MUNICIPAL RESTRUCTURING

1. The following are the requirements for notice of a public meeting under Section 173(3) of the Municipal Act respecting a restructuring proposal.

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of twenty-one days prior to the public meeting at which the matter will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(V) EFFICIENCY AND EFFECTIVENESS OF THE MUNICIPALITY'S OPERATIONS

1. The following are the requirements for notice in respect of the efficiency and effectiveness of the municipality's operations under section 299(4) of the Municipal Act.

Information regarding the efficiency and effectiveness of the City's operations as may be

designated by the Minister of Municipal Affairs and Housing shall be published in a newspaper at the times designated by the Minister.

Appendix VI – Accountability and Transparency Policy

Tab CITY COUNCIL

Subject ACCOUNTABILITY AND TRANSPARENCY

Related Policies Disposition of Surplus Property By-law (1995)-14835
Hiring Of Employees
Procurement Of Goods And Services By-law (2005)-17679
Notice To The Public
Delegation Of Authority
Guiding Principles for Public Involvement
Council Code of Ethics

Approved by (date)

Review Date Annually

POLICY STATEMENT

Guelph City Council acknowledges that it is responsible to provide good government for its community stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to our constituents; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its community stakeholders. In addition, wherever possible, the City of Guelph will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

Guelph City Council also acknowledges that there will be matters that due to their very nature must be considered at meetings that are not open to the public, and when these occasions occur, the City of Guelph commits to compliance with the statutory requirements regarding closed meetings under S. 239 of the Municipal Act.

PURPOSE

The purpose of this policy is to comply with S. 270 of the Municipal Act which requires that all municipalities adopt and maintain a policy with respect to the manner in which the City of Guelph will try to ensure that it is accountable to the public for its actions, and the manner in which we will try to ensure that our actions are transparent to the public. This policy will provide guidance for the delivery of the City's activities and services in accordance with the principles as outlined herein.

DEFINITIONS

Accountability - The principle that the City of Guelph will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

Transparency - The principle that the City of Guelph actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

POLICY REQUIREMENTS

The principles of accountability and transparency shall apply equally to the political process for decision making and to the administrative practices of the municipality.

"A" - Financial Matters

The City of Guelph will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the City of Guelph provides such accountability and transparency in its financial matters, are as follows:

1. internal/external audit
2. reporting/statements
3. long term financial planning
 - asset management
 - purchasing/procurement
 - disposition of surplus property
 - budget process

"B" - Internal Governance

The municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

1. code of conduct for staff
2. performance management and evaluation
3. hiring policy

-
- 4.● orientation/continuing education
 - 5.● health and safety
 - 6.● work/life balance
 - 7.● compensation/benefit
 - commitment of senior management to ensure that administrative practices and procedures recognize Council's commitment to accountability and transparency

"C" - Public Participation

The City of Guelph ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The City's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or submit comments in writing on specific items at these meetings. In addition, the City of Guelph has adopted guiding principles for public involvement which ensure that participation by the public can be meaningful and effective by encouraging participation that is:

- inclusive not exclusive
- voluntary
- purpose driven
- respectful of time and financial constraints
- open communication
- adaptable
- accessible to information and decision making
- respectful of for diverse interests
- regularly evaluated

These guidelines are available in the City Clerk's Office and on the City's website.

"D" - Disclosure of Information

The City is committed to timely disclosure of information by various means including print media, websites, etc. Some specific examples include:

- The City's website www.guelph.ca
- The City News Page
- Use of various communication vehicles (newsletters, brochures, print and radio advertising, etc.)
- A robust media relations programme
- Direct communication with constituents (both verbal and written)
- Development of corporate communication strategies

-
- Public meetings and open houses on municipal initiatives
 - Engagement of the public through an effective public consultation process, so as to receive and not just convey information.

Appendix VII - Delegation of Authority Policy

Tab	CITY COUNCIL
Subject	DELEGATION OF AUTHORITY
Related Policies	Accountability And Transparency Purchasing By-law (2005)-17679
Approved by	(date)
Review Date	Annually

POLICY STATEMENT Guelph City Council, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

PURPOSE The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties by which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

DEFINITIONS **Legislative Powers** - Includes all matters where council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority.

Administrative Powers - Includes all matters required for the management of the corporation subject to such limitations as Council may deem appropriate.

Delegate(s) – The person, persons or body to whom a delegation of authority is made by Council.

Delegation – The granting of authority by City Council to a person, persons or a body to exercise a legislative or administrative power of the Council.

**POLICY
REQUIREMENTS**

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, all of the powers, duties and functions of Council remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act.
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act.

**IMPLEMENTATION "A" - ADMINISTRATIVE POWERS
PROCEDURE**

In order for Council to authorize the delegation of any of its Administrative Powers, it shall first approve the conditions and limitations of the delegation by the approval of a by-law. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions. In exercising any delegated power, the delegate shall ensure the following:

1. Any expenditure related to the matter shall have been provided for in the current year's budget, or authorized by the Purchasing By-law (2005)-17679.
2. The scope of the delegated authority shall not be exceeded by the delegate.
3. Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.

"B" - LEGISLATIVE POWERS

In order for Council to authorize the delegation of any of its legislative and quasi-judicial powers, it is recognized that these powers can only be delegated to the following:

- One or more members of municipal council
- A body that has at least 2 members, of which 50% are council members, council appointees, or a combination thereof
- An officer, employee or agent of the municipality (if the power delegated is of a "minor nature" as provided in S. 23.2 of the Municipal Act).

Council shall approve the conditions and limitations for the delegation of any of its Legislative Powers.

Council shall approve specific and individual policy and procedures for each delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions.

Council shall only delegate Legislative Powers to an officer, employee or agent of the municipality which are minor in nature.

The delegation of Legislative Powers of Council are restricted to powers found in the Municipal Act, the Planning Act, a private act relating to the municipality and "such other Acts as may be prescribed."

GENERAL RULES RELATING TO DELEGATION OF AUTHORITY

A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.

A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.

A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.

A delegation or deemed delegation of a duty results in the duty being a joint duty of the municipality and the delegate.

A delegation may be made subject to such conditions and limits as the Council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.

Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

RESTRICTIONS

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office statutory officers of the municipality.
- To pass a by-law and deal with issues regarding taxes.
- To incorporate corporations.
- To adopt an official plan or an amendment to an official plan under the Planning Act.
- To pass a zoning by-law under the Planning Act.
- To pass a by-law related to small business counselling & municipal capital facilities
- To adopt a community improvement plan
- To adopt or amend the municipal budget
- Any other power that may be prescribed

No delegation of legislative or quasi-judicial powers to a corporation is permitted.

Any delegation of legislative or quasi-judicial powers may be subject to any regulation made by the Minister.

Any delegation of administrative powers may be subject to any regulation made by the Minister.

Appendix VIII – Meeting Investigator By-law

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2008)-18492
A by-law to appoint Local Authority
Services Ltd. as Investigator
Pursuant to Sections 8, 9, 10 and
239.1 of the Municipal Act, 2001.

WHEREAS effective January 1, 2008, Section 239.1 of the Municipal Act, 2001 as amended permits a person to request an investigation of whether a municipality or local board has complied with section 239 of the Municipal Act, 2001, as amended, or a procedure by-law under subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public;

AND WHEREAS Council deems it desirable to appoint Local Authority Services Limited (LAS) as the Investigator to investigate all requests on behalf of the City of Guelph and its Local Boards for a two year term commencing January 1, 2008;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH HEREBY ENACTS AS FOLLOWS:

1. That pursuant to sections 9, 10, 11 and 239.2 of the Municipal Act, 2001, as amended, (the "Act") Council hereby appoints LAS as the independent Investigator to investigate in accordance with the legislation all requests for an investigation of the Council and Committees of the Municipality and the Local Boards and their Committees of the Municipality. For the purposes of this By-Law "committee" and "local board" shall have the meaning as defined in section 238 of the Act.
2. The appointment shall be for an initial term of two years commencing the first day of January, 2008 and ending on December 31, 2009 and may be renewed for subsequent two year terms.
3. LAS and its delegate shall, in carrying out the functions of Investigator, have regard to, among other matters, the importance of the Investigator's credibility, the independence, impartiality and confidentiality with respect to the investigative process.

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4. The Investigator or the delegate may hear or obtain information from such persons as the Investigator or the delegate thinks fit, and may make such inquiries as the Investigator or the delegate thinks fit and it is not necessary for the Investigator or the delegate to hold any hearing.
 5. Subject to section 6, no person is entitled as of right to be heard by the Investigator or the delegate.
 6. If at any time during the course of an investigation it appears to the Investigator or the delegate that there may be sufficient grounds for a report or recommendation that may adversely affect the municipality, a local board or any other person, the Investigator or the delegate shall give him, her or it an opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.
 7. After conducting an investigation, the Investigator or the delegate shall report to the municipality or in the case of a local board, to the local board and the Municipality. The report shall include an opinion and the reasons for it and may make such recommendations as the Investigator or the delegate thinks fit. The report shall be included on the next agenda of the Council or in the case of a Local Board, the Council and the Local Board agendas, immediately following receipt of the report.
 8. Every request for an investigation by a person shall include all of the following:
 - a. be directed to the Clerk,
 - b. be in writing,
 - c. include reasons for the request,
 - d. be signed, and
 - e. include an address and telephone number of the person making the request.

This By-law shall come into force and take effect immediately upon the final passing thereof.

PASSED this 28th day of January , 2008

.....
Karen Farbridge - Mayor

.....
Lois A. Giles - City Clerk

Appendix IX – Guiding Principles for Public Involvement

- **Inclusive not Exclusive** - Everyone’s participation will be welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.
- **Voluntary Participation** - The process will seek the support of those participants willing to invest the time necessary to make it work.
- **Purpose Driven** - The process will be clearly linked to when and how decisions are made. These linkages will be communicated to participants.
- **Time and Financial Constraints** - The process will operate within an appropriate time frame and budget.
- **Communication** - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.
- **Adaptability** - The process will be adaptable, recognizing all limits or constraints and allowing the level of public involvement to be reflective of the magnitude of the issue and the needs of the participants.
- **Access to Information** -The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.
- **Access to Decision Making** - The process will give participants the opportunity to influence decision making. The participants will be provided with feedback as to how their input influenced the decisions as they are made.
- **Respect for Diverse Interests** - The process will foster respect for the diverse values, interests and knowledge of those involved.

- **Accountability** - The process will recognize that participants are accountable to both their constituents and to the success of the process.
- **Evaluation** - The success and results of the process will be measured and evaluated.

Roles and Responsibilities

Council

City Council is ultimately responsible to all the citizens of Guelph and must weigh each of its decisions accordingly. Councillors are responsible to their local constituents under the ward system, however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support of projects, and Councillors should be prepared to discuss their rationale for their decisions in light of that public involvement.

City Staff

The future of the City should be designed to meet the needs and priorities of its citizens. Staff responsible for the design and implementation of public participation processes have an obligation to ensure that the Guiding Principles are the backbone of their processes. In addition to the responsibilities established by the Guiding Principles, staff have a responsibility to:

- pursue public involvement with a spirit that recognizes the value it adds to projects;
- in all public involvement activities, work towards fostering long-term relationships based on respect and trust;
- encourage positive working partnerships;
- take-up the challenge to draw out the silent majority, the voiceless and the disempowered;
- ensure that decisions and recommendations reflect the needs and desires of the entire community; and
- ensure that no participant or group is marginalized or ignored.

All Participants (Proponents, Public, Council, Staff)

The public is also accountable to the process and to the enhancement of the capacity to accomplish the project goals. All parties (including council, staff, other proponents and the public) have a responsibility to:

- focus on the real issues and not on the furthering of personal agendas;
- balance personal concerns with the needs of the community as a whole;
- have realistic expectations;
- participate openly, honestly and constructively, offering ideas, suggestions, alternatives, etc.;
- listen carefully and completely;
- identify their concerns and issues early in the process;
- provide their names and contact information if they want direct feedback;
- make every effort to work within the project schedule; if this is not possible then this should be discussed with the proponent as soon as possible. Participants must also recognize that process schedules may be constrained by external factors (e.g. broader project schedules or legislative requirements);
- recognize that there is no single voice that is more important than all others, and that there are diverse opinions to be considered;
- work within the process in an integrated and cooperative manner;
- accept some responsibility for keeping themselves aware of current issues; when possible, participants should also make others aware of project activities and solicit their input; and
- recognize that the measure of the success of the process is the fullness of public involvement and the quality of the outcome.

Appendix X - Procedural By-law

Consolidated Procedural By-law

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1996)-15200

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 #179, and to repeal (1992)-14220, as amended.

[Amended by By-laws (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454 and (2008)-18595, (2008)-18618]

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

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.

MEETINGS

INAUGURAL

2. (1) The 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.

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- (2) At the inaugural meeting, all members present shall make their declaration of office, and no regular business shall be proceeded with at this meeting.

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. **[Amended 2005-08-22 by By-law (2005)-17807] [Amended 2007-01-08 by By-law (2007)-18222] [Amended 2007-03-05 by By-law (2007)-18249] [Amended 2007-12-017 by By-law (2007)-18454]**
- (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.

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.

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- (5) On urgent or extraordinary occasions, an emergency special council meeting may be called by the Mayor, and the notice provided in sub-section (3) above shall not be required.

AGENDA

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
 - Reports of Committees of Council and other Boards, Committees and Commissions
 - Consent Agenda
 - Special Resolutions
 - By-laws
 - Questions and Announcements
 - Notice of Motions
 - Adjournment

PUBLIC NOTICE OF MEETINGS [Amended 2007-12-017 by By-law (2007)-18454]

- 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.
- (2) 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.

MINUTES

6. (1) The minutes of the previous meeting 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.

PRESENTATIONS

7. Council shall hear any presentation, for information purposes only, and presentations shall be limited to a maximum of ten minutes.

PUBLIC MEETINGS PURSUANT TO LEGISLATION

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 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. **[Amended 2003-03-03 by By-law (2003)-17071] [Amended 2005-08-22 by By-law (2005)-17807]] [Amended 2007-01-08 by By-law (2007)-18222] [Amended 2007-03-05 by By-law (2007)-18249]**

DELEGATIONS

9. (1) No person, except members of Council and appointed officials of the City of Guelph, shall be allowed to come within the horseshoe during the sittings of the Council without the permission of Council.
- (2) Upon approval of the Council, a person wishing to appear as a delegation may address the Council for a period of time not exceeding five minutes. The five minute time period may be extended by the Council by a majority vote of the Council members present. Such question shall be decided by the Council without debate.
- (3) Delegations wishing to address Council 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 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. **[Amended 2005-08-22 by By-law (2005)-17807]**

- (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.
- (b) 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.
- (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.
- (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) 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.
- (9) Except on matters of order, members of Council shall not interrupt a delegation while he or she is addressing Council.
- (10) Members of Council may only ask questions of delegations and shall not express an opinion or enter into debate 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.
- (12) All delegations on an issue shall be heard before questions are asked of staff or discussion among Council.

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- (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. **[Amended 2005-08-22 by By-law (2005)-17807]**

MATTERS BEFORE COURT, TRIBUNAL, ETC.

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.

REPORTS FROM COMMITTEES, BOARD AND COMMISSIONS

11. (1) 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.
- (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.

CONSENT AGENDA

12. (1) The 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.

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- (b) Correspondence for the direction of Council shall include:
 - i) correspondence for which a policy decision or approval of Council is required, and
 - ii) correspondence accompanied by a recommendation from 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.

POINT OF ORDER OR PRIVILEGE

13.(1) A member may raise a point of order at any time, whereupon the Mayor 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.

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.

(2) A member may raise a point of privilege at any time if they consider that their integrity or the integrity of Council as a whole has been impugned, whereupon the Mayor 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.

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.

Where the Mayor considers that the integrity of any City employee has been impugned or questioned, the Mayor may permit the City Administrator, department head or other city employee to make a statement to Council. **[Amended 2005-08-22 by By-law (2005)-17807]**

CONDUCT OF MEMBERS IN COUNCIL

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. **[Amended 2007-08-13 by By-law Number (2008)-18372]**
- (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:
- (a) without leave of the Council: **[amended 1998-03-02 by By-law (1998)-15690] [Amended 2005-08-22 by By-law (2005)-17807]**
- i) 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 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. [Amended 1998-03-02 by By-law (1998)-15690]**

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.
- (2) Whenever the Mayor is of the opinion that a motion is contrary to the 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.
- (3) A motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order.
- (4) 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.
- (5) 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.

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- (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.

VOTING

- 16. (1) When one or more of the motions set out in Section 15 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 propositions, upon the request of any member of Council, the vote upon each proposition shall be taken separately.

- (3) After a question is finally put by the Mayor, 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 (other than motions regarding procedural matters) members of Council must distinguish their vote when voting on any matter by voting in favour or opposed using an electronic voting system.

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- (ii) Should Council 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 must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.
 - (iii) After a question is put on a procedural motion, Members of Council must clearly distinguish their vote by placing their hand up in the air above their shoulder. **[Amended 2007-08-13 by By-law Number (2008)-18372]**
- (5) The City Clerk shall for all motions, other than procedural motions, record the name and vote of every member voting on a matter of question. **[Amended 2007-08-13 by By-law Number (2008)-18372]**
- (6) The Mayor shall vote on any question while in possession of the Chair, however, if the Mayor wishes to propose a motion he or she must step down and shall not resume the Chair until the vote is taken. **[Amended 2007-08-13 by By-law Number (2008)-18372]**
- (7) The City Clerk shall record in the minutes the name of any member of Council who is not present in the Chamber when such recorded vote is taken.

RECONSIDERATION OF 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. **[Amended 2000-06-05 by By-law (2000)-16326]**
- (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 (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.

