

COMMITTEE AGENDA

Consolidated as of May 2, 2014



TO **Governance Committee**

DATE Tuesday May 6, 2014

LOCATION Council Chambers, Guelph City Hall, 1 Carden Street

TIME 3:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

CONFIRMATION OF MINUTES – April 9, 2013 open meeting minutes

PRESENTATIONS (Items with no accompanying report)

- a) Open Government Action Plan Update – Blair Labelle, City Clerk

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
GOV-2014.1 Committee of Adjustment Review (deferred from April 9, 2014) Addendum to Report of Legal Services dated April 9, 2014			
GOV-2014.7 Electronic Device Policy - Amendment			
GOV-2014.8 Ethics and Efficiency Hotline ("Tip Line")			
GOV-2014.9 Council Remuneration (report attached)			

GO-2014.10 Internal Audit	Mayor Farbridge		√
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Resolution to adopt the balance of the Governance Committee Consent Agenda.

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

CLOSED MEETING

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

GOV-C-2014.1 Non-Union Management Employee – Overtime Policy Changes

S. 239 (2) (d) of the *Municipal Act* – labour relations or employee negotiations

STAFF UPDATES AND ANNOUNCEMENTS

ADJOURN

NEXT MEETING – June 2, 2014

GOVERNANCE COMMITTEE
CONSOLIDATED CONSENT AGENDA

May 6, 2014

Members of the Governance Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
GOV-2014.1 COMMITTEE OF ADJUSTMENT REVIEW 1. That By-law (1983)-11242 be repealed and replaced with the new By-law, in accordance with Attachment 1 to the report of Legal Services dated April 9, 2014. 2. That Council approve the Terms of Reference for the Committee of Adjustment, as set out in the report dated April 9, 2014. 3. That Council approve the Code of Conduct for the Committee of Adjustment, as set out in the report dated April 9, 2014.	Approve
GOV-2014.7 ELECTRONIC DEVICE POLICY - AMENDMENT 1. That report CAO-C-1402 be received. 2. That the following resolutions be added to the City of Guelph Electronic Devices Policy and for inclusion in the City's Procedural Bylaw, to provide clarity specific to Closed Meetings of Council or Committees: a. That all electronic devices must be turned off throughout Closed Meetings of Council or Committees with the exception of 'on call/on duty' medical or emergency services personnel (Council or employees); and	Approve

- b. That medical or emergency services personnel (Council or employees) who are on scheduled 'on call/on duty' while attending a Closed Meeting of Council or Committees, at the start of the meeting they shall advise the Chair, place their electronic devices in the 'loud' position in order to notify, and upon notification, that they leave the room to respond.

GOV-2014.8 ETHICS AND EFFICIENCY HOTLINE ("TIP LINE")

Approve

1. That report CAO-A-1408, Ethics and Efficiency Hotline be received.
2. That no further action be taken at this time.

GOV-2014.9 COUNCIL REMUNERATION

Approve

1. That Council approve the revised Guiding Principles reducing the competitive position from 60th to the 55th percentile for establishing the salary for the Mayor and Members of Council as outlined in Appendix A.
2. That Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report).
3. That the salary for the position of Mayor for the Council term commencing December 1, 2014 be set at \$105,393 (a one-time adjustment of \$10,000).
4. That the salary for the position of Mayor be increased by \$3,611 each year on December 1st for the years 2015, 2016 and 2017 as a phased approach to migrate the Mayor's salary to the 55th percentile by the end of the term of Council.
5. That the Mayor be provided with an RRSP matching the Mayor's contribution amount not to exceed 3% based on the taxable portion only.
6. That the Mayor be provided with an automobile allowance equal to \$425.00 per month.
7. That the salary for the position of City Councillor for the Council term commencing 2015 be set at \$33,433.
8. That Members of Council (excluding the Mayor) who serve as a Chair of a Standing Committee be provided an additional 5% of the total compensation amount paid to a Member of Council.