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- (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. **[Amended 2000-06-05 by By-law (2000)-16326]**

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. **[Amended 2008-07-28 by By-law (2008)-18595]**
- (3) Every by-law proposed for adoption shall be passed in one motion. **[Amended 2008-07-28 by By-law (2008)-18595]**
- (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.

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. **[Amended 2005-08-22 by By-law (2005)-17807]**

NOTICE OF MOTION AND SPECIAL RESOLUTIONS

- 21.(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. **[Amended 2006-06-19 by By-law (2006)-18060]**
- (2) Notices of motion shall be in writing, and shall be submitted to the City Clerk for inclusion in the Agenda of the next 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.
- (3) 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.
- (4) 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.
- (5) Where Council has passed a resolution at a meeting closed to the public in accordance with Appendix #1 "Matters for Closed Meetings", such resolution shall only be 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.

ADDENDUM/SUPPLEMENTARY AGENDAS

22. (1) An addendum or supplementary agenda shall be prepared by the City Clerk to advise Council 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 by inclusion on the addendum unless directed by the Mayor or member of Council or senior staff if the urgent nature of the matter requires a decision prior to the next Council meeting.

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.
- (2) 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.
- (3) 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 delegations listed have been heard, and Council has disposed of the matter and have completed the time sensitive issues on the agenda. **[Amended 2005-08-22 by By-law (2005)-17807]**

DISCLOSURE OF PECUNIARY INTEREST

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.

COMMITTEE OF THE WHOLE

25. (1) When it is moved and seconded that the Council go into Committee of the Whole, the Mayor shall remain as Chair of the Committee of the Whole and shall maintain order in the Committee.
- (2) The rules governing the procedure of the Council and the conduct of members in Council shall be observed in Committee of the Whole so far as they are applicable, except that a motion shall not be required to be seconded before debate is permitted. **[Amended 1998-03-02 by By-law (1998)-15690]**

STRIKING COMMITTEE

26. (1) In the first year of a new term, the Council shall meet as a striking committee for the purpose of making appointments to the Standing Committees and Boards, Committees and Commissions.

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- (2) 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.

STANDING AND SPECIAL COMMITTEES

27. (1) Council shall appoint the following standing committees:

- (a) Community Development and Environmental Services Committee,
- (b) Emergency Services, Community Services and Operations Committee
- (c) Finance, Administration & Corporate Services Committee, and
- (d) Governance and Economic Development Committee
- (e) Land Ambulance Committee
- (f) Emergency Governance Committee

[Amended 2006-01-09 by By-law (2006)-17923] [Amended 2007-01-08 by By-law (2007)-18222] [Amended 2007-04-16 by By-law (2007)-18274] [Amended 2008-09-22 by By-law Number (2008)-18618]

- (2) (a) Each standing committee shall be composed of four councillors and the Mayor. Each standing committee shall select a Chair from among its members. The selected Chair and 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.
- (b) Notwithstanding Section 27(2)(a), the Land Ambulance Committee shall also be composed of the Warden of Wellington County and three members of County Council and quorum shall be five members.
[Amended 2007-04-16 by By-law (2007)-18274]
- (c) Notwithstanding Section 27(2)(a), the Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council. A quorum shall be four members.
[Amended 2008-09-22 by By-law Number (2008)-18618]
- (3) Council may by resolution, appoint special committees for such purposes as are specified in the resolution.
- (4) Council may appoint a member to act on any committee in lieu and during the absence of any member who is absent from the municipality or unable from illness to attend the meetings of such committee. The member appointed shall be deemed to be a member of the committee and entitled to act thereon during the member's absence or illness.
- (5) Wherever possible the business of the standing or special committees shall be conducted in accordance with the rules of conduct and debate which apply to Council meetings.

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- (6) Members of Council may attend the meetings of any of its committees and, upon being recognized by the Chair, shall be allowed to take part in any discussion or debate. However, non-committee members shall be disqualified from voting.
 - (7) Standing and special committees shall report to Council on all matters that have been referred to them and shall recommend such action as they deem necessary. The Council may refer back to any committee any report in whole or in part or any question or matter for further consideration.
 - (8) The Chair of each standing committee shall preside at every meeting or, in the Chair's absence, such other Member as may be chosen by the Committee.
 - (9) The Chair shall preside at every meeting and may vote on all questions submitted. In the case of an equal division of votes, the question shall be passed in the negative. A recorded vote may be requested by any member of a committee on any question before the committee.
 - (10) The Chair of each committee shall sign the minutes of their respective committee meetings after they have been adopted by resolution of the committee.
 - (11) Each standing committee shall establish regular meeting dates and the Chair of each committee shall be responsible for the calling of the meetings.
 - (12) 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.

CALLING MEETINGS

28. 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.

MEMBER ABSENT FROM MEETINGS

29. 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.

STANDING COMMITTEE FUNCTIONS

30. (1) The general service area responsibilities of the Community Development and Environmental Services Committee shall be to study and report to Council on matters relating to, but not limited to, the following:
- (a) Community Design & Development Services (with the exception of Economic Development and Tourism)
 - (b) Environmental Services
- (2) The general service area responsibilities of the Emergency Services, Community Services and Operations Committee shall be to study and report on matters relating to, but not limited to, the following: **[Amended 2007-04-16 by By-law (2007)-18274]**
- (a) Community Services
 - (b) Emergency Services
 - (c) Operations
 - (d) Wellness
- (3) The general service area responsibilities of the Finance, Administration and Corporate Services Committee shall be to study and report on matters relating to, but not limited to, the following:
- (a) Corporate Services
 - (b) Finance
 - (c) Human Resources
 - (d) Financial Audit
- (4) The general service area responsibilities of the Governance and Economic Development Committee shall be to study and report on matters relating to, but not limited to, the following:
- (a) Economic Development and Tourism
 - (b) Strategic Planning and Corporate Initiatives
 - (c) Intergovernmental Liaison
 - (d) Governance Policy Review
- (5) The general service area responsibilities of the Land Ambulance Committee shall be to study and report on matters relating to, but not limited to the following:
- (a) Land Ambulance Services provided to the residents of the City of Guelph and the Council of Wellington. **[Amended 2007-04-16 by By-law (2007)-18274]**

(6) 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. **[Amended 2007-01-08 by By-law (2007)-18222]**
[Amended 2007-04-16 by By-law (2007)-18274]

(7) Council 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.
[Amended 2008-09-22 by By-law Number (2008)-18618]

SUSPENSION OF RULES

31. No provision of this by-law shall be suspended except by affirmative vote of two-thirds of the entire Council.

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.

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.

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.

REPEAL OF PREVIOUS BY-LAWS

35. By-law Number (1992)-14220, and the accompanying amendments numbered By-law (1994)-14522, (1994)-14627, (1995)-14771 are hereby repealed.

PASSED THIS SIXTEENTH DAY OF JUNE, 1996.

Original Signed by:
Mayor Joe Young
V. Charlene Lavigne, Deputy 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.

Updated September 25, 2008

TO **Guelph City Council**

SERVICE AREA Information Services
DATE November 18, 2008

SUBJECT Full Vs. Part Time Councillors
REPORT NUMBER

RECOMMENDATION

THAT the report of the Director of Information Services/Clerk with respect to full-time vs. part-time councillors, be received.

BACKGROUND

Council requested staff to report back on a process for reviewing full-time vs. part-time councillors, including but not limited to:

1. Establishment and role of a citizen review committee;
2. Measures to quantify time Councillors spent on City business; and
3. Compensation.

REPORT

History: From 1929 until 1988, voters in Guelph elected Councillors under an at large system. The "at large system" meant that all voters were able to vote for every candidate running for a seat as a Councillor.

In early 1988, a group of residents urged the City to change from the current at large system to a ward system for electing councillors. City Council felt it was important to obtain the opinion of the general public, and in November 1988, placed a question on the ballot in the municipal election. 55.43% of the vote returned favoured a change to a ward system. As a result, City Council agreed to implement a ward system of 6 wards with 2 Councillors elected per ward.

In 2006, a question on the ballot in the municipal election, asked voters if they were in favour of retaining the current ward system as the method of electing City councillors. Over 80% of ballots were cast in support of retaining the current system.

Statutory Framework: - Composition is the term used in the Municipal Act to reflect how a council is to be composed, including the method of election. The

Municipal Act provides that a local municipality can change the composition of its council subject to the following rules:

- There shall be a minimum of five members, one of whom shall be the head of council.
- The members of council shall be elected in accordance with the *Municipal Elections Act, 1996*.
- The head of council shall be elected by general vote.
- The members, other than the head of council, shall be elected by general vote or wards or by any combination of general vote and wards.

If the City were to pass a by-law to alter the composition of Council in 2009, it would come into effect for the 2010-2014 term. If the by-law was not passed until 2010, it would come into effect for the 2014-2018 term.

In the event a change in the composition of Council were to necessitate a change in the existing ward structure (i.e. change in number of wards or boundaries of existing wards), the Council would be required to pass a by-law. The Act requires that public notice of the passing of the by-law be given, and the by-law is subject to appeal to the Ontario Municipal Board. Provisions relating to the effective date of a new ward structure law are similar to the composition sections of the Act.

Analysis of Full vs. Part Time Councillors in Ontario: Attached to this report is an analysis of 31 Ontario municipalities with populations over 60,000. Included in the analysis are statistics on population, method of election, number of councillors, full/part time status, ratio of elected representatives to population, etc.

Analysis of the information shows that 8 Ontario municipalities consider their councillors to be full-time. The smallest of these municipalities is Burlington (pop. 151,000), and the largest is Toronto (pop. 2,651,000). Of these 8 municipalities, 3 are single tier and 5 are lower tier. All or a portion of the full-time councillors in the lower tier municipalities serve in a dual capacity on both the local and regional councils.

Where municipalities have deemed their councillors to be full time, the threshold appears to be when the ratio of elected representatives to population exceeds 22,000 per member. In Ontario, this ranges from a low of 22,599 in Richmond Hill, to a high of 60,777 in Mississauga. There are several municipalities with part-time councillors that do exceed this threshold. As well, there are several municipalities that are very close to approaching this threshold. Currently the ratio of elected representatives to population in Guelph is 9,833 per member.

Compensation and Associated Costs: Below is a survey showing annual compensation for Ontario municipalities with full-time councillors. These numbers do not include benefit costs. The salaries for full-time city councillors range from a low of \$49,694 (Burlington) to a high of \$96,805 in Toronto. Where a full-time councillor serves on both the local and regional councils, they receive compensation at both levels. The current annual compensation for a councillor in Guelph is \$27,383.

COMPENSATION FOR FULL-TIME COUNCILLORS					
Municipality	Number of Councillors	Tier	City Salary	Regional Salary	Total Salary
Burlington	6	Lower Tier - All Councillors also serve on Halton Regional Council	\$49,694	\$40,550	\$90,244
Brampton	10	Lower Tier - Five City/Regional Councillors elected by wards also serve on Peel Regional Council	\$59,006	\$45,660	\$104,666
Richmond Hill	8	Lower Tier - Two City/Regional Councillors elected at large also serve on York Regional Council	\$61,902	\$46,105	\$108,007
Vaughan	7	Lower Tier - Three City/Regional Councillors elected at large also serve on York Regional Council	\$62,304	\$46,105	\$108,409
Hamilton	15	Single Tier	\$67,637	n/a	\$67,637
Mississauga	11	Lower Tier - All Councillors also serve on Peel Regional Council	\$79,237	\$45,660	\$124,897
Ottawa	23	Single Tier	\$89,426	n/a	\$89,426
Toronto	44	Single Tier	\$96,805	n/a	\$96,805

In addition to compensation costs, municipalities with full-time councillors have dedicated support staff and office expense budgets. There has been minimal research done into these costs, since levels of staff support and expenses vary from municipality to municipality.

Process to Review: There are a number of methods that the City could use to gain public input into whether or not Guelph is well positioned to move from part-time to full-time councillors. Below is a summary of options, along with advantages, disadvantages and potential costs:

Option	Advantages	Disadvantages	Costs
Advisory Committee to research full vs. part time councillors and make recommendations to Council.	Includes Public Involvement Saves time at Council/Committee level. Minimal cost.	Resource intensive at the staff level to support citizen committees – research, reports, circulate agendas, attend meetings, prepare minutes. Prepare reports to Council. May be perceived as having a City bias.	\$1,000 for advertising costs relating to meeting notices.

Option	Advantages	Disadvantages	Costs
<p>Working with a consultant, the City engages the public directly to form the basis of a recommendation to Council</p> <ul style="list-style-type: none"> • focus groups; • a mail or telephone public survey (typically 2000 – 4000 residents); • analysis and final reporting on public opinion. 	<p>Uses Neutral 3rd Party</p> <p>Generates both qualitative and quantitative information</p> <p>Includes public involvement.</p> <p>Ensures public input that more accurately reflects the general population.</p> <p>Saves time at Council/Committee level.</p> <p>Requires less staff resources.</p>	<p>Most costly of options.</p> <p>Public opinion surveys are occasionally criticized.</p> <p>Assumes public is familiar enough with topic to provide a meaningful response if randomly selected in a survey.</p>	<p>\$8,000</p>
<p>Standing Committee to Conduct Public Meetings:</p> <ul style="list-style-type: none"> • Staff presentations of information; • Public Opportunity to Comment • Staff summarize public comment and report to Council. 	<p>Includes public involvement.</p> <p>Minimal advertising cost for meeting notices.</p> <p>Minimal costs for printed material.</p> <p>Council members receive public input directly.</p>	<p>Involves more Council/Committee time.</p> <p>May only attract a vocal minority response.</p> <p>May be perceived as having a City bias.</p> <p>Resource intensive at the staff level.</p>	<p>\$2,000.</p>

Quantifying Council Time: A survey could be conducted in order to determine the amount of time commitment for councillors. This could possibly include past councillors in addition to current councillors. Topics covered by the survey could include the time spent in:

- Council and committee meetings;
- Meetings of Council appointed boards and committees;
- Community activities that are not City sponsored;
- Constituency work (calls, meetings, advocacy, social events, etc.)
- Community engagement (blogs, ward meetings, newsletters, etc.)
- Preparation for meetings;
- Strategic planning activities;
- Budget review;
- Training and development;
- Attendance at conferences and seminars; and
- Media relations.

CORPORATE STRATEGIC PLAN

Supports Goal 5 – A community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

See report summary. No funds are currently included in the proposed 2009 budget for the Qualitative/Quantitative Feedback Option. Existing funds within the corporate advertising budget would cover meeting notices for other options.

DEPARTMENTAL CONSULTATION

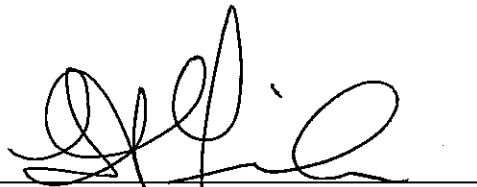
n/a

COMMUNICATIONS

Not at this time.

ATTACHMENTS

1 - Ontario Municipality Survey



Prepared By:

Lois A. Giles,
Director of Information Services/Clerk.
(519) 822-1260, x 2232
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Council Information

Municipality	Population	Ratio of Councillor to Population	Tier	Method of Election	Number of Councillors	Full / Part Time	Dual Representation
Kawartha Lakes	72,000	4,500	Single	16 wards	1 per ward <i>total 16 members</i>	Part time	n/a
Sault Ste. Marie	75,000	6,250	Single	6 wards	2 per ward <i>total 12 members</i>	Part time	No
Chatham-Kent	108,177	6,363	Single	6 wards	2 per 4 wards 3 per 1 ward 6 per 1 ward <i>total 17 members (wards reflect former municipalities prior to amalgamation)</i>	Part time	n/a
Peterborough	74,600	7,460	Single	5 wards	2 per ward <i>total 10 members</i>		n/a
Sarnia	72,125	9,015	Lower	At large - city councillors at large - city/county councillors at large	4 city/county councillors 4 city councillors <i>total 8 members</i>	Part time	4 city/county councillors elected at large serve on Lambton County Council
Thunder Bay	109,140	9,095	Single	7 wards - city councillors by ward - city councillors at large	1 councillor per ward 5 councillors at large <i>total of 12 members</i>	Part time	No
Brantford	93,687	9,368	Single	5 wards	2 per ward <i>total 10 members</i>	Part time	n/a
Kingston	117,207	9,767	Single	12 wards	1 per ward <i>total 12 members</i>	Part time	n/a
Guelph	118,000	9,833	Single	6 wards	2 per ward <i>total 12 members</i>	Part time	n/a
Niagara Falls	78,815	9,851	Lower	At large – 8	<i>total 8 members</i>	Part time	n/a

Municipality	Population	Ratio of Councillor to Population	Tier	Method of Election	Number of Councillors	Full / Part Time	Dual Representation
St. Catharines	132,000	11,000	Lower	6 wards	2 per ward <i>total 12 members</i>	Part time	No
Newmarket	80,395	11,485	Lower	7 wards	1 per ward <i>total 7 members</i>	Part time	n/a
Barrie	132,000	12,000	Single	11 wards	1 per ward <i>total 11 members</i>	Part time	n/a
Gr. Sudbury	157,857	13,154	Single	12 wards	1 per ward <i>total 12 members</i>	Part time	n/a
Oakville	165,000	13,750	Lower	6 wards - city councillors by ward - city/regional councillors by ward	1 city councillor per ward 1 city/regional councillor per ward <i>total 12 members</i>	Part time	6 city/regional councillors elected by ward serve on Halton Regional Council
Oshawa	150,000	15,000	Lower	7 wards - city councillors by ward - city/regional councillors by ward <i>*council resolution that effective with next municipal election, all offices will be elected at large</i>	3 city councillors - 1 per 2 wards 7 city/regional councillors -1 per ward <i>1 ward does not elect a city councillor</i> <i>total 10 members</i>	Do not classify either way – some councillors maintain full-time jobs elsewhere	7 city/regional councillors elected by ward serve on Durham Regional Council
Pickering	91,892	15,315	Lower	3 wards	1 city councillor per ward 1 city/regional councillor per ward <i>total 6 members</i>		3 city/regional councillors elected by ward serve on Durham Regional Council
Waterloo	115,400	16,485	Lower	7 wards	1 per ward <i>total 7 members</i>	Part time	n/a