9. That no changes be made to the current benefits provided to the Mayor and Members of Council.
10. That for the Mayor and Members of Council, attending conferences, workshops, etc. they will be provided with a meal allowance of \$70.00 for a full day event and \$35.00 for a half day event.
11. That compensation adjustments for the Mayor and Members of Council be equal to the Consumer Price Index (All Ontario, All Items from September to September) or the Non-union increase whichever is lower effective January 1st of each year for the next term of Council.
12. That the current policy of conducting a formal market review for Council every four years and the continued engagement of a Citizen's Review Committee during the last year of Council's term of office be maintained.
13. That the Citizen Review Committee for Council Remuneration further recommends that Council direct staff to explore the feasibility of going to a full-time Council and give consideration to the compensation of the structure in terms of number of Councillors.

GOV-2014.10 INTERNAL AUDIT

The Mayor will speak to this item.

attach.

MEMO



DATE May 6, 2014

TO **Governance Committee**

FROM Mark Amorosi, Executive Director

DEPARTMENT Corporate and Human Resources

SUBJECT ADDENDUM TO REPORT OF LEGAL SERVICES DATED APRIL 9, 2014 – COMMITTEE OF ADJUSTMENT REVIEW

The attached is an addendum to the Report of Legal Services dated April 9, 2014 with respect to proposed changes to the Committee of Adjustment processes. The recommendations included changes to the existing COA By-law, along with establishing a Code of Conduct and Terms of Reference for the COA.

At the April 9, 2014 Governance Committee meeting, Ms. Donna Kelly, the Chair of the COA, requested that the matter be deferred for 1 month to allow more time to work with staff to clarify some matters. The Committee passed the following:

That the Committee of Adjustment Review be deferred to the May 6, 2014 Governance Committee meeting to allow time for staff and Committee of Adjustment to clarify points

The previous drafts of the documents attached to the April 9 staff report incorporated comments from the COA in the draft documents. Staff received supplementary comments from the COA immediately prior to the April 9, 2014 meeting and on April 24, 2014. The following additional changes are recommended based on input from the Committee.

Code of Conduct

- Delete the requirement that the Member ensure that any information provide to them as a result of clarification queries be forwarded by the Secretary Treasurer to the applicant and City staff. This will be the responsibility of the Secretary Treasurer and will be included in the administrative policies to be approved and finalized by the Committee

Terms of Reference

- Allow a member to reapply to the Committee after a period of one year has passed since the maximum consecutive number of terms
- Provide that the annual report may include a summary of trends and will be presented to Council by the Chair of the Committee
- Add that the hiring process for the Secretary Treasurer will include the Chair of the COA on the hiring panel
- Indicate that the Secretary Treasurer will have staff support to act in the capacity of an assistant if required
- Include a requirement for the Secretary Treasurer to provide orientation and training for Members and additional training and education as requested or required by a Member

Staff are recommending the revised documents for approval by Council. As indicated in the report dated April 9, staff will continue to work with the Committee to assist in finalizing a Procedural By-law, Rules of Procedure and Administrative Policy for approval by the Committee.

Delegation of Authority

There is currently no formal delegation of authority from Council to Staff regarding appearing before the Committee of Adjustment on behalf of the City. It is recommended that staff be directed to prepare and present an amendment to the Delegation of Authority By-law to the Governance Committee at a future meeting to address this issue.

RECOMMENDATIONS

1. That By-law (1983)-11242 be repealed and replaced with the new By-law, in accordance with Attachment 1 to the addendum report of Legal Services dated May 6, 2014;
2. That Council approve the Terms of Reference for the Committee of Adjustment, as set out in the addendum report dated May 6, 2014;
3. That Council approve the Code of Conduct for the Committee of Adjustment, as set out in the addendum report dated May 6, 2014;
4. That Staff be directed to prepare an amendment to the Delegation of Authority By-law relating to Staff appearing before the Committee of Adjustment on behalf of the City and present the amendment to the Governance Committee at a future meeting.

Mark Amorosi

Executive Director, Corporate and Human Resources

The Corporation of the City of Guelph

By-law Number (2014)-XXXXX

Being a By-law to repeal and replace By-law Number (1983)-11242, a by-law to establish a Committee of Adjustment for The Corporation of the City of Guelph

WHEREAS in accordance with the Planning Act, 1983, the City of Guelph established a Committee of Adjustment pursuant to By-law Number (1983)-11242;

AND WHEREAS pursuant to the By-law, Council has delegated authority to the Committee to grant minor variances from any by-law of the municipality which implements the Official Plan and to give consent in respect of lands in the City;

AND WHEREAS the Planning Act, 1983 has been repealed and replaced with the Planning Act, R.S.O. 1990, c. P. 13, as amended;

AND WHEREAS the City considers it appropriate to repeal and replace the establishing By-law;

THEREFORE the Council of the Corporation of the City of Guelph hereby enacts the following:

1. By-law Number (1983)-11242 is hereby repealed.
2. The Committee of Adjustment established pursuant to By-law Number (1983)-11242 is hereby continued.
3. The Committee of Adjustment shall have authority:
 - a) To grant minor variances from any by-law of the municipality that implements the Official Plan, pursuant to Section 45(1), (2) and (3) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, or any successor thereof;
 - b) To grant consents in respect of land in the City of Guelph, pursuant to Section 53, 50(18) and 57 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, or any successor thereof;
4. The Committee of Adjustment shall be composed of no more than seven (7) members, who shall be appointed by Council resolution from time to time.

5. The compensation for members of the Committee shall be as determined by Council resolution from time to time.

6. The Committee of Adjustment shall establish policies and procedures to ensure that its processes comply with applicable law, including the Planning Act, R.S.O. 1990, c. P. 13, and the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22 , as amended from time or any successor thereof, in a form and content satisfactory to the City Clerk.

PASSED THIS DAY OF APRIL, 2014

Karen Farbridge - Mayor

Blair Labelle – City Clerk

Committee of Adjustment Terms of Reference

Terms of Reference Date: April 2014

Committee Name: Committee of Adjustment

Mandate:

The Committee of Adjustment is an independent and autonomous quasi-judicial tribunal appointed by Council which operates under the authority granted by the Province of Ontario in the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. The mandate of the Committee of Adjustment is to consider applications under the *Planning Act* for:

- Minor variances from the provisions of any by-law that implements the Official Plan, including the City's Zoning By-law, in accordance with Section 45 of the *Planning Act*.
- Enlarging or extending a building or structure that is legally non-conforming or a change in a non-conforming use, in accordance with Section 45 of the *Planning Act*.
- Consents to sever in respect of land in the City of Guelph in accordance with Section 53 of the *Planning Act*.

Number of Members (Citizen only):

The City of Guelph Committee of Adjustment is composed of seven (7) members who are appointed by Council. Council has determined that all appointees shall be citizens. Preference is given to candidates who have a demonstrated commitment and interest in the community and who have experience in matters pertaining to Planning, Law, Engineering, Architecture or Construction. Consideration will also be given to including members of the community at large, who have an interest in the community and the issues relating to the Committee of Adjustment.

Members are generally appointed prior to the expiry of each term of Council. Initial appointments of members following an election are for the term of Council. Members hold office until their successors are appointed, or until the end of their term. In the event of vacancy, members appointed mid-term shall be appointed for the remainder of the term.

The maximum duration that any one Member can hold office for is two full successive terms of Council. Members appointed for the first time mid-term may hold office for the remainder of that term plus two full successive terms. A member who has served the maximum number of successive terms may be reappointed after a one (1) year absence from the Committee.

Date of Formation:

The Committee of Adjustment was established July 18th, 1983 by By-law (1983) – 11242 which delegated authority to the Committee of Adjustment to grant consents and minor variances pursuant to the *Planning Act, 1983*.

Expiration Date (if applicable): N/A

Staff Liaison Support Position:

Appointment of Secretary Treasurer

The Committee will appoint a Secretary Treasurer to assist with its function under the Planning Act. The City of Guelph provides a staff member who is available to act as Secretary Treasurer, and staff to act as assistant(s) to the Secretary Treasurer as required, to support the successful operation of the Committee of Adjustment. The hiring process for the Secretary Treasurer will be conducted by the City of Guelph, and include the Chair of the Committee of Adjustment as part of the hiring panel.