Municipality	Population	Ratio of Councillor to Population	Tier	Method of Election	Number of Councillors	Full / Part Time	Dual Representation
London	348,000	19,333	Single	14 wards Board of Control elected at large	1 per ward 4 – Board of Control <i>total 18 members</i>	Part time	n/a
Cambridge	120,000	20,000	Lower	6 wards	1 per ward <i>total 6 members</i>	Part time	n/a
Windsor	216,473	21,647	Single	5 wards	2 per ward <i>total 10 members</i>	Part time	n/a
Richmond Hill	180,795	22,599	Lower	6 wards - city councillors by ward - city/regional councillors at large	1 city councillor per ward 2 city/regional councillors at large <i>total 8 members</i>	Full time	2 city/regional councillors elected at large serve on York Regional Council
Markham	287,000	23,916	Lower	8 wards - city councillors by ward - city/regional councillors at large	1 city councillor per ward 4 city/regional councillors at large <i>total 12 members</i>	Part time	4 regional councillors elected at large serve on York Regional Council
Burlington	151,000	25,166	Single	6 wards	1 per ward <i>total 6 members</i>	Full time	All city councillors elected by wards serve on Halton Regional Council
Vaughan	238,573	29,821	Lower	5 wards - city councillors by ward - city/regional councillors at large	1 city councillor per ward (local) 3 city/regional councillors at large <i>total 8 members</i>	Full time	3 city/regional councillors elected at large serve on York Regional Council

Municipality	Population	Ratio of Councillor to Population	Tier	Method of Election	Number of Councillors	Full / Part Time	Dual Representation
Hamilton	504,559	33,637	Single	15 wards	1 per ward total 15 members	Full time	n/a
Ottawa	800,000	34,782	Single	23 wards	1 per ward total 23 members	Full time	n/a
Kitchener	214,000	35,666	Lower	6 wards	1 per ward total 6 members	Part time	n/a
Brampton	450,000	45,000	Lower	10 wards - city councillors by wards - city/ regional councillors by wards	1 city councillor per 2 wards 1 city/regional councillor per 2 wards total 10 members	Full time	6 city/regional councillors elected by wards serve on Halton Regional Council
Toronto	2,651,717	60,266	Single	44 wards	1 per ward total 44 members	Full time	No
Mississauga	668,549	60,777	Lower	11 wards	1 per ward total 11 members	Full time	All councillors serve on Peel Regional Council

COMMITTEE REPORT



TO **Governance and Economic Development Committee**

SERVICE AREA Operations

DATE Tuesday, November 18, 2008

SUBJECT Sidewalk Winter Control Service Review Report

REPORT NUMBER

RECOMMENDATIONS

That the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report of November 18, 2008 be received;

AND THAT Sidewalk Winter Control continues to be a service provided to the residents of Guelph;

AND THAT staff commence with Phase 2 of the Sidewalk Winter Control review process to identify expected service delivery outcomes and community defined service levels through public consultation;

AND THAT staff be directed to implement operational improvements for the 2008/2009 winter season as identified in the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report.

BACKGROUND

On April 14, 2008 Council approved the following resolutions- "[t]hat a service review be initiated in 2008 to examine sidewalk snow clearing practices" and "[t]hat staff be directed to report back to Council on the proposed parameters for undertaking the service review on sidewalk snowplowing". To that end, staff developed a Sidewalk Winter Control Service Review plan which was approved by Council on September 11, 2008 (attached as Appendix 1 of Sidewalk Winter Control Service Review - Phase 1 Report).

REPORT

The Sidewalk Winter Control Service Review focused on mechanized snow plowing, snow removal, salting and sanding practices of City sidewalks (including bus stops) and the methods in which the service is performed.

This service review process involves two phases: **Phase 1** required a detailed current state assessment to understand the service objectives, standards, performance outcomes, strengths, weaknesses and opportunities for improvement; it examined other municipal practices and alternate service delivery models; and identified recommendations.

Phase 2 will require public consultation to identify the expected service delivery outcomes and community-defined service levels, based on the recommendations rising from Phase 1, and is expected to take place in the first quarter of 2009.

The *Sidewalk Winter Control Service Review – Phase 1 Report* attached herewith, addresses the results of **Phase 1** only. Included in the report is an extensive description of the service objectives, components of the service, performance standards, equipment utilized in the delivery of the service, staffing and financial resources.

Three parameters were reviewed to understand how well this service is currently performing - costs, actual results vs. targets and standards, and a comparison to industry practices.

A three year window ('05-'08) was used to compare data as the severity of any winter season does vary and the number and intensity of each winter event (storm, snow fall, freezing rain) can be significantly different. Data was collected from December 1st to March 31st each year for consistency.

Current Service:

The City of Guelph has approximately 660 km of sidewalk, 650 bus stop locations, over 180 walkways, steps and crosswalk locations and 11 km of downtown sidewalks to maintain during winter conditions. The clearing of all bus stops was added to the operational portfolio in 2008. This service is provided with 8,200 budgeted ('09) staff hours expended over an approximate 16 week (December – March) period.

Sidewalk winter control service is assigned in accordance with the associated pedestrian traffic volume and proximity to high use facilities. Service is provided in priority sequence, starting with high priority sidewalks, then medium priority sidewalks, and lastly, residential sidewalks. Bus stops are located on high and medium priority routes. The City is divided into 8 zones for snow plowing (6 zones for sanding) and 2 zones specifically for the downtown area.

Although Sidewalk Winter Control levels of service are not mandated by the Municipal Act, the City of Guelph established service levels for Sidewalk Winter Control in 2002, and revised these in 2005. Briefly stated, clearing is commenced when freshly fallen snow on downtown sidewalks reaches 1cm, high priority sidewalks 4cm, and residential sidewalks 8cm, all within 20 hours from the end of a snow fall.

The service is provided by a core group of Operations' employees who draw upon further departmental personnel to assist when winter events occur. During the winter control season, staff work a regular eight-hour shift, Monday to Friday, (5am-1pm for downtown), and work overtime during afternoons and weekends as required.

A fleet of 12 city-owned mechanized plowing units, snow blowing attachments and smaller snow blowers are utilized.

It is clear from this review that with existing staff complement and budget the Department is unable to consistently meet the standards set out in 2005. Review of

last year's performance following a significant winter event revealed it is taking up to 72 hours (over 5 calendar days) to complete the task. The following list summarizes the challenges that staff face to effectively and efficiently deliver the service.

1. The purchase of an additional sidewalk plow (requested to address an increase in sidewalk inventory) was deferred by Council in 2007 pending the outcome of this review.
2. The clearing of bus stops was added to the operational portfolio this past season with no increase in staff or equipment. This effectively added 1000 staff hours per season, or two additional days of clearing per snow event.
3. Staff worked significant overtime (40% of the winter control labour '08) in their attempt to meet the service standards and clear bus stops.
4. The current shift structure (single shift Monday to Friday) limits the department's ability to respond in a timely and cost-effective manner.
5. By not scheduling staff in a continuous (uninterrupted) 24 hour operation, the current standards can not be met as snow falls at any given hour of the day.
6. Staff are aware of some public dissatisfaction with the quality of snow removal performed by the mechanized equipment. The use of straight and v-blade plows on the mechanized plow-units inherently leaves behind residual snow.
7. The current practice of applying material to deal with daily freeze-thaw cycles in isolated locations is perceived negatively. The public has difficulty understanding why it is necessary to have these units out on a 'sunny day'.
8. The current approach to service priority sidewalks and bus stops causes repeat travel over sections of sidewalk that have already been cleared, and this is perceived by the public as highly ineffective and inefficient.
9. Due to the shared resource approach to staffing, other work is not getting completed when these employees are required on winter control.

Options:

Through interviewing nine other municipalities, alternate service delivery models were researched. It was found that Guelph is one of only a very few municipalities who still provide winter control on all sidewalks throughout the city. The majority have their residents, property owners and occupants clear abutting sidewalks, while the city continues to maintain sidewalks abutting municipal property, commercial areas and bus stops.

This alternate service delivery model could improve the timeliness and quality of snow removal, assuming residents were conscientious in fulfilling this new responsibility. Further, by removal of snow through use of either a shovel or small snow blower, it is likely the end result would increase pedestrian satisfaction with the walking surface and better address the mobility of the infirm or those using wheelchairs or scooters.

Despite these potential benefits, this alternate service delivery model is not recommended for the following reasons:

- Sidewalk winter control service would still need to be provided by city staff on over 100km of sidewalk, all bus stops, and manual clearing locations.
- Operational savings may be minimal as the unit cost to maintain the required sidewalk inventory would increase, and the cost of newly required by-law enforcement, the development and administration of a public assistance are factored in.

-
- As a 2008 Community Survey showed 73% of residents are satisfied with their current sidewalk snow removal service, it is anticipated the public dissatisfaction would be overwhelming, and a significant amount of time and education would be required for the public to understand why the service was discontinued and the need for them to accept this new responsibility.
 - In staff opinion, continuing the service would be consistent with the City's Strategic Plan, i.e. *the City that makes a difference*.

Recommendations:

A key objective of the Phase 1 assessment was to make an informed recommendation with strong rationale for either continuing to provide the service or not, in the most cost-effective, efficient and sustainable manner.

To that end, staff recommend;

A. The **City of Guelph continue to provide sidewalk winter control** to the residents of this community and Phase 2 of this Service Review involving a public consultation process be initiated to identify expected service delivery outcomes and community defined service levels.

B. Winter 2008-2009 Improvements

Phase 2 will not be completed in time to affect the service for the current winter season. Staff firmly believe significant operational improvements can be realized by implementing the following:

- proceed with the purchase of the additional trackless unit (Development Charges funded) to create 9 snow plowing routes instead of the current 8;
- optimize routes to create more efficient work flow and reduce non production travel time;
- pursue the practice of snow blowing (vs. plowing) at certain snow accumulation levels as a means to improve the quality of work and customer satisfaction

Through redefining service standards, identifying expectations, creating efficiencies in the work performance and work plans and ultimately improving the approach to the work, staff believe that they can provide an acceptable and cost-effective service to this community.

CORPORATE STRATEGIC PLAN

Objective 1.2 – *Municipal sustainability practices that become the benchmark against which other cities are measured.*

Objective 1.4 – *A sustainable transportation approach that looks comprehensively at all modes of travel to, from and within the community.*

Objective 5.1 – *The highest municipal customer service satisfaction rating of any comparable-sized Canadian city.*

Objective 5.2 – *A consultative and collaborative approach to community decision making.*

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

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

FINANCIAL IMPLICATIONS

To be identified and conveyed at the conclusion of Phase 2.

DEPARTMENTAL CONSULTATION

n/a

COMMUNICATIONS

n/a

ATTACHMENTS

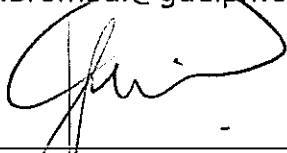
Sidewalk Winter Control Service Review – Phase 1 Report dated October 23, 2008



Prepared By:

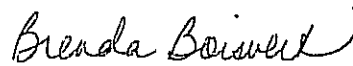
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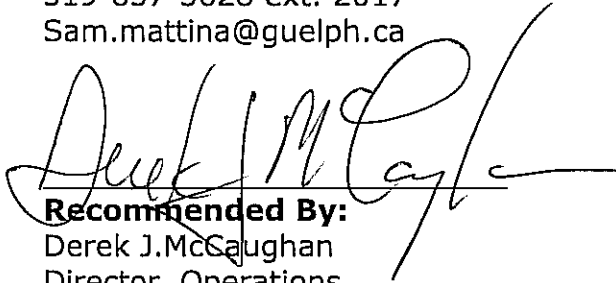
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Sidewalk Winter Control Service Review Phase 1 Report



November 3, 2008
Operations Department

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Introduction

A Council directed Service Review is designed to provide staff and Council with the information necessary to understand a service as well as the full implications of changing, not changing or removing the service. It must also determine the most appropriate way to provide the service and include strategies where possible for reducing the cost of delivery while maintaining or improving the service and community-defined service levels.

At its meeting of April 14, 2008, City of Guelph Council passed a resolution to initiate a service review in 2008 to examine sidewalk snow clearing practices.

A Service Review Plan (Appendix 1) was developed to ensure the objectives, scope, cost, assessment methodology, and timeframe were achieved. This plan, consistent with the Council approved Service Review Framework, was presented to and approved by City Council on September 22, 2008.

The purpose of the review was determine whether Sidewalk Winter Control 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.

The Sidewalk Winter Control Service Review focused on snow plowing, snow removal, salting and sanding practices of City sidewalks (including bus stops) and the methods in which the service is performed.

This service review process involves two phases:

Phase 1 required a detailed current state assessment to understand the service objectives, standards, performance outcomes, strengths, weaknesses and opportunities for improvement; it examined other municipal practices and alternate service delivery models; and identified recommendations.

Phase 2 will require public consultation to identify the expected service delivery outcomes and community-defined service levels, based on the recommendations rising from Phase 1, and is expected to take place in 2009.

This report addresses **Phase 1** results only.

Service Objectives

The City of Guelph Operations Department has been providing winter maintenance on all of its sidewalks, steps, walkways, and crosswalks for numerous years. More recently, bus stop winter maintenance has been added to the operational portfolio.

This service strongly supports several of the Strategic Plan objectives that focus on urban design and sustainable growth, personal and community well-being, economic opportunity and government and community involvement.

Sidewalk Winter Control is intended to allow able-bodied pedestrians safe passage along all sidewalks as a result of winter conditions. It is provided entirely by Operations Department staff and equipment, supplemented by parks, wastewater and drainage personnel who are otherwise not involved in emergency maintenance situations.

Although Sidewalk Winter Control levels of service are not mandated by the Municipal Act, the City of Guelph established the following service levels for Sidewalk Winter Control in 2002. These are referenced in Appendix 2.

- o *Pedestrian Steps/Walkways – manually cleared at 1cm of snow accumulation and within 16 hours of the end of a storm.*
- o *High pedestrian volume sidewalks – mechanically cleared at 4cm of snow accumulation and within 20 hours of the end of a storm.*
- o *Residential sidewalks – mechanically cleared at 8cm of snow accumulation and within 20 hours of the end of a storm.*

Service Description

The City of Guelph has approximately 660 km of sidewalk, 650 bus stop locations, and over 180 walkway, step and crosswalk locations to maintain. The Downtown core consists of 11 km of sidewalk, a bus transfer station, a main square and several parking facilities. This service is provided with 8,200 budgeted ('09) staff hours, not including downtown.

For the most part, mechanized plow equipment can be utilized to clear the bulk of the sidewalks, but snow blowers and hand shoveling is still required to clear steps, narrow pedestrian walkways and bridges, cross walks and school crossings.

For the purpose of this review, the mechanized snow removal and mechanized sanding activities were assessed, and the manual clearing activities were not included in the scope of this report.

Sidewalk Classifications

Sidewalks are classified in accordance with the associated pedestrian traffic volume and proximity to high use facilities. In Guelph, there are 3 classifications – High Priority, Medium Priority and Residential. Two maps entitled “Sidewalk Plow Routes” and “Sidewalk Sand Routes” identify these classifications and the route to which they are assigned. Refer to Appendix 3.

The city is divided into 8 zones for snow plowing and 6 zones for sanding. Winter control operations begin in priority sequence, starting with the high priority sidewalks, then medium priority sidewalks, and lastly, residential sidewalks. Bus stops are located on high and medium priority routes.

The downtown area is treated separately and is divided into two zones, a map entitled Downtown Winter Control can be seen as Appendix 4.

The Service Standards

Since the development of sidewalk clearing standards in 2005, the criteria has been further developed to be more comprehensive to staff. A detailed explanation of the standards and service levels is outlined in Appendix 5.

Downtown

- | | |
|------|---|
| Snow | at 1 cm of snow accumulation, sidewalks clearing commences, normally completed by 9am, and throughout the day |
| Ice | in advance of any winter event, sidewalks are pre-treated with salt brine mixture |

High & Medium Priority

- | | |
|------|--|
| Snow | at 4cm of snow accumulation, sidewalk clearing commences, to be completed within 20 hours of the end of a storm |
| Ice | sidewalks are treated with a sand/salt mix as soon as possible, and normally takes 6-8 hours to complete all routes. |

Residential

- | | |
|------|--|
| Snow | at 8cm of snow accumulation, sidewalk clearing commences, normally within 20 hours of the end of a storm, and completed within a 12 hour period. |
| Ice | sidewalks are treated with a sand/salt mix after high & medium priority routes are done, and normally takes 6-8 hours to complete all routes. |

The Equipment

Specially designed mechanized pieces of equipment are used to quickly and efficiently plow snow off the sidewalk, and spread material to provide traction or melt ice. These units normally travel at approximately 15km/hr when plowing.

The City of Guelph fleet consists of:

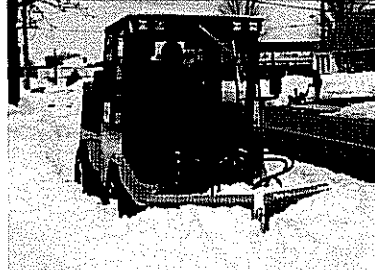
- 2 Trackless units each with a straight blade plow attachment for downtown sidewalks
- 10 Trackless units each with v-blade plow attachments and blower attachments for main city sidewalks

Each unit has a sand spreading unit at the back to lay a sand/salt mixture on snow or ice to provide traction or melt the ice. Under spreading conditions, the unit travels approximately 8-10 km/hr to ensure sufficient application and coverage.