Role of Secretary Treasurer

The Secretary Treasurer will oversee the Committee of Adjustment application process and provide administrative support to the Committee of Adjustment according to the governing provincial legislation. The Secretary Treasurer will be supported by staff from the Clerk's office. In the absence of the Secretary Treasurer, a staff member from the Clerk's office will be available to act in his or her place.

Education and Training:

The Secretary Treasurer will provide or arrange for the provision of orientation and training to Committee members following their appointments relating to the role of the Committee of Adjustment, the Planning Act and related jurisprudence and the City's Official Plan, Zoning By-law and related policies and procedures. The Secretary Treasurer will arrange for additional training and educational sessions for the Committee or individual members as required or requested by the Committee or a member of the Committee.

Meeting Frequency:

The Secretary Treasurer of the Committee of Adjustment will establish a meeting schedule annually, which may be revised from time to time. Additional or special meetings may also be scheduled as required. The meetings are generally open to the public and any individual can appear before the Committee to voice their opinion in support or opposition of the application being heard.

Applicable Legislation/By-law:

By-law (2014) -
Planning Act R.S.O 1990 c.P.13. as amended.

Link to Corporate Strategic Plan:

<http://guelph.ca/plans-and-strategies/corporate-strategic-plan/2012-16-corporate-strategic-plan/>

Frequency of Reporting to Council:

Minutes of the Committee are provided to Council on a regular basis. The Committee reports annually to Council with a summary of its activities. The annual report shall be approved by the Committee and may include a summary of trends relating to the matters before the Committee. The annual report will be presented to Council by the Chair of the Committee.

Budget:

Members are compensated in an amount determined by Council from time to time. Compensation is reviewed at the end of each term of Council, prior to the appointment of Members for the following term.

Other budgetary items (as applicable) are established by Council in the annual budget.

CORPORATE POLICY AND PROCEDURE



POLICY	Committee of Adjustment – Code of Conduct
AUTHORITY	Section 223.2(1) of the Municipal Act, 2001
RELATED POLICIES	Code of Conduct for Council and Local Boards
APPROVED BY	Council
EFFECTIVE DATE	May 1, 2014
REVIEWED	Annually

POLICY STATEMENT

A written Code of Conduct that supplements the Code of Conduct for Council and Local Boards, is appropriate for the purpose of applying to quasi-judicial bodies such as the Committee of Adjustment. It is acknowledged that these bodies make statutory decisions and operate under a statutory regime. As such, they should carry out their functions in a manner that demonstrates independence, fairness and impartiality in decision-making. This supplemental Code is intended to provide a reference guide and a supplement to the legislative parameters under which such bodies must operate, and to ensure that natural justice is both implemented and seen to be implemented.

PURPOSE

Members of the Committee of Adjustment are appointed to carry out a statutory obligation under the Planning Act, R.S.O. 1990, c. P. 13, as amended. The Committee is a quasi-judicial body, independent of Council.

It is essential that as a quasi-judicial body the Committee carry out its duties in a fair and impartial manner, consistent with governing legislation.

The purpose of this Code of Conduct is to supplement the Code of Conduct for Council and Local Boards by providing additional direction to the Committee in carrying out its duties.

DEFINITIONS

Member – means a Member of the Committee of Adjustment

In addition to the Code of Conduct for Council and Local Boards, the following shall apply to the Committee of Adjustment.

CONFLICT OF INTEREST

Members shall strictly adhere to the Conflict of Interest provisions of the Code of Conduct for Council and Local Boards, the Procedural By-law of the Committee and the Municipal Conflict of Interest Act, including disclosing any pecuniary interest in

a matter before the Committee and abstaining from voting or participating in the discussion of the matter.