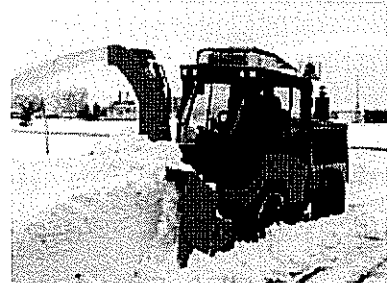
All units have been equipped with AVL equipment (Automated Vehicle Locator) which reports on speed and location of each unit.



Trackless unit with straight blade



Trackless unit with V-Blade



Trackless unit with Blower

The People

Main City Sidewalks

Sidewalk Winter Control activities currently utilize trained staff from the Operations department to operate the mechanized equipment.

Eight staff are each assigned one of eight routes and commence winter control operations starting with high priority sidewalks, followed by medium priority. Residential routes are done if needed, based on accumulation criteria (Appendix 2).

As per the current CUPE 241 collective agreement, sidewalk winter control staff are scheduled on a single daytime operating shift from 7am-3pm, Monday to Friday. If required, due to impending or occurring storm, staff are put on standby for periods outside of this timeframe or are requested to work overtime (to a maximum of four hours) before or after their core 8 hour shift, respectively. The corporation follows the ESA guidelines for maximum hours of work per person.

Downtown Sidewalks

A crew of three downtown maintainers provide winter maintenance on 11 km of sidewalk. They are scheduled on eight-hour rotating shifts over a seven-day week. Shift coverage is provided from 5am – 10pm, and supplemented by additional part time staff. During a winter event, all resources are dedicated to snow and ice maintenance.

The Operation's department winter control organizational structure can be seen in Appendix 6.

Financial & Capital Resources

The sidewalk winter control service is funded entirely through the tax based operating budget. (The following budgeted amounts do not include downtown winter maintenance or manual activities)

2007 - \$ 409,300

2008 - \$ 416,400 * includes \$30,000 from Transit for bus stop clearing

2009 - \$ 465,700 * includes \$60,000 from Transit for bus stop clearing

Capital investment has been made in the magnitude \$1.4 million (current value) for 12 sidewalk plows. Using a ten year capital replacement cycle, four units were replaced in 2008 and the balance of the fleet is scheduled for replacement in 2010 (3), 2011(3) and 2014 (1). A thirteenth unit was scheduled for purchase through development charge funding to address an increase in sidewalk inventory. This purchase was deferred by Council in 2007 pending the outcome of this review.

How well are we doing?

Current Performance

Three approaches were taken to tell us how well we are performing this service; costs, actual results vs. targets and standards, and a comparison to industry practices.

Analysis was conducted on the actual performance of our sidewalk winter control activities. Mechanical plowing and sanding on the main streets and downtown was reviewed for actual times to complete routes, response times and costs. A three year window ('05-'08) was used to compare data as the severity of any winter season does vary and the number and intensity of each winter event can be different from year to year. Data was collected from Dec. 1 to March 31 each year for consistency. Due to the difference in service levels between the downtown and main city sidewalks, the data for each of these segments has been kept separate.

Level of Effort and Cost Comparison

Over the past three winters, the level of effort (hours) and cost to respond to our winter events has increased. The number of events has not changed significantly from one year to another; however it is apparent that the intensity and volume of each snow event has increased. The following relates only to main sidewalks and does not include activity downtown.

Total Sidewalk Winter Control (Dec. 1 - Mar. 31)	2005 / 2006	2006 / 2007	2007 / 2008	3 yr average	2009 Budget
# Events	13	15	16	14.7	11
Total Labour Hours	3772.8	6,145	10,942	6,953.1	5,200
Labour/Event	290	410	684	461.2	472.7
Actual Total Costs	\$222,238	\$469,456	\$873,229	\$521,641	\$465,400.0
\$ per km	\$337	\$711	\$1,323	\$790.4	\$705.2
\$ per household*	\$5	\$9.8	\$18.3	\$10.94	\$9.8

Another measure looked at was the overtime that was incurred to accomplish the amount of work required each year and in an attempt to meet the service standards and clear bus stops. Overtime has been increasing in varying degrees for each core activity, and has climbed from 16% to 40% in 3 years. This is another indicator of insufficient resources and operating constraints resulting from the union collective agreement.

Staff Overtime (% of total)	Priority Sidewalks	Residential Sidewalks	Sanding Routes	Bus Stops	Total Sidewalk WC Labour
# Events	13	15	16		
2005/2006	31%	44%	0%		16%
2006/2007	20%	32%	31%		25%
2007/2008	47%	35%	30%	50%	40%

The addition of bus stop clearing in 2008 effectively added 1000 staff hours (50% on overtime) and no increase in resources accompanied the additional requirement.

Efficiency

Efficiency was assessed by how well we met or exceed our established targets as outlined in the service standard table (Appendix 5). The following table illustrates our actual response times and average completion times for the different sidewalk classifications. The time to complete the high and medium priority routes was extended by nearly two days due to the addition of the bus stop clearing. Refer to Appendix 8.

Location	Service Level	Standard Response as of 2005	Actual Response Time Averages	Target to Complete One Pass	Target to Complete one pass 3 year ave.
Snow Conditions				Hours	
Downtown sidewalks	<= 1 cm	all clear by 9am	mostly clear by 9am	2	3
High priority sidewalks (highest pedestrian vol.)	>= 4cm	completed within 20 hours of end of storm	24 hours	4	16.5
Medium priority sidewalks	>= 4cm	completed within 20 hours of end of storm	24-36 hours	4	7.6
Bus Stops (new in 2008)	>= 4 cm	Not established	24-36 hours	8	11.5
Residential sidewalks (low pedestrian volume)	>= 8cm	completed within 20 hours of end of storm	48-72 hours	12	12.4
Icy Conditions					
High priority sidewalks (highest pedestrian vol.)	icy / freezing rain	completed within 20 hours of end of storm	24 hours	6-8	11.0
Medium priority sidewalks	icy / freezing rain	completed within 20 hours of end of storm	24-36 hours	6-8	5.1
Residential sidewalks (low pedestrian volume)	icy / freezing rain	completed within 20 hours of end of storm	48-72 hours	24	17.1

Effectiveness

To determine the quality of the work that staff perform, a review of complaints, property damage and insurance claims was undertaken for the past three years. The results do not show a significant increase in dissatisfaction as the numbers increase proportionately to the volume of staff hours and winter events

	2005	2006	2007
Complaints	36	60	146
Property Damages	25	15	81
Insurance Claims	1	5	5
Total	62	80	232
per 1000 households	1.3	2.4	4.8

In addition, a 2008 Community Survey indicated that 73% of residents are satisfied with the current service.

How We Compare

To better understand how the City's sidewalk winter control service compares with other municipalities, a current practice review was undertaken of nine comparable locations including Kingston, Barrie, Kitchener, Oakville, Cambridge, Hamilton, Newmarket, Mississauga and Brampton. While a comprehensive listing of comparative data can be found in Appendix 9, key findings include the following:

- 78% of the municipalities consulted have property owners in their downtown areas performing the service themselves;
- Guelph, in addition to 2 other municipalities contacted provide this service for able bodied residential property owners; by-laws are in place to enforce sidewalk snow removal in the majority of areas that do not provide the service;
- Bus stops and high priority areas are cleared by all municipalities contacted;
- Guelph has the highest service level for snow clearance in its downtown area – snow is cleared after one centimeter has accumulated;
- Guelph has the highest service level for clearing high priority areas – a 4 cm standard is in place;
- For the downtown area, Guelph provides the fastest response time standard for snow clearance of any other municipality consulted – by 9:00 a.m. It also ensures the fastest response standard of any other municipality consulted for high priority areas (within 20 hours), for residential areas (20 hours) and bus stops (20 hours); and
- The target results for Guelph's Sidewalk Snow Clearance service compare very well to other locations. Requirements are in place for bare conditions which work towards facilitating the highest levels of accessibility.

Service Strengths

The following list identifies some of the most positive aspects of the current service.

1. The Operations department has been providing sidewalk winter control to the community for 20 or more years.
2. Staff are knowledgeable, experienced and have a familiarity with neighbourhoods, sidewalk conditions and the routes.
3. Guelph is one of the few municipalities providing this service which makes us a leader and supports the City's vision "to be the city that makes a difference".
4. A 2008 Community Survey indicates that 73% of respondents are satisfied with the sidewalk snow clearing service.
5. The approach to shared resources within the department makes the staffing model very efficient, reducing non productive time of the employees trained to provide sidewalk winter control.
6. The fleet of sidewalk plows has been replaced with more modern Trackless units over the years, and despite damages to blades and tires, downtime is reported at 7% in 2008. Currently, two units are used as spares when any given unit is in for repairs to reduce the interruption in the service.
7. Our downtown core receives a very high level of service, higher than any other municipality contacted.
8. Since the Operations department assumed responsibility of clearing the bus stops in 2008, Transit has communicated a higher satisfaction with the quality and timeliness of the work.

Service Issues

The following list summarizes the challenges that staff face to effectively and efficiently deliver the service.

1. The purchase of an additional sidewalk plow (requested to address an increase in sidewalk inventory) was deferred by Council in 2007 pending the outcome of this review.
2. The clearing of bus stops was added to the operational portfolio this past season with no increase in staff or equipment. This effectively added 1000 staff hours per season, or two additional days of clearing per snow event.
3. Staff worked significant overtime (40% of the winter control labour '08) in their attempt to meet the service standards and clear bus stops.
4. The current shift structure (single shift Monday to Friday) limits the department's ability to respond in a timely and cost-effective manner.
5. By not scheduling staff in a continuous (uninterrupted) 24 hour operation, the current standards can not be met as snow falls at any given hour of the day.
6. Staff are aware of some public dissatisfaction with the quality of snow removal performed by the mechanized equipment. The use of straight and v-blade plows on the mechanized plow-units inherently leaves behind residual snow.
7. The current practice of applying material to deal with daily freeze-thaw cycles in isolated locations is perceived negatively. The public has difficulty understanding why it is necessary to have these units out on a 'sunny day'.

8. The current approach to service priority sidewalks and bus stops causes repeat travel over sections of sidewalk that have already been cleared, and this is perceived by the public as highly ineffective and inefficient.
9. Due to the shared resource approach to staffing, other work is not getting completed when these employees are required on winter control.

Opportunities to Improve

The following opportunities for improvement have been identified and should be pursued:

1. Analyzing the records, data, staff hours, was a challenge and very labour intensive, which indicates a need to improve the systems, the internal controls and processes.
2. Service Standards have not been revised in several years and are no longer applicable due to the shared staffing resource structure and addition of bus stop clearing activities.
3. Create and implement a strategic communication plan to the public that will raise understanding and expectations around service levels and standards.
4. Due to the bus stop locations along both high and medium priority routes, an opportunity exists to combine the two routes and create a more efficient route plan, reducing the duplication of travel along sidewalks, and increasing the clearing time.
5. An additional trackless unit (as planned) would allow for another route to be created, again increasing responsiveness and completion.
6. Revise the operator positions as staff are replaced, to allow for winter shifts to be introduced in the sidewalk plow position.
7. Add additional staff to allow operation of the sidewalk plows on a more continuous (non-stop) basis, reducing staff overtime and fatigue.

Options

Through interviewing nine other municipalities, alternate service delivery models were researched. It was found that Guelph is one of only a very few municipalities who still provide winter control on all sidewalks throughout the city. The majority require their residents, property owners and occupants clear abutting sidewalks, while the city continues to maintain sidewalks abutting municipal property, commercial areas and bus stops.

This alternate service delivery model could potentially improve the timeliness and quality of snow removal, assuming residents were conscientious in fulfilling this new responsibility. Further, by removal of snow through use of either a shovel or small snow blower, it is likely the end result would increase pedestrian satisfaction with the walking surface and better address the mobility of the infirm or those using wheelchairs or scooters.

Despite these potential benefits, this alternate service delivery model is not recommended for the following reasons:

- Sidewalk winter control service would still need to be provided by city staff on over 100km of sidewalk, all bus stops, and manual clearing locations.

- Operational savings may be minimal as the unit cost to maintain the required sidewalk inventory would increase, and the cost of newly required by-law enforcement, the development and administration of a public assistance are factored in.
- As a 2008 Community Survey showed 73% of residents are satisfied with their current sidewalk snow removal service, it is anticipated the public dissatisfaction would be overwhelming, and a significant amount of time and education would be required for the public to understand why the service was discontinued and the need for them to accept this new responsibility.
- In staff opinion, continuing the service would be consistent with the City's Strategic Plan, i.e. *the City that makes a difference*.

Recommendations

A key objective of the Phase 1 assessment was to make an informed recommendation with strong rationale for either continuing to provide the service or not, in the most cost-effective, efficient and sustainable manner.

To that end, staff recommend that the City of Guelph continues to provide sidewalk winter control to the residents of this community and that the public consultation process be initiated to identify expected service delivery outcomes and community defined service levels.

Additionally, operational improvements can be made immediately by implementing the following:

- proceed with the purchase of the additional trackless unit (Development Charges funded) to create 9 snow plowing routes instead of the current 8;
- optimize routes to create more efficient work flow and reduce non production travel time
- standardize the practice of snow blowing (vs. plowing) at certain snow accumulation levels as a means to improve the quality of work and customer satisfaction

Through redefining service standards, identifying expectations, creating efficiencies in the work performance and work plans and ultimately improving the approach to the work, staff believe that they can provide an acceptable and cost-effective service to this community. While staff do acknowledge that the quality of work and timeliness of delivery may still not fully address the entire community's mobility issues, it is anticipated that the public consultation process will help to understand these issues and identify further strategies to improve the service that is being delivered.

By proceeding with this recommendation, Guelph remains one of the few municipalities to provide this level of service to its residents and promotes the City's vision "**to be the City that makes a difference**".

List of Appendices

Appendix 1 – Sidewalk Winter Control Service Review Plan

Appendix 2 – Minimum Winter Control Standards

Appendix 3a - Sidewalk Plow Routes

Appendix 3b – Sidewalk Sand Routes

Appendix 4 – Downtown Winter Control Map

Appendix 5 – Sidewalk Winter Control Standards

Appendix 6 – Organizational Structure

Appendix 7 – Sidewalk Winter Control Level of Effort & Cost Comparison

**Appendix 8 – Sidewalk Winter Control Mechanized Plowing & Sanding
Performance**

Appendix 9 – Sidewalk Winter Control Municipal Comparator

COMMITTEE REPORT



TO **Governance and Economic Development Committee**

SERVICE AREA Operations
DATE Thursday, September 11, 2008

SUBJECT Sidewalk Winter Control Service Review
REPORT NUMBER

RECOMMENDATION

That the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee be approved.

BACKGROUND

On April 14, 2008 Council approved the following resolutions- "[t]hat a service review be initiated in 2008 to examine sidewalk snow clearing practices" and "[t]hat staff be directed to report back to Council on the proposed parameters for undertaking the service review on sidewalk snowplowing".

A Council directed service review is designed to provide Council and staff with the information necessary to understand the service as well as the full implications of changing, not changing, or removing the service. *The review must include public input to ensure, first and foremost, that the service is desired.* It must also determine the most appropriate way to provide the service and include strategies where possible for reducing the cost of delivery while maintaining or improving the service and community-defined service levels.

The 2008 Community Survey indicated clearly that while 73% of residents are satisfied with the current service, they are evenly split in terms of whether or not Sidewalk Winter Control should be provided for able-bodied residents.

Additional work is required to complete the Sidewalk Winter Control Service Review. To that end, a project plan and time lines have been developed to guide the review process. This plan is consistent with the Council approved Service Review Framework, tabled on July 12, 2007.

REPORT

The Service Review Plan proposed in this report will ensure the objectives, scope, cost, assessment methodology, and timeframe are achieved.

The Service Review Plan

Purpose:

To determine whether Sidewalk Winter Control 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 Sidewalk Winter Control Service Review will focus on snow plowing, snow removal, salting and sanding practices of City sidewalks (including bus stops) and the methods in which the service is performed.

Objectives:

Phase One

- To provide Council with a full understanding of the current service, its structure, costs, objectives, standards and outcomes
- To examine other municipal practices with respect to Sidewalk Winter Control
- To research alternative delivery model options for consideration by Council
- To make an informed recommendation with strong rationale for either continuing to provide the service or not in the most cost-effective, efficient and sustainable manner

Phase Two

- To identify the expected service delivery outcomes and community-defined service levels for the Sidewalk Winter Control service as recommended from Phase One

Timeframe:

Assuming Council approves the Service Review Plan on September 22, 2008, Phase One assessment will begin immediately, with results presented to Council on November 24, 2008. Phase Two will be completed in 2009.

Team:

The Service Review team will be directed by the Operations Department with representation from the Operations management team, Finance and Corporate Administration. A consultant will be brought in to assist with Phase Two.

The Review Methodology

This service review process includes planning, current assessment, public consultation, implementation and evaluation. These steps will take place in two phases.

Phase One

1. Current State Assessment

In accordance with the Assessment phase of the Service Review Framework, service objectives, standards and performance outcomes will be identified along with service strengths and issues. Practices and service delivery models from other municipalities will also be examined. Key questions to be addressed include:

- What is this service intended to accomplish? What are the benefits?
- What are the current standards, targets and core processes?
- How is performance managed? Is the service effective and efficient?

-
- What aspects of the service compare most favorably with other municipalities and demonstrate operational excellence?
 - Do any work processes create inefficiencies? Are there any barriers to operational excellence or performance gaps?
 - What options are possible for delivering this service to the community?

2. Options Identification

Options for alternative delivery approaches that look to maximizing benefits and reducing costs will be researched, assessed and designed.

3. Internal Consultation

Draft recommendations that arise from the current state assessment and option identification work will be presented to the Senior Management Team members for independent review and discussion prior to the report being presented to Council.