BIAS

Members shall conduct themselves in an impartial and objective manner and in accordance with the principles of natural justice. Members will perform their duties in such a way as to promote public confidence and trust in the integrity, objectivity and impartiality of the Committee. Members shall decide each application fairly and objectively and without bias.

In addition, Members shall take all reasonable steps to avoid any perception of bias towards or against any individual or group involved in an application (including the applicant, City staff, members of the public, etc.).

Every Member shall ensure that they approach the hearing with an open mind and shall not discuss the merits of a matter before the hearing.

No Member shall give preference to any party, individual or group and shall avoid any action that suggests that any party has undue influence over the Member.

No Member who has other business with the City shall discuss any such business with City staff while attending the Committee meeting (before, during, after).

Members shall remain independent of City staff, applicants and interested members of the public during all breaks.

CONDUCT

Members shall demonstrate respect for all participants in the process.

Members shall adhere to the rules of Conduct as outlined in the Procedural By-law of the Committee.

COMMUNICATION WITH STAFF, APPLICANTS

No Member shall engage in any discussion, directly or indirectly, with staff or the applicant, or any member of the public, regarding an application or any matter that may affect an application, except during the hearing.

If factual clarification of the application or City staff comments is required, the Member shall request clarification from the applicant or staff member, as the case may be, through the Secretary Treasurer of the Committee and shall not contact staff or the applicant directly. Any questions other than factual clarifications (including questions relating to an opinion, or questions of a substantive nature) must be raised during the hearing.

LOBBYING

No Member shall attempt to influence the decision of Council, or participate in a Council meeting or OMB hearing, relating to a matter that has/will come before the Committee for a hearing.

Members shall rely on the Decision of the Committee to provide the position and reasons of the Committee relating to a matter.

COMPLAINTS

Any person who has reasonable grounds to believe that a Member has breached this code may submit a complaint to the Clerk's office for investigation by the Integrity Commissioner in accordance with the process identified in the Code of Conduct for Council and Local Boards.

STAFF REPORT

TO Governance Committee
SERVICE AREA Corporate and Human Resources
DATE May 6, 2014
SUBJECT Council Remuneration
REPORT NUMBER CHR-2014-41

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To recommend changes for Council remuneration (i.e. total compensation) for Mayor and Members of Council commencing for the 2014-2018 Term of Council.

KEY FINDINGS

- The Citizen Review Committee was appointed on February 24, 2014 and met during March and April 2014;
- Human Resources staff provided professional support to Committee;
- The Committee reviewed material from the previous Citizen Remuneration Committee that recommended changes for the 2010-2014 term of Council, as well as material from the cities comparator municipalities and information from across Canada from other Citizen Remuneration Committees to inform their decision making process
- Highlights of the recommendations include changes to:
 - The competitive position used to compare Council positions with other municipalities;
 - Compensation (i.e. salary) for both the Mayor and Councillor positions;
 - Acknowledgement of the role of Chairs of Standing Committees;
 - Some benefits for the Mayor and Council positions; and
 - How the annual cost of living increases are calculated for the Mayor and Councillor positions.

FINANCIAL IMPLICATIONS

If approved the financial impact on an annualized basis would be:

- \$46,288 in the 1st year
- \$ 3,611 in the 2nd year
- \$ 3,611 in the 3rd year
- \$ 3,611 in the 4th year
- CPI increases to be determined on an annual basis

ACTION REQUIRED

Council to consider approval of the recommendations in this report.

STAFF REPORT



RECOMMENDATION

THAT Council approve the revised Guiding Principles reducing the competitive position from 60th to the 55th percentile for establishing the salary for the Mayor and Members of Council as outlined in Appendix A;

THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

THAT the salary for the position of Mayor for the Council term commencing December 1, 2014 be set at \$105,393 (a one-time adjustment of \$10,000);

THAT the salary for the position of Mayor be increased by \$3,611 each year on December 1st for the years 2015, 2016 and 2017 as a phased approach to migrate the Mayor's salary to the 55th percentile by the end of the term of Council;

THAT the Mayor be provided with an RRSP matching the Mayor's contribution amount not to exceed 3% based on the taxable portion only;