4. Report

A comprehensive report summarizing the Phase One results of the service review will be presented for Council review and approval on November 24, 2008.

Phase Two

Phase Two includes the public consultation, implementation and evaluation of the service review process.

1. Stakeholder Focus Groups

There are a number of key stakeholders identified who can provide valuable and unique input and who will be invited to participate in separate focus group sessions:

- Guelph Downtown Business Association & Downtown Coordinating Committee
- Guelph Accessibility Committee
- Neighbourhood Associations

Consultations will take place with a professional, independent facilitator. The sessions will focus on the options recommended from Phase One and will determine the community-defined service levels for the Sidewalk Winter Control Service.

2. Internal Consultation

Draft recommendations that arise from focus groups will be presented to the Senior Management Team members for independent review and discussion prior to the report being finalized.

3. Report

A comprehensive report summarizing the results of Phase Two of the service review will be presented for Council review and approval.

4. Implementation & Evaluation

The last steps of this service review process include implementation and evaluation. The Council approved recommendations will be implemented, monitored and evaluated to determine the effectiveness and efficiency of the changes. A final report will summarize assessment findings and next steps to ensure the ongoing sustainability of the service review outcome(s).

CORPORATE STRATEGIC PLAN

Objective 5.2 – “A consultative and collaborative approach to community decision making”

Objective 5.6 – “Organizational excellence in planning, management, human resources and people practices....”

FINANCIAL IMPLICATIONS

An estimated cost of \$8,000 for the completion of Phase One will be funded through the 2008 Operations Department Operating Budget. Phase Two is estimated to be \$10,000 and will be funded through the 2008 and 2009 approved Operations Department budget.

DEPARTMENTAL CONSULTATION

Consultation took place with a number of departments in the development of this project plan including Corporate Services, Community Services, Financial Services, Economic Development and Tourism.

COMMUNICATIONS

n/a

ATTACHMENTS

n/a



Prepared By:

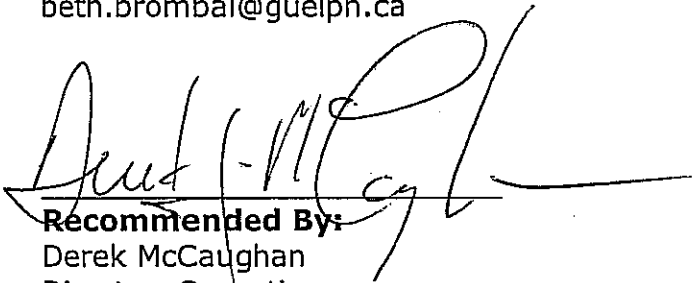
Beth Brombal
Coordinator, Service Performance & Devel't

519-837-5628 ext. 2006
beth.brombal@guelph.ca



Recommended By:

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Manager, Strategic Planning &
Corporate Initiatives
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Recommended By:

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Director, Operations
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derek.mccaughan@guelph.ca

Council approved Feb. 2005

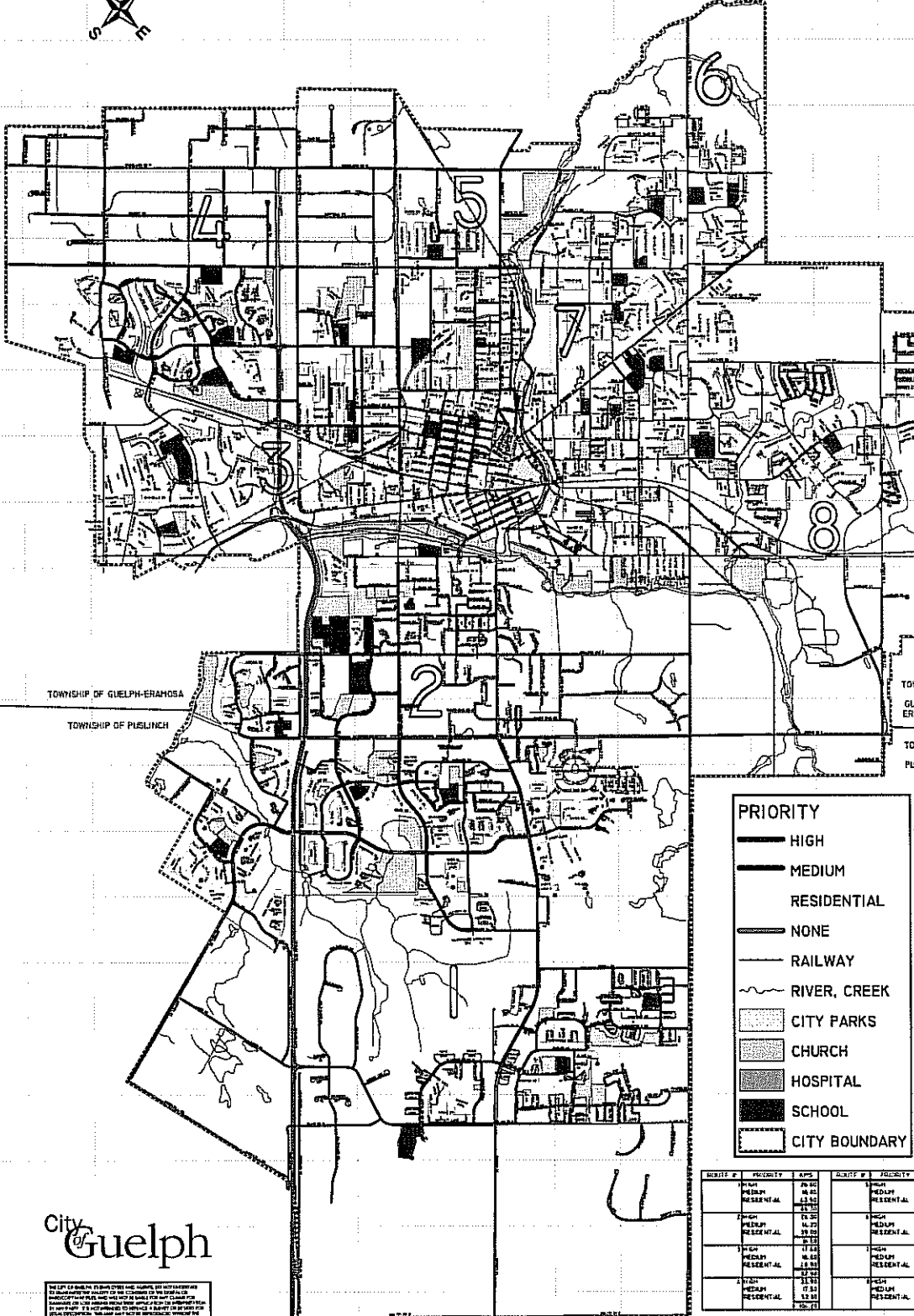
Report to Planning, Environment and Transportation Committee
January 31, 2005

Appendix A

MINIMUM WINTER CONTROL STANDARDS

Activity	Discretionary Activity?	Current Standard		Minimum Maintenance Standard	
		Road Condition	Response Time	Condition	Response Time
Road Patrol	No	Class 2 Roadways Class 3 Roadways Class 4 Roadways Class 5 Roadways	2x every 7 days 1x every 7 days 1x every 14 days 1x every 30 days	Class 2 Roadways Class 3 Roadways Class 4 Roadways Class 5 Roadways	2x every 7 days 1x every 7 days 1x every 14 days 1x every 30 days
Road Plowing	No	Class 2 >= 2.5 cm ("two-lanes bare") Class 3 >= 2.5 cm ("centre-bare") Class 4 >= 2.5 cm ("centre-bare") Class 5 >= 10 cm ("traction")	6 hrs 12 hrs 12 hrs 24 hrs	Class 2 >= 5 cm Class 3 >= 8 cm Class 4 >= 8 cm Class 5 >= 10 cm	6 hrs 12 hrs 16 hrs 24 hrs
Road Salting	No	Class 2 >= 5 cm Class 3 >= 8 cm Class 4 >= 8 cm	4 hrs 8 hrs 12 hrs	Class 2 >= 5 cm Class 3 >= 8 cm Class 4 >= 8 cm	4 hrs 8 hrs 12 hrs
Road Sanding	No	Class 2 >= 5 cm Class 3 >= 8 cm Class 4 >= 8 cm Class 5 >= 10 cm	4 hrs 8 hrs 12 hrs 16 hrs	Class 2 >= 5 cm Class 3 >= 8 cm Class 4 >= 8 cm Class 5 >= 10 cm	4 hrs 8 hrs 12 hrs 16 hrs
Snow Fencing	Yes	No Standard Set – Site specific (~1,500 m)		No Standard Set	
Sidewalks –mechanized Plowing/Salting/Sanding	Yes	Arterial Roads >= 4 cm Collector Roads >= 4 cm School Areas >= 4 cm Local Roads >= 8 cm	20 hrs	No Standard Set	
Pedestrian Steps/Walkways – Manual Clearing	Yes	>= 1cm	16 hrs	No standard Set	

SIDEWALK PLOW ROUTES



City of Guelph

THE CITY OF GUELPH IS A DIVISION OF THE PROVINCE OF ONTARIO AND IS INCORPORATED AS A MUNICIPALITY UNDER THE MUNICIPALITY ACT. THE CITY OF GUELPH IS A DIVISION OF THE PROVINCE OF ONTARIO AND IS INCORPORATED AS A MUNICIPALITY UNDER THE MUNICIPALITY ACT. THE CITY OF GUELPH IS A DIVISION OF THE PROVINCE OF ONTARIO AND IS INCORPORATED AS A MUNICIPALITY UNDER THE MUNICIPALITY ACT.

ROUTE #	PRIORITY	KMS	ROUTE #	PRIORITY	KMS
1	HIGH	26.92	1	HIGH	26.92
2	MEDIUM	46.82	2	MEDIUM	46.82
3	RESIDENTIAL	11.33	3	RESIDENTIAL	11.33
4	HIGH	61.25	4	HIGH	61.25
5	MEDIUM	46.72	5	MEDIUM	46.72
6	RESIDENTIAL	33.33	6	RESIDENTIAL	33.33
7	HIGH	11.33	7	HIGH	11.33
8	MEDIUM	46.82	8	MEDIUM	46.82
9	RESIDENTIAL	11.33	9	RESIDENTIAL	11.33
10	HIGH	26.92	10	HIGH	26.92
11	MEDIUM	46.82	11	MEDIUM	46.82
12	RESIDENTIAL	11.33	12	RESIDENTIAL	11.33
13	HIGH	26.92	13	HIGH	26.92
14	MEDIUM	46.82	14	MEDIUM	46.82
15	RESIDENTIAL	11.33	15	RESIDENTIAL	11.33
16	HIGH	26.92	16	HIGH	26.92
17	MEDIUM	46.82	17	MEDIUM	46.82
18	RESIDENTIAL	11.33	18	RESIDENTIAL	11.33
19	HIGH	26.92	19	HIGH	26.92
20	MEDIUM	46.82	20	MEDIUM	46.82
21	RESIDENTIAL	11.33	21	RESIDENTIAL	11.33
22	HIGH	26.92	22	HIGH	26.92
23	MEDIUM	46.82	23	MEDIUM	46.82

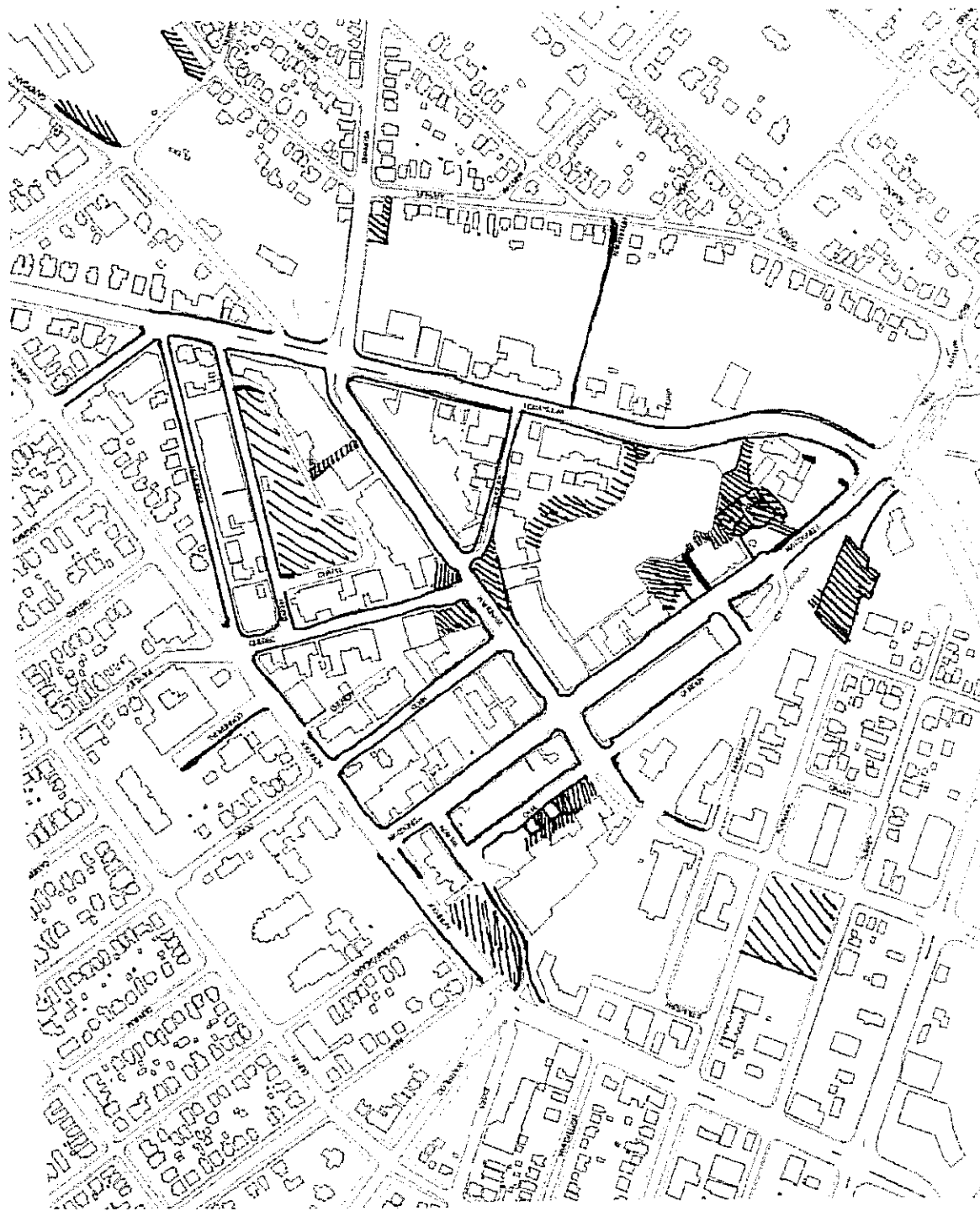
PRIORITY	KMS
HIGH	221.80
MEDIUM	102.90
RESIDENTIAL	34.8.70

DECEMBER 2007

ROUTE #	PRIORITY	KMS	ROUTE #	PRIORITY	KMS
1	HIGH	26.92	1	HIGH	26.92
2	MEDIUM	46.82	2	MEDIUM	46.82
3	RESIDENTIAL	11.33	3	RESIDENTIAL	11.33
4	HIGH	61.25	4	HIGH	61.25
5	MEDIUM	46.72	5	MEDIUM	46.72
6	RESIDENTIAL	33.33	6	RESIDENTIAL	33.33
7	HIGH	11.33	7	HIGH	11.33
8	MEDIUM	46.82	8	MEDIUM	46.82
9	RESIDENTIAL	11.33	9	RESIDENTIAL	11.33
10	HIGH	26.92	10	HIGH	26.92
11	MEDIUM	46.82	11	MEDIUM	46.82
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13	HIGH	26.92	13	HIGH	26.92
14	MEDIUM	46.82	14	MEDIUM	46.82
15	RESIDENTIAL	11.33	15	RESIDENTIAL	11.33
16	HIGH	26.92	16	HIGH	26.92
17	MEDIUM	46.82	17	MEDIUM	46.82
18	RESIDENTIAL	11.33	18	RESIDENTIAL	11.33
19	HIGH	26.92	19	HIGH	26.92
20	MEDIUM	46.82	20	MEDIUM	46.82
21	RESIDENTIAL	11.33	21	RESIDENTIAL	11.33
22	HIGH	26.92	22	HIGH	26.92
23	MEDIUM	46.82	23	MEDIUM	46.82

Appendix 4 - Downtown Winter Control Map

Downtown Winter Control

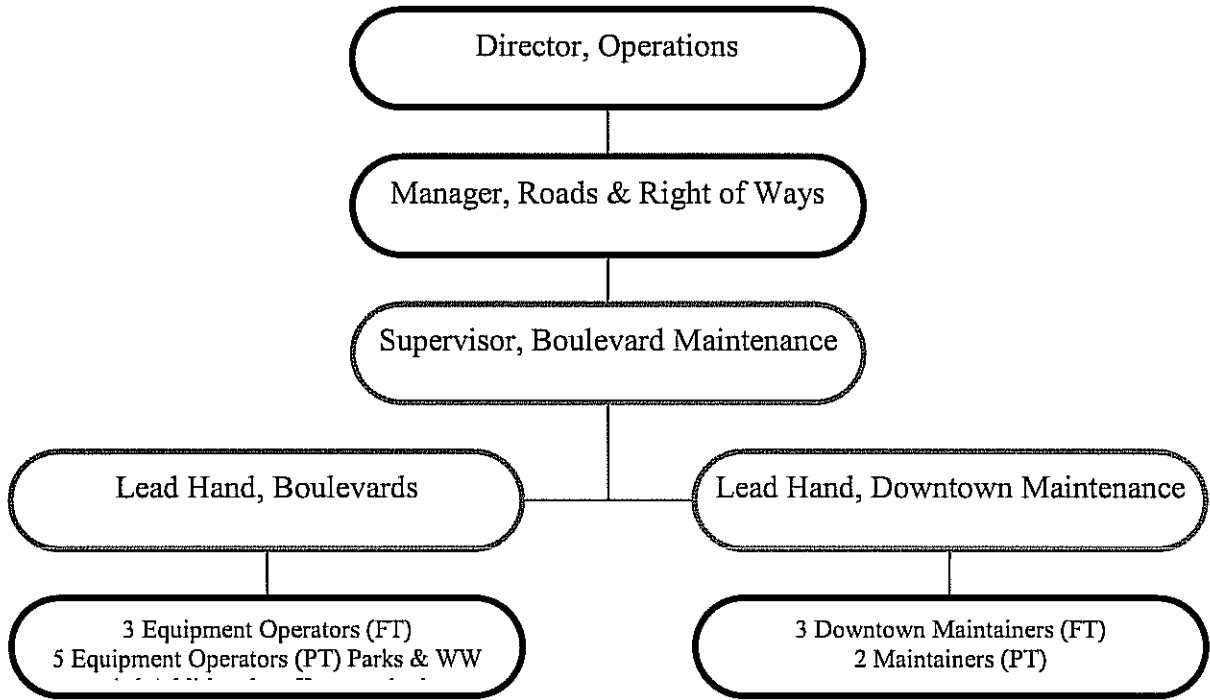


City of Guelph Sidewalk Winter Control Standards

Location	Condition	Response Time Goal	Activity	Accepted condition	Time to complete	# people	# kms	# routes	# shifts
Downtown sidewalks		by 9am	pre-treat with salt brine mix		3	1	11	1	1
Snow Conditions									
Downtown sidewalks	<= 1 cm	all clear by 9am	mechanical snow plowing	bare concrete	2 hours	2	11	2	1
City owned steps, walkways & crosswalks	<= 1 cm	Downtown locations completed by 9am	manual shoveling and sanding	bare concrete	3 hours	4	181 locations	7	1
High priority sidewalks (highest pedestrian volume)	>= 4cm	completed within 20 hours of end of storm	mechanical snow plowing	snow packed	4 hours	8	219	8	1
Medium priority sidewalks	>= 4cm	completed within 20 hours of end of storm	mechanical snow plowing	snow packed	4 hours	8	100	8	1
Residential sidewalks (low pedestrian volume)	>= 8cm	completed within 20 hours of end of storm	mechanical snow plowing	snow packed	12 hours	8	337	8	1
Bus Stops (new in 2008)	>= 4 cm	?	mechanical snow plowing & blowing	bare concrete	14 hours	8	650 bus stops	8	1
Icy Conditions									
Downtown sidewalks	icy / freezing rain	pre-treat with salt brine, and patch sand as necessary	mechanical sanding	ice melted or traction provided	2 hours	2	11	2	1
City owned steps, walkways & crosswalks	icy / freezing rain	all sanded by 9am	manual sanding	ice melted or traction provided	2 hours	2	181 locations	2	1
High priority sidewalks (highest pedestrian volume)	icy / freezing rain	completed within 6 hours	mechanical sanding	ice melted or traction provided	6-8 hours	9	219	6	1
Medium priority sidewalks	icy / freezing rain	completed with 12 hours	mechanical sanding	ice melted or traction provided	6-8 hours	9	100	6	1
Residential sidewalks (low pedestrian volume)	icy / freezing rain	completed with 24 hours	mechanical sanding	ice melted or traction provided	24 hours	9	337	6	1
Winter Maintenance									
in between winter events, staff continue to monitor routes, plow drifts, patch sanding, removing snow banks, etc			as required			4	660		1

* NB: Council approved Standards in 2002, sidewalk clearing is a discretionary activity and no Municipal Act Minimum Maintenance Standards exist

Sidewalk Winter Control Organizational Structure



Sidewalk Winter Control Level of Effort & Cost Comparison

Total Sidewalk Winter Control (Dec. 1 - Mar. 31)	2005 / 2006	2006 / 2007	2007 / 2008	3 yr average	2009 Budget
# Events	13	15	16	14.7	11
Total Labour Hours	3772.8	6,145	10,942	6,953.1	5,200
Labour / Event	290	410	684	461.2	472.7
Actual Total Costs	\$222,238	\$469,456	\$873,229	\$521,641	\$465,400.0
\$ per km	\$337	\$711	\$1,323	\$790.4	\$705.2
\$ per household*	\$5	\$9.8	\$18.3	\$10.94	\$9.8
Downtown					
Total Labour Hours	305	442	1,473	740.0	
Labour / Event	32	29	92	51.2	
Actual Total Costs	\$28,484.0	\$30,651	\$109,660.0	\$56,265	
\$ per km	\$2,589.5	\$2,786	\$9,969.1	\$5,115.0	
\$ per household	\$0.6	\$0.6	\$2.3	\$1.18	
COMBINED					
Total Labour Hours	4,188	6,587	12,415	7,729.8	
Labour / Event	322	439	776	512.4	
Actual Total Costs	\$250,722.0	\$500,107	\$982,888.6	\$577,906	
\$ per km	\$373.7	\$745	\$1,464.8	\$861.3	
\$ per household	\$5.3	\$10.5	\$20.6	\$12.12	

* based on 2006 census = 47, 696

City of Guelph Sidewalk Winter Control - Mechanized Plowing & Sanding Performance

Location	Service Level	Standard Response as of 2002	Actual Response Time Averages	Target to Complete One Pass	2005/2006	2006/2007*	2007/2008	Average
Snow Conditions								
Downtown sidewalks	<= 1 cm	all clear by 9am	mostly clear by 9am	2				3
High priority sidewalks (highest pedestrian volume)	>= 4cm	completed within 20 hours of end of storm	24 hours	4	12.5	18	19	16.5
Medium priority sidewalks	>= 4cm	completed within 20 hours of end of storm	24-36 hours	4	5.3	8.5	9	7.6
Residential sidewalks (low pedestrian volume)	>= 8cm	completed within 20 hours of end of storm	48-72 hours	12	7.3	17.5	12.5	12.4
Bus Stops (new in 2008)	>= 4 cm	?	24-36 hours	8	n/a	n/a	11.5	11.5
Icy Conditions								
High priority sidewalks (highest pedestrian volume)	icy / freezing rain	completed within 20 hours of end of storm	24 hours		8.3	11.5	13.3	11.0
Medium priority sidewalks	icy / freezing rain	completed within 20 hours of end of storm	24-36 hours		4	5.3	6	5.1
Residential sidewalks (low pedestrian volume)	icy / freezing rain	completed within 20 hours of end of storm	48-72 hours	24	12.8	18	20.5	17.1

* Impact of layoff & reorg in 2006 = 60% increase

Average Route size = HP - 27.5km, MP - 12.5km, R - 42.5km

Sidewalk Winter Control - Municipal Comparator

CITY	Guelph	Kingston	Barrie	Kitchener	Oakville	Cambridge	Hamilton	Newmarket	Mississauga	Brampton
Population	114,943	117,207	128,430	175,623	165,613	120,371	316,190	55,079	529,160	260,498
# households	47,896	53,838	48,196	71,270	58,828	44,589	136,206	20,100	181,982	87,436
# km of sidewalks	679	430	371	800					2,250	
\$/per km/sq. W/Sq.m.	\$763.8									
Sidewalk Service - who performs the service?										
Downtown / CBD	City	Property Owners / Occupants	Property Owners / Occupants	City & Property Owners	Town	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants
High Priority/Volume	City	City	City	City	Town	City clears city buildings & some sidewalks	City	Town - 180 km	City clears 55% of sidewalks	City owned sidewalks
Residential	City	City	Property Owners / Occupants	Property Owners / Occupants	Town	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants	Property Owners / Occupants
Bus stops	City	?	City	City	Contractor	City	York Region	City	City	city
De-icing	City	City	City & provides free sand	City & provides free sand	Town	sand boxes for all to use		sanding < 8cm snow		city owned sidewalks
By-law exists?	no	yes	no	1987	no	Dec. 12/05	Oct. 13/03	1996	no	Nov. 22/76
How Enforced?				inspect. invoice		summions or invoice	\$2000 or clean up charge on tax bill			order to clear
Service Level					* only after roads are cleared 1st					
Downtown / CBD	1cm	2.4 cm	5cm		5cm*	5 cm		5cm	8cm	5cm
High Priority/Volume	4cm	2.5cm	5cm		5cm*	12 cm		5cm	8cm	5cm
Residential	8cm	5cm	8cm		5cm*			5cm	8cm	5cm
Response Standard		* typically after roads are cleared 1st			* only after roads are cleared 1st					
Downtown / CBD	by 9am	within 24 hours	9am M-F, noon S	with 24 hours		within 24 hours		24 hours		by 11am next day
High Priority/Volume	20 hours	within 24 hours	within 24 hours	with 24 hours	cleared 1st	within 24 hours		24 hours	36 hours	24-48 hours
Residential	20 hours	within 48 hours	9am M-F, noon S	with 24 hours	cleared 2nd	within 24 hours		24 hours		
Bus stops	-20 hours	?	within 24 hours	within 2 days	within 48 hours	within 48 hours			36 hours	by 11am next day
Target Result										
Downtown / CBD	bare	essentially bare	snow packed	bare		cleared so that persons using wheelchairs, scooters, walkers, strollers, etc can use safely		kept clear		clear
High Priority/Volume	bare	essentially bare	snow packed	bare				essentially bare		essentially clear
Residential	snow packed	safe & passable	snow packed	bare				kept clear		
Bus stops	bare	?	snow packed	bare						clear
Assistance				Volunteers & Agencies		Home Support, Meals on Wheels	Snow Angels (Volunteer Hamilton)	Referral to local services	Financial Assistance \$100	\$150 financial assistance > 65 yrs or disabled
completed September 2008										

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Tuesday November 18, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Tuesday November 18, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Findlay, Piper, Wettstein and Mayor Farbridge

Absent: Councillor Kovach

Staff Present: Mr. M. Amorosi, Director of Human Resources; Mr. D. McCaughan, Director of Operations; Ms. B. Brombal, Coordinator, Service Performance & Development; Mr. S. Mattina, Manager, Roads & Right of Ways; Mr. M. Rea, Associate Solicitor; Mrs. L.A. Giles, Director 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 Mayor Farbridge
THAT the minutes of the Governance & Economic Development Committee meeting held on September 11, 2008 be confirmed as recorded and without being read.

Carried

Human Resources / People Practices Strategy

REPORT

2. Moved by Councillor Findlay
Seconded by Mayor Farbridge
THAT the Human Resource Strategy for the City of Guelph, be approved;

AND THAT Council endorse the re-naming of the Strategy to the People Practices Strategy;

AND THAT staff report back annually on the status and progress made in implementing the Strategy.

Carried

Response to Questions Regarding Information Technology

Mrs. L.A. Giles

3. Moved by Councillor Findlay
Seconded by Councillor Wettstein
THAT the report from the Information Services Department with respect to information technology dated November 18, 2008, be received.

Carried

Flag Raising Policy

REPORT

4. Moved by Councillor Findlay
Seconded by Mayor Farbridge
THAT the policy regarding raising, displaying and half masting of outdoor flags on City of Guelph properties attached hereto be adopted.

Carried

Sidewalk Winter Control Service Review Report

Beth Brombal, Coordinator, Service Performance & Development outlined the sidewalk winter control service review. She provided information of the objectives of Phase One of the review and the current service practice. She also provided statistical information relating to the kilometer of sidewalks and bus stops cleared. She suggested that an alternative service model would be that residents would have to clear their own sidewalks. She recommended that the City continue to provide sidewalk winter control and to commence with Phase 2 of the service review and to proceed with the purchase of 1 plow and to create 1 additional route.

REPORT

5. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report of November 18, 2008 be received;

AND THAT Sidewalk Winter Control continues to be a service provided to the citizens of Guelph;

AND THAT staff commence with Phase 2 of the Sidewalk Winter Control review process to identify expected service delivery outcomes and community defined service levels through public consultation;

AND THAT staff be directed to implement operational improvements for the 2008/2009 winter season as identified in the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report.

Carried

Review of Guelph City Council Governance Framework

REPORT

6. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
Recommendation A - THAT staff be mandated through the Governance Committee to review and recommend improvements to

the Governance Framework and associated elements during each term of Council.

Recommendation B- THAT the following structure for standing committees as outlined in the report of the Director of Information Services dated November 18, 2008, be adopted for the balance of the 2006-10 term of Council:

Governance Working Committees	Operational Standing Committees
Governance Committee (Mayor + Chairs of the following Committees: - Audit, Community Development & Environmental Services, Community Services, Emergency Services & Operations, Finance, Administration & Corporate Services) Mayor to Chair this Committee	Community Development & Environmental Services Committee (Mayor + 4 Councillors)
Audit Committee (4 Councillors + Mayor)	Community Services, Emergency Services & Operations Committee (Mayor + 4 Councillors)
Emergency Governance Committee	Finance, Administration & Corporate Services Committee (Mayor + 4 Councillors) (which includes Economic Development & Tourism)
	Land Ambulance Committee / Joint Social Services Committee (3 City ECO Members, 3 County Councillors Mayor & Warden)

Recommendation C – THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council's new governance structure be reviewed by the City and the County of Wellington.

Recommendation D – THAT the establishment of an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a business licence be referred to the Finance, Administration & Corporate Services Committee.

Recommendation E – THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

Recommendation F – THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

Recommendation G – THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

Recommendation H – THAT commencing with the 2010-14 term of Council, members of Council no longer be appointed to advisory committees.

Recommendation I – THAT at the beginning of each Council term, significant time should be spent in clarifying the roles and relationships between Council, the CAO and Administration.

Recommendation J – THAT at the beginning of each Council term, significant time should be spent in reviewing the Council/staff protocol.

Recommendation K – THAT all new projects/initiatives, or inquiries of significance where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to either an operational function or a formally identified strategic priority, be formally acknowledged by Council and referred to the annual strategic priority planning sessions in early spring.

Recommendation L – THAT the use of consent agendas be adopted for use by the Standing Committees.

Recommendation M – THAT staff presentations at regular Council meetings, be scheduled at the beginning of the agenda, and that staff presentations at planning and special meetings continue to be scheduled to suit the content of the agenda.

Recommendation N – THAT Council consider scheduling Mondays for all council and standing committee meetings.

Recommendation O – THAT the automatic 11:00 p.m. adjournment be permitted only once per meeting to no later than 11:59 p.m.

Carried

Full vs. Part Time Councillors

7. Moved by Mayor Farbridge
Seconded by Councillor Wettstein

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk with respect to full-time vs. part-time councillors, be received.

Carried

REPORT

8. Moved by Mayor Farbridge
 Seconded by Councillor Wettstein
 THAT the purchase of a snow plow as approved in the 2008 Capital Budget and identified as project #RD0149 which is funded by development charges, be approved.

Carried

In Camera

9. Moved by Councillor Findlay
 Seconded by Councillor Wettstein
 THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:

- personal matters about identifiable individuals.

Carried

The remainder of the meeting was held in closed session.

Mrs. L.A. Giles
Mr. P. Cartwright

10. Moved by Mayor Farbridge
 Seconded by Councillor Findlay
 THAT staff be given direction with respect to citizen appointments to Boards, Committees and Commissions.

Carried

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

11. Moved by Councillor Findlay
 Seconded by Councillor Wettstein
 THAT staff be given direction with respect to citizen appointment to Boards, Committees and Commissions.

Carried

Next Meeting: - December 9, 2008

The meeting adjourned at 7:45 p.m.

.....
Chairperson

COMMITTEE AGENDA



TO **Governance and Economic Development Committee**

DATE December 9, 2008

LOCATION Council Chambers

TIME 5:15 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES

October 30 and November 18, 2008

ITEMS FOR CONSIDERATION	STAFF RECOMMENDATION
<p>Revised Harassment & Discrimination Policy</p> <p>THAT the attached Harassment and Discrimination Policy be approved and that the Mayor and CAO sign a declaration demonstrating a commitment to a harassment free workplace.</p>	Approve
<p>COMPLAINT PROCESS UNDER COUNCIL CODE OF CONDUCT</p> <p>THAT the process for complaints under the Council Code of Conduct, attached hereto as Schedule "A", be approved.</p>	Approve
<p>IN CAMERA</p> <p>THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to: personal matters about identifiable individuals.</p>	

OTHER BUSINESS

NEXT MEETING

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Thursday, October 30, 5:15 p.m.**

A regular meeting of the Governance and Economic Development Committee was held on Thursday, October 30, 2008 in Council Chambers at 5:15 p.m.

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

Also Present: Councillors Beard, Bell, Farrelly, Hofland and Salisbury

Staff in Attendance: Mr. H. Loewig, Chief Administrative Officer; Ms. M. Neubauer, Director of Finance, Chief R. Davis, Police Chief; Mr. P. Cartwright, Manager of Economic Development & Tourism Services; Mr. R. Hagey, Supervisor of Budgets; Mr. N. McLeod, Chief Librarian; Ms. S. Trerise, Visitor and Convention Services Manager; Mr. J. Mairs, Economic Development Project Manager; Mrs. L.A. Giles, City Clerk; and Ms. D. Black, Assistant Council Committee Coordinator.

There was no disclosure of pecuniary interest.

The Director of Finance provided an overview of the Budget process.

Council Budget

Mrs. L.A. Giles, Director of Information Services/City Clerk presented the proposed 2009 Council budget and responded to questions.

Guelph Police Services

Ms. S. Morris, Director of Corporate Services, Police Services provided highlights of the proposed 2009 Guelph Police Services budget. Chief Davis provided additional information in response to questions raised.

Councillor Bell retired from the meeting at 6:15 p.m.

Economic Development & Tourism Services

Mr. P. Cartwright, General Manager of Economic Development presented the proposed 2009 budget for Economic Development and Tourism Services, and capital budget projects.

Guelph Public Library Board

Mr. N. McLeod, Chief Librarian provided highlights of the proposed 2009 Guelph Public Library Board budget.

October 30, 2008

Governance and Economic Development Committee Page 2

Guelph Museums

Ms. K. McCracken, Museum Director, presented the proposed 2009 budget for the Guelph Museums, and requested that Council fund the proposed capital project relating to Museum digital storage.

Other Boards & Agencies

Ms. M. Neubauer, Director of Finance, provided information on:

- Social Housing increases,
- the Youth Shelter operating and capital costs.
- Community Grants
- special projects and civic celebrations.
- Provincial Government's announcements with respect to uploading.

The meeting adjourned at 7:35 p.m.

.....
Chairperson

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Tuesday November 18, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Tuesday November 18, 2008 in the Council Chambers at 5:15 p.m.

Present: Councillors Findlay, Piper, Wettstein and Mayor Farbridge

Absent: Councillor Kovach

Staff Present: Mr. M. Amorosi, Director of Human Resources; Mr. D. McCaughan, Director of Operations; Ms. B. Brombal, Coordinator, Service Performance & Development; Mr. S. Mattina, Manager, Roads & Right of Ways; Mr. M. Rea, Associate Solicitor; Mrs. L.A. Giles, Director 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 Mayor Farbridge

THAT the minutes of the Governance & Economic Development Committee meeting held on September 11, 2008 be confirmed as recorded and without being read.

— Carried

Human Resources / People Practices Strategy

2. Moved by Councillor Findlay
Seconded by Mayor Farbridge

THAT the Human Resource Strategy for the City of Guelph, be approved;

AND THAT Council endorse the re-naming of the Strategy to the People Practices Strategy;

AND THAT staff report back annually on the status and progress made in implementing the Strategy.

Carried

Response to Questions Regarding Information Technology

3. Moved by Councillor Findlay
Seconded by Councillor Wettstein

THAT the report from the Information Services Department with respect to information technology dated November 18, 2008, be received.

Carried

REPORT

Mrs. L.A. Giles

November 18, 2008

Governance & Economic Development Committee Page No. 2**Flag Raising Policy**

REPORT

4. Moved by Councillor Findlay
 Seconded by Mayor Farbridge
 THAT the policy regarding raising, displaying and half masting of outdoor flags on City of Guelph properties attached hereto be adopted.

Carried

Sidewalk Winter Control Service Review Report

Beth Brombal, Coordinator, Service Performance & Development outlined the sidewalk winter control service review. She provided information of the objectives of Phase One of the review and the current service practice. She also provided statistical information relating to the kilometer of sidewalks and bus stops cleared. She suggested that an alternative service model would be that residents would have to clear their own sidewalks. She recommended that the City continue to provide sidewalk winter control and to commence with Phase 2 of the service review and to proceed with the purchase of 1 plow and to create 1 additional route.

REPORT

5. Moved by Mayor Farbridge
 Seconded by Councillor Wettstein
 THAT the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report of November 18, 2008 be received;

AND THAT Sidewalk Winter Control continues to be a service provided to the citizens of Guelph;

AND THAT staff commence with Phase 2 of the Sidewalk Winter Control review process to identify expected service delivery outcomes and community defined service levels through public consultation;

AND THAT staff be directed to implement operational improvements for the 2008/2009 winter season as identified in the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report.

Carried

Review of Guelph City Council Governance Framework

REPORT

6. Moved by Mayor Farbridge
 Seconded by Councillor Wettstein
Recommendation A - THAT staff be mandated through the Governance Committee to review and recommend improvements to

November 18, 2008

Governance & Economic Development Committee Page No. 3

the Governance Framework and associated elements during each term of Council.

Recommendation B- THAT the following structure for standing committees as outlined in the report of the Director of Information Services dated November 18, 2008, be adopted for the balance of the 2006-10 term of Council:

Governance Working - Committees	Operational Standing Committees
Governance Committee (Mayor + Chairs of the following Committees:- Audit, Community Development & Environmental Services, Community Services, Emergency Services & Operations, Finance, Administration & Corporate Services) Mayor to Chair this Committee	Community Development & Environmental Services Committee (Mayor + 4 Councillors)
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—	Land Ambulance Committee / Joint Social Services Committee (3 City ECO Members, 3 County Councillors Mayor & Warden)

Recommendation C – THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council's new governance structure be reviewed by the City and the County of Wellington.

Recommendation D – THAT the establishment of an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a business licence be referred to the Finance, Administration & Corporate Services Committee.

Recommendation E – THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

November 18, 2008

Governance & Economic Development Committee Page No. 4

Recommendation F – THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

Recommendation G – THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

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Recommendation L – THAT the use of consent agendas be adopted for use by the Standing Committees.

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Recommendation O – THAT the automatic 11:00 p.m. adjournment be permitted only once per meeting to no later than 11:59 p.m.

Carried

Full vs. Part Time Councillors

7. Moved by Mayor Farbridge
Seconded by Councillor Wettstein

THAT the report of the Director of Information Services/Clerk with respect to full-time vs. part-time councillors, be received.

Carried

Mrs. L.A. Giles

November 18, 2008

Governance & Economic Development Committee Page 5

REPORT

8. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the purchase of a snow plow as approved in the 2008 Capital Budget and identified as project #RD0149 which is funded by development charges, be approved.

Carried

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9. Moved by Councillor Findlay
Seconded by Councillor Wettstein
THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:
• personal matters about identifiable individuals.

Carried

The remainder of the meeting was held in closed session.

Mrs. L.A. Giles
Mr. P. Cartwright

10. Moved by Mayor Farbridge
Seconded by Councillor Findlay
THAT staff be given direction with respect to citizen appointments to Boards, Committees and Commissions.

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REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

11. Moved by Councillor Findlay
Seconded by Councillor Wettstein
THAT staff be given direction with respect to citizen appointment to Boards, Committees and Commissions.

Carried

Next Meeting:- December 9, 2008

The meeting adjourned at 7:45 p.m.

.....
Chairperson

TO Governance and Economic Development Committee

SERVICE AREA Human Resources
DATE December 11, 2008

SUBJECT Revised Harassment & Discrimination Policy
REPORT NUMBER

RECOMMENDATION

That the attached Harassment and Discrimination Policy be approved and that the Mayor and CAO sign a declaration demonstrating a commitment to a harassment free workplace.

BACKGROUND

In July 2007 the Finance, Administration and Corporate Services Committee requested the Human Resources Department review the City's current Harassment and Discrimination Policy. At this time, several corporate initiatives were under development to enhance the organization's culture and promote a respectful workplace. Additionally, changes were occurring within the Ontario Human Rights Commission and relevant case law, which further necessitated a review of the City's current practices.

REPORT

The City's current Harassment and Discrimination policy was developed in 2002 and has served the organization well since that time. The revised policy is intended to build upon this foundation and now contains the following features:

- Alignment with the City's new Corporate Values
- Additional and more detailed definitions to promote greater understanding of the importance of a harassment free workplace, definitions and responsibilities of the City, its employees and union executives
- Enhanced descriptions of roles various parties play
- Extension of the Peer Link role as an additional support to Complainants

-
- Investigations completed by the Organizational Development Specialist position, which separates fact finding from decisions on disciplinary outcomes
 - A more robust investigation process and description, including an opportunity for parties to provide additional information prior to final findings
 - Investigations are completed by an outside source where the Respondent is a member of Human Resources, Senior Management or Council
 - Additional paths and clarity of process for initiation of complaint
 - Invitation for interviewees to bring a person for moral support
 - Additional services provided by Organizational Development Specialist, including informal mediation and monitoring
 - Stronger statement and process regarding confidentiality
 - Specific process outlined for complaints against members of senior management or Council
 - Commitment to skills based training for all employees

Changes to the Ontario Human Rights Commission under Bill 107, which received Royal Assent on June 30, 2008 now provides complainants with a direct access model for dispute resolution. An option now exists for members of the public to file complaints directly to the Human Rights Tribunal, which in turn will have to authority to initiate reviews and inquiries i.e. investigations.

The Tribunal's rules of procedure will have significant impact on the management of human rights litigation, including the imposition of tight time frames, the requirement to produce documentation and to consider public interest remedies.

It is imperative therefore that employers have in place robust due diligence policies and procedures to appropriately deal with discrimination complaints that fall within the jurisdiction of the Human Rights Code. The attached policy achieves this.

In addition, one of the City's Corporate Values –Wellness for people, includes as one of the associated behaviours that of "respect in our relationships". This policy therefore also provides for complaint mechanisms related to workplace harassment, which is defined as "a pattern of inappropriate actions not in keeping with the City of Guelph value of wellness in the workplace and the expectation of respectful interactions. Harassment is ongoing behaviour that a reasonable person would consider to be humiliating, demeaning, offensive or intimidating and is unwelcome."

CORPORATE STRATEGIC PLAN

This policy and its alignment with the Corporate Values supports Strategic Objective 5.6: Organizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community.

FINANCIAL IMPLICATIONS

There will be costs associated with staff training that will be absorbed into the current budget for general employee training.

DEPARTMENTAL CONSULTATION/CONCURRENCE

Research was conducted with other municipalities to determine their approach and practices associated with harassment and discrimination complaints.

Consultation regarding the policy occurred with the Senior Management Team, Union/Association Executives and an employment lawyer. The policy was reviewed with the City Clerk; in particular to ensure alignment with the procedures outlined in the Council Code of Conduct.

COMMUNICATIONS

The approved policy will be provided to all City of Guelph leaders and made available for reference to all staff. New employees will be provided a copy of the policy upon hire. The subsequent training delivery will ensure all employees have been made aware of its presence.

ATTACHMENTS

Attachment 1: Harassment & Discrimination Policy (2008)

Attachment 2: Harassment & Discrimination Policy (2002)



Prepared By:

Aidan Prince
Organization Development Specialist
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Recommended By:

Mark Amorosi
Director, Human Resources
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mamorosi@guelph.ca

Tab	Human Resources
Authority	All Departments
Subject	Harassment & Discrimination Policy
Related Policies	Workplace Violence Prevention Policy
Approved by	Council
Revision Date	

POLICY STATEMENT

In keeping with its Corporate Values, the Corporation of the City of Guelph is committed to providing an environment free from all forms of harassment, discrimination and disrespectful behaviour. The City expects and promotes respectful interactions which show regard for the rights, dignity, health and safety of all.

This policy is consistent with the spirit and provisions of the *Ontario Human Rights Code* and shall be read in conjunction with any applicable collective agreement provisions.

The City will not tolerate, ignore or condone workplace harassment, discrimination or any pattern of inappropriate, disrespectful behaviour that a reasonable person would consider to be humiliating, demeaning, offensive or intimidating. The City considers such actions to be a serious offence, which may result in disciplinary action up to and including termination of employment.

The City will:

- work to prevent incidents from taking place through information, education, early identification and corrective discipline where appropriate
- thoroughly investigate reported incidents in an objective, sensitive and timely manner with due regard to the confidentiality of all parties concerned
- provide fair and effective resolution of complaints
- take necessary action against those who are found in contravention of this policy; up to and including termination of employment
- provide support to those affected by misconduct, to maintain self worth, health and wellness

SCOPE

This policy applies to all City of Guelph full-time, part-time, casual and temporary employees. Volunteers and Councillors are afforded the same rights and protections provided by this policy, while performing authorized activities for the City of Guelph. This may include off-site job related functions and social events related to work and employment.

DEFINITIONS

Harassment:

Harassment is a pattern of inappropriate actions not in keeping with the City of Guelph value of wellness in the workplace and the expectation of respectful interactions. Harassment is ongoing behaviour that a reasonable person would consider to be humiliating, demeaning, offensive or intimidating and is unwelcome. A single incident may constitute harassment, depending on the severity of the behaviour.

In addition to contravening this Policy and City of Guelph values, harassment may violate the Ontario Human Rights Code if the inappropriate behaviour associates the prohibited grounds listed in the Code. Under the Ontario Human Rights Code, prohibited grounds are race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, same sex partnership status, family status, disability, sex and sexual orientation.

Examples of harassment may include, but are not limited to:

- Racial, ethnic, homophobic, sexist slurs
- Written or verbal abuse or threats
- Unwelcome remarks, jokes, taunts related to the prohibited grounds
- Abuse of authority
- Vandalism of personal property
- Displaying or transmitting offensive or derogatory material
- Patronizing or condescending behaviour or language which reinforces stereotypes and undermines self respect
- Yelling
- Foul language
- Jokes resulting in insult or embarrassment
- Bullying
- Offensive gestures or comments
- Spreading rumours
- Making false accusations
- Intimidation or coercion
- Actions which create a poisoned environment

Harassment is not:

- Appropriate direction, delegation or discipline administered under the normal course of supervision
- Stressful events encountered in the performance of legitimate job duties
- A relationship of mutual consent or flirtation
- Friendly teasing or bantering that is mutually acceptable and not offensive to others

Sexual Harassment:

Behaviour of a sexual nature that is known or ought to reasonably be known to be unwelcome. It includes, but is not limited to a sexual solicitation or advance, or a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance, made by a person

in a position to confer, grant or deny a benefit or advancement, where that person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples may include, but are not limited to:

- Persistent leering (suggestive staring) or other obscene/offensive gestures
- Unwanted and inappropriate physical contact such as touching, kissing, patting, pinching, brushing up against a person
- Unwelcome sexually oriented remarks, invitations, requests, jokes, gestures
- Unwelcome sexual flirtations, advances, propositions
- Inquiries or comments about a person's sex life
- Demands or requests for sexual favours, especially by a person who is in a position of authority
- Displaying sexually offensive materials
- Sexual assault

Discrimination:

The unequal treatment of a person on the basis of a prohibited ground. In general, discrimination is an act or practice that intentionally or unintentionally causes a type of disadvantage prohibited by the provisions of the Ontario Human Rights Code.

Examples of discrimination may include, but are not limited to:

- Refusal to work with or different treatment of a person on the basis of the prohibited grounds
- Decisions of recruitment, promotion, pay increases or employment practices based on prohibited grounds

Systemic (Indirect) Discrimination:

The use or application of a requirement, either in policy or practice that has a negative impact on a group on the basis of a prohibited ground. Systemic discrimination occurs when policies or practices exclude, limit or restrict members of designated groups from employment or opportunities within employment.

Workplace:

Any location where a City of Guelph employee is carrying out their occupational duties, including those locations that are not on primary work sites. This may include a social function, training and conferences, during travel, at restaurants, hotels or meeting facilities being used for business purposes, during telephone, e-mail or other communications.

Poisoned Work Environment:

Workplace harassment may also include behaviour, conduct, comments or activities which are not directed specifically at an individual but which nonetheless create a degrading or offensive "poisoned" work environment.

Trivial, Frivolous or Malicious Complaints

Trivial or frivolous complaints are those with no merit, importance, significance or seriousness. Malicious complaints are those which are made in bad faith with the intent to harm the Respondent.

Abuse of Authority

An individual using undue authority or power related to their position with the intention of compromising an employee's job performance and adversely affecting their career.

Retaliation

The Respondent or somebody acting in interest of the Respondent taking action against a Complainant for pursuing a complaint or someone associated with the complaint. This may include direct actions such as threats or indirect actions such as exclusion. Retaliation intends to stop a person from pursuing a complaint or is an act of revenge once a complaint has been made.

Bullying

Behaviour which intimidates, degrades, humiliates and ultimately undermines the self-confidence of an individual. It is generally repetitive, although a single serious incident of such behaviour may constitute bullying if it has a lasting harmful effect.

Complainant

A person who has been the target of harassment or discrimination and whom brings a complaint forward under this policy.

Respondent

A person alleged to have engaged in behaviour of harassment or discrimination under this policy.

Investigator

A person designated by the Director of Human Resources to conduct investigations under this policy. Allegations against Senior Management staff, Council members or Human Resources staff will be investigated by an external third party.

Peer Link

Employees located throughout City Departments who are specially trained to act as a first response support to co-workers in emotional need.

**ROLES &
RESPONSIBILITIES**

All staff, volunteers and members of Council have a responsibility to ensure their own behaviour and interactions are respectful and not in contravention of this policy. It is critical to understand that the intention behind one's actions is not relevant in the determination of a finding of harassment or discrimination; it is the impact the actions have on others. All

staff, volunteers and Councilors also have a role in not tolerating such behaviour and reporting it, if it does occur. Specific groups or individuals have particular responsibilities as follows:

Leaders

It is the responsibility of those in supervisory/management positions at the City of Guelph, up to and including the CAO, to actively foster respectful interactions in the workplace through the provision of information, training, clear expectations and modeling desired behaviour. In the event of an alleged incident of harassment and/or discrimination, Leadership staff will immediately provide supports to maintain the physical and emotional health of those affected, provide information on the procedures associated with this Policy and inform the Harassment Investigator.

During an investigation, Leaders will cooperate with and respond to the needs of the Harassment Investigator to ensure an effective and timely investigation. The Leader will demonstrate and promote the maintenance of confidentiality.

A person in authority who does not take active steps to ensure a harassment free workplace may be held responsible for failing to do so and face disciplinary action up to and including termination of employment. Active steps include, but are not limited to:

- ensuring employees are aware of this policy
- regularly reinforcing the requirement for respectful interactions
- modeling behaviour in keeping with the Corporate Values
- supporting employees who come forward with complaints under this policy
- notifying Human Resources when becoming aware of harassment and discrimination, regardless of whether the employee wishes to pursue a complaint

Union/Association Executive

Executive members of our Unions and Associations play a leadership role in partnering with the City to promote a workplace that is free of harassment and discrimination. They will ensure their own behaviour is in compliance with this policy, guide the behaviour of others and support training initiatives.

Peer Links

Employees experiencing concerns of harassment may therefore choose to come to a Peer Link as an initial contact. The Peer Link can provide support and direct the employee to this Policy, the Harassment Investigator and the Employee Assistance Program. The Peer Link's role is not to collect detailed information, investigate or make judgments on the presence on a potential complaint.

Employees, Volunteers, Members of Council

Anybody who is the target of harassment or discrimination is asked to take action toward an informal or formal resolution, as outlined in the procedure associated with this Policy.

Those who have become aware of or have directly observed harassment or discrimination are asked to provide support to the target of the behaviour and encourage them to take action toward an informal or formal resolution. If that person does not take action, observers are asked to bring information forward to any Leader, Peer Link or the Harassment Investigator.

Anyone involved in the investigation of an alleged incident is required to cooperate with the Investigator and to maintain confidentiality at all times.

Investigator

The Investigator will receive complaints, conduct investigations and make as to the whether harassment is present or not. Additionally, the Investigator will be able to provide supports such as informal resolution, coaching, training and monitoring. Allegations against Senior Management staff, Council members or Human Resources staff will be investigated by an external third party investigator.

Director, Human Resources

The Director, Human Resources will be informed of all complaints and receive the investigation findings the Investigator. The Director, Human Resources will work collaboratively with the impacted departmental leaders and as applicable, the Manager, Employee/Employer Relations and/or external legal counsel in determining the outcome and implementation of the investigation and recommendations.

Chief Administrative Officer

The Chief Administrative Officer will be informed of all formal complaints and the outcomes of all investigations and consulted as necessary during the investigation and resolution determination process.

PROCEDURE

Any person who feels they have been the target of or has observed harassment or discrimination is encouraged to document details of the incident shortly after it has occurred. Points to note include:

- Name of the Complainant and Respondent
- Date, time and location of the incident
- Description of the incident, including words, gestures
- Names of witnesses to incident

This information will help with any of the resolution methods described.

Informal Resolution

Those who feel they have been the target of offensive behaviour, are encouraged as an initial step to raise their concern with the offender either in person, by phone or in writing. This step is only suggested if the employee feels comfortable to do so. The Investigator can support the Complainant to prepare for this conversation and can act as an informal mediator for both parties.

Often times, the person may not be aware that their behaviour is offensive and unwelcome. A clear message to them may stop the behaviour and no further intervention required. If the behaviour does not stop, you are asked to bring your complaint forward to initiate a formal resolution.

Formal Complaint

A formal complaint may be initiated in the following ways:

- Submitting a written complaint to Human Resources. The Complaint Form may be completed independently or with the assistance of the Investigator. Contact may be initiated directly with the Investigator or with assistance from any Leader in the organization or Peer Link.
- Filing a grievance, as applicable under a relevant Collective Agreement
- Filing a complaint to the Ontario Human Rights Commission, for incidents which are covered under the Ontario Human Rights Code

The Investigator will notify the Director, Human Resources of complaints received and keep the Director informed during the process. The Director, Human Resources will keep the CAO abreast of formal complaints.

Complaints which have been initiated through the grievance process will be referred to the Investigator for follow-up under this policy. Results of the investigation will be forwarded to the Director, Human Resources and Manager, Employee/Employer Relations for resolution and outcome.

Employees may choose not to pursue a complaint, however should be aware that once the organization is aware of the incident, it may be necessary to proceed with an investigation and take appropriate action.

Formal complaints should be made as soon as possible after the date of the alleged incident and no later than six months. This will allow for proper investigation while evidence is still fresh in the minds of witnesses and to ensure timely action occurs.

A Complainant may initiate a grievance, a complaint to the Ontario Human Rights Commission or seek outside legal assistance at their own expense at any time during this internal process. Subsequent complaints on the same manner made to another party, may however be held without action pending the outcome of the first investigation.

Acts of violence and criminal harassment such as stalking, threats, sexual or physical assault are addressed through the Workplace Violence Prevention Policy and the Criminal Code and may be supported by the local Police.

Complaints may be refused prior to the investigation stage and no further action taken in the following circumstances:

- the complaint has been viewed to be trivial, frivolous or malicious
- the alleged incident occurred greater than six months from the date of the

- complaint
- an investigation regarding the same incident has already been initiated by another party
- the alleged incident does not comply with the definition of harassment and discrimination under this Policy

Investigation

The Investigator will lead a fact finding investigation, informing the immediate supervisor of the Complainant and Respondent. Individual interviews will occur as follows:

Complainant - to discuss, confirm and formally document details of the incident(s)

Respondent – to inform of the concern and receive their response to the allegations

Witnesses – may include those with direct observations of the incident or those with historical information – to provide additional accounts of the incident or surrounding dynamics

Interview subjects may be accompanied by a person of their choice for moral support during any step of the investigation. Interviewees will be asked to review meeting notes and sign them to indicate their accuracy.

Upon completion of the investigation, the Investigator will review all evidence collected and examine the "balance of probabilities" as standard of proof to determine whether the Policy has been contravened.

The Investigator will meet individually with the Complainant and Respondent to share preliminary findings of the investigation. At that time, both parties will be afforded an opportunity to provide any additional information they feel may be relevant to the final outcome of the investigation. The Investigator may determine that additional investigation is required; and will inform the Director, Human Resources accordingly.

The Investigator will provide a detailed report to the Director, Human Resources with a final determination of findings. Human Resources may seek advice from legal counsel or the Ontario Human Rights Commission as required.

The Director, Human Resources and Investigator will meet with the affected employee's leaders and as applicable, the Manager, Employee/Employer Relations to review the findings of the investigation. The Director, Human Resources will work collaboratively with the leadership group in determining the outcome of the investigation and implementation plan. The Chief Administrative Officer will be informed of all outcomes.

Outcomes and Resolutions

Outcomes and resolutions may include but not be limited to:

- Education to an individual and/or group
- Mediation

- Review and modification of workplace policies, procedures and practices
- Discipline including, but not limited to, a reprimand, suspension, demotion, transfer, termination of employment

A plan to monitor the behaviour of individuals and dynamics of the group impacted will be developed by the Investigator and Departmental Leader to follow up periodically six months after the conclusion of the investigation. This measure is set to guard against potential retaliation, prevent future issues and evaluate the effectiveness of resolution strategies.

Malicious Complaints

Complaints determined as malicious will be considered a contravention of this Policy. The resolution and outcomes will focus appropriate disciplinary action toward the original Complainant, up to and including termination of employment.

Trivial or Frivolous Complaints

A repeated pattern of trivial or frivolous claims by the same complainant may result in disciplinary action.

Retaliation

Retaliation or threats to that effect, toward anyone involved in a complaint investigation is viewed as a violation of this Policy. Investigation of such behaviour will occur and appropriate disciplinary action taken, up to and including termination of employment.

Confidentiality

All information related to a complaint and investigation is confidential. Anyone involved in an investigation shall not disclose information, except as required by this procedure and will be required to sign a confidentiality statement. Anyone who breaches confidentiality of any part of a complaint will be subject to discipline, up to and including termination of employment.

Records Retention

All records related to meetings, interviews or any part of the investigation will be treated as confidential and not be disclosed, except as required by law. Documentation related to the investigation will be retained as a separate file in Human Resources for a period of seven years from the conclusion of the investigation. Records may be subject to release under the Municipal Freedom of Information and Protection of Privacy Act or legal proceedings.

Copies of any disciplinary action will be placed in the employee's file.

Information and Training

The City of Guelph will ensure all employees, volunteers and Councillors have read this Policy and make it readily available for reference. New employees will be provided with the Policy upon hire. Training to enhance understanding of, how to prevent and respond to

Harassment and Discrimination will be conducted with all employees every three years. More frequent or additional training may be requested or directed to individuals or groups as required.

Complaints Against Senior Staff Or Elected Officials

Complaints initiated against Senior Staff (Director, CAO) or Elected Officials (Mayor, Councillors) should be directed to the Investigator, who will support the Complainant in developing a detailed written complaint. Subsequent actions will be dependent on the Respondent identified in the complaint, as follows:

In the case of the **Mayor** being the Respondent, the Investigator shall notify the Director, Human Resources. The Director shall advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor. An external Investigator will be selected and retained by Council to collect facts regarding the complaint and make recommendations. Findings of the investigation will be shared with the Council Members, CAO and Director, Human Resources who will develop a recommended outcome and implementation. The recommendations will be reported to Council, who will decide the actions toward the Mayor, in keeping with the provisions of the Municipal Act. The CAO will provide a summary report to the Complainant, outlining the actions taken in response to their claim.

In the case of a **Councillor** being the Respondent, the Investigator shall notify the Director, Human Resources. The Director will notify the CAO, who will provide a confidential report on the matter to the Mayor. An external Investigator will be selected and retained by Council to collect facts regarding the complaint and make recommendations. Findings of the investigation will be shared with the Mayor, CAO and Director, Human Resources who will develop a recommended outcome and implementation. The recommendations will be reported to Council, who will decide the actions toward the Respondent, in keeping with the provisions of the Municipal Act. The CAO will provide a summary report to the Complainant, outlining the actions taken in response to their claim.

In the case of the **Chief Administrative Officer** being the Respondent, the Investigator shall notify the Director, Human Resources, who will provide a confidential report on the matter to the Mayor. An external Investigator will be selected and retained by Council to collect facts regarding the complaint and make recommendations. Findings of the investigation will be reported to the Mayor and Director, Human Resources who will develop a recommended outcome and implementation. The recommendations will be reported to Council, who will decide the actions toward the CAO, up to and including termination of employment. The Mayor will provide a summary report to the Complainant, outlining the actions taken in response to their claim.

In the case of a **Director** being the Respondent, the Investigator shall notify the Chief Administrative Officer and (as applicable) the Director, Human Resources. An external Investigator will be selected and retained by the CAO to collect facts regarding the complaint and make recommendations. Findings of the investigation will be reported to the CAO and (as applicable) Director, Human Resources who will determine a recommended outcome and implementation, up to and including termination of employment. The CAO will provide a summary report to the Complainant, outlining the actions taken in response to their claim.

CORPORATE POLICY AND PROCEDURE

POLICY No.

PAGE

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EFFECTIVE DATE

REVISION

LEGISLATION

Ontario Human Rights Code
Occupational Health & Safety Act
CUPE 241 Collective Agreement, Article 4.0
CUPE 973 Collective Agreement, Article 4.0
CUPE 1946 Collective Agreement, Article 4.0
ATU 1189 Collective Agreement, Article 6.0

COMMITTEE REPORT

TO Governance & Economic Development Committee

SERVICE AREA Information Services
DATE December 9, 2008

SUBJECT Complaint Process under Council Code of Conduct
REPORT NUMBER

RECOMMENDATION

THAT the process for complaints under the Council Code of Conduct, attached hereto as Schedule "A", be approved.

BACKGROUND

On September 22, 2008, City Council adopted a 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.

REPORT

Staff researched a number of codes of conduct for various public sector entities, including municipalities and the Niagara Parks Commission. The attached process has been developed using this research. Provisions of the process include:

- How to file a complaint
- Confidentiality provisions
- Intake procedures
- Investigation procedures
- Reporting of results
- Actions by Council
- Protection from retaliation

If Council approves this process, staff will work with each of the local boards to develop processes for them, with the necessary modifications required to reflect their structures.

CORPORATE STRATEGIC PLAN

This report supports Goal 5 - A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

N/A

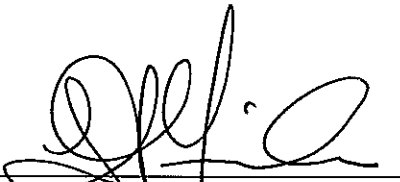
DEPARTMENTAL CONSULTATION

Corporate Services/Legal

COMMUNICATIONS

Once approved, this process will be posted to the City's website.

ATTACHMENTS – Schedule "A" – Complaint Process



Prepared By:

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Process for Complaints under the Council Code of Conduct

<p>APPLICATION</p> <ol style="list-style-type: none">1. This process applies to members of Guelph City Council.
<p>ASSOCIATED PROCESSES</p> <ol style="list-style-type: none">1. Separate complaint processes have been developed for the following local boards:<ol style="list-style-type: none">a. Downtown Board of Managementb. Board of Trustees of the Elliottc. Guelph General Hospital Commissiond. Guelph Non-Profit Housing Corporatione. Accessibility Advisory Committeef. Committee of Adjustmentg. Guelph Museums Board of Managementh. Heritage Guelphi. Property Standards/Fence Viewers Committeej. River Run Board of Directors
<p>MAKING A COMPLAINT</p> <ol style="list-style-type: none">1. All complaints of contraventions of the Code of Conduct shall be made in writing on the attached form.2. All complaints must be signed by the complainant.3. All written complaints must clearly state:<ol style="list-style-type: none">a. the member of council to whom the complaint relates;b. the nature of the alleged contravention;c. the specific provision(s) of the Code of Conduct allegedly contravened;d. names of any witnesses to the alleged contravention; ande. written material in support of the alleged contravention.4. All written complaints shall be submitted to the Director of Information Services/Clerk ("the Director") in a sealed envelope marked "personal and confidential".
<p>CONFIDENTIALITY</p> <ol style="list-style-type: none">1. In order to ensure that the individual to whom the complaint relates is treated fairly and also that the privacy of the complainant is protected, all complaints shall be treated as confidential to the extent allowed by law.2. All records of investigations shall be kept confidential and access limited to those in the organization with a need to know for the purposes of conducting a full investigation.
<p>INTAKE PROCEDURES</p> <ol style="list-style-type: none">1. Upon receipt of a complaint involving a ward councillor, the Director shall immediately advise the Mayor and Chief Administrative Officer ("CAO").2. Upon receipt of a complaint involving the Mayor, the Director shall immediately advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor.3. In the event that the complainant is the CAO, the Director shall make arrangements for the investigation to be conducted by another person, and all subsequent references in this process to the CAO shall apply to the person selected by the Director, with the necessary modifications to wording as required.

4. Upon receipt of a complaint, the CAO shall first determine if there is an existing procedure to deal with a complaint, the CAO 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 Harrassment and Discrimination Policy.
5. The CAO shall provide a summary of the nature of the complaint to the Council member who is alleged to have contravened the Code of Conduct, along with a request to provide a written response to the complaint.

INVESTIGATIONS

1. The CAO shall take all steps necessary to promptly investigate the complaint, including consultation with other City staff, and may retain independent professional services if required.
2. The CAO shall make every effort to complete an investigation within 30 days.
3. If the CAO 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 a ward councillor; or the three longest serving members of Council in the case of a complaint concerning the mayor.
4. 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 INVESTIGATIONS

1. Where the results of an investigation fail to find that a contravention of the Code of Conduct has occurred, the CAO shall notify the following accordingly:
 - a. The complainant;
 - b. the individual to whom the complaint relates; and
 - c. the Mayor in the case of a complaint concerning a ward councillor; or the three longest serving members of Council in the case of a complaint concerning the mayor.
2. Where the results of an investigation indicate that a contravention of the Code of Conduct has occurred, the CAO shall report such information to Council at a special Council meeting called pursuant to the Procedural By-law.
3. The special meeting shall be closed to the public pursuant to S.239 of the Municipal Act.
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. If the results of the investigation indicate that a breach may have occurred, but Council is unable to reach a final conclusion, Council may pass a resolution requesting a Judge of the Ontario Superior Court of Justice to conduct an investigation of the member's conduct under Section 274(1) of the Municipal Act.
2. If the Council concludes that a contravention of the Code of Conduct has occurred, the Council shall rise and report in a meeting open to the public that such a determination has been made.
3. The Council may at that time take one of the following actions:
 - a. issuing a motion of reprimand;
 - b. requesting the member involved to return any gift or benefit received in contravention of the Code of Conduct;
 - c. requesting the member involved to repay the value of the benefit;
 - d. removing the member from committee appointments;
 - e. requesting an apology;
 - f. withholding confidential materials/matters for a period of time; or
 - g. imposing such other penalties as provided for in law.

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.

**The Corporation of the City of Guelph
Governance & Economic Development Committee
Tuesday December 9, 2008, 5:15 p.m.**

A meeting of the Governance & Economic Development Committee was held on Tuesday December 9, 2008 in the Council Chambers at 5:15 p.m.

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

Also Present: Councillor Bell

Staff Present: Mr. M. Amorosi, Director of Human Resources; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mrs. L.A. Giles, Director 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 Piper

THAT the minutes of the Governance & Economic Development Committee meetings held on October 30 and November 18, 2008 be confirmed as recorded and without being read.

Carried

Revised Harassment & Discrimination Policy

The Director of Human Resources outlined the revised harassment and discrimination policy.

2. Moved by Councillor Piper
Seconded by Councillor Findlay

REPORT

THAT the attached Harassment and Discrimination Policy be approved and that the Mayor and CAO sign a declaration demonstrating a commitment to a harassment free workplace.

Carried

Complaint Process Under Council Code of Conduct

3. Moved by Mayor Farbridge
Seconded by Councillor Piper

Mrs. L.A. Giles

THAT the complaint process under Council Code of Conduct be referred back to staff to include provision to always use an external investigator when investigating complaints.

Carried

- 4. Moved by Mayor Farbridge
Seconded by Councillor Findlay

THAT the Governance & Economic Development Committee now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act with respect to:

- personal matters about identifiable individuals.

Carried

The remainder of the meeting was held in closed session.

- 5. Moved by Councillor Findlay
Seconded by Mayor Farbridge

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

THAT staff be given direction with respect to citizen appointments to committees.

Carried

- 6. Moved by Councillor Piper
Seconded by Mayor Farbridge

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

THAT staff be given direction with respect to citizen appointments to committees.

Carried

- 7. Moved by Councillor Piper
Seconded by Mayor Farbridge

REPORT TO COUNCIL
IN COMMITTEE OF
THE WHOLE

THAT staff be given direction with respect to citizen appointments to committees.

Carried

The meeting adjourned at 6:15 p.m.

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Chairperson