THAT the Mayor be provided with an automobile allowance equal to \$425.00 per month;

THAT the salary for the position of City Councillor for the Council term commencing 2015 be set at \$33,433;

THAT Members of Council (excluding the Mayor) who serve as a Chair of a Standing Committee be provided an additional 5% of the total compensation amount paid to a Member of Council;

THAT no changes be made to the current benefits provided to the Mayor and Members of Council;

THAT for the Mayor and Members of Council attending conferences, workshops, etc. they will be provided with a meal allowance of \$70.00 for a full day event and \$35.00 for a half day event;

THAT compensation adjustments for the Mayor and Members of Council be equal to the Consumer Price Index (All Ontario, All Items from September to September) or the Non-union increase whichever is lower effective January 1st of each year for the next term of Council;

THAT the current policy of conducting a formal market review for Council every four years and the continued engagement of a Citizen's Review Committee during the last year of the Council's term of office be maintained;

THAT the Citizen Review Committee for Council Remuneration further recommends that Council direct staff to explore the feasibility of going to a full-time Council and give consideration to the composition of the structure in terms of number of Councillors.

STAFF REPORT



BACKGROUND

In October 2009, Council approved the establishment of a Citizen Review Committee to review and make recommendations to Council respecting Council remuneration for the 2011- 2014 council term. The Committee met a number of times and made a number of recommendations to Council and the following were approved:

That Council approve the Guiding Principles for Council Remuneration as outlined in Appendix A;

That Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

That Council approve the 60th percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

That the salary for the position of Mayor for the Council term commencing 2011 be set at \$88,983.86;

That the salary for the position of City Councillor for the Council term commencing 2011 be set at \$29,706.39.

That no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension.

That the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.).

That the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained.

REPORT

Recruitment for five citizen volunteers was conducted in January/February 2014 to review the matter of compensation as it relates to public office, reflect on fiscal and corporate objectives as outlined in the Compensation report for non-union staff, consider compensation adjustments supported by market data and comparable municipalities in terms of scope, size and nature of elected officials' work, review compensation data and proposals prepared by City staff, and oversee preparation and presentation of a final report and recommendations to Council for its approval.

In considering the citizen applicants, knowledge of Human Resource Management, specifically compensation and pay policies, and an understanding of the role of elected officials were considered an asset.

The following citizens were selected to participate on the Citizen Committee:

STAFF REPORT



Ms. Janet Roy, President, Premium HR Solutions (returning Committee Member)
Mr. Lloyd Longfield, President/CAO, Guelph Chamber of Commerce (returning Committee Member)
Mr. Greg Sayer, Director Legal Services, AgriCorp
Ms. Amy Kendall, Chair, School of Business and Hospitality, Conestoga College
Mr. Alan Jarvis, (Retired) Vice-President – Human Resources, The Allianz Group

The Terms of Reference for the Citizen Committee are outlined in Appendix B.

The General Manager, Human Resources and Manager, Compensation, Benefits/Payroll provided staff support to the Citizens Committee, which met from the period March - April 2014.

Process

Meetings focused on the reviewing the previous Council approved Guiding Principles for Council Remuneration, reviewing the previous Council approved comparator group and determining the appropriateness for the next term of Council, reviewing the Council approved competitive position (i.e. the percentile where to situate City of Guelph Council remuneration relative to the other municipalities within the comparator group) and determining if a change is required, a finally review of total compensation (i.e. salary and benefits, annual compensation adjustments where applicable), a review of the recommended salaries against the Guiding Principles, and development of the recommendations above.

In total, the Citizen Committee for Council Remuneration met three times to deliberate on the issue of compensation for the Mayor and Members of Council.

Following a review of the Terms of Reference for the Committee, members spent time in each meeting reviewing background information gathered to support their work.

This information included: previous Council approved documents related to Council remuneration, information concerning the roles/responsibilities of municipal councils, survey information, estimated time commitments for the Mayor and Members of Council and compensation survey data from multiple Ontario municipalities related to salary, benefits and other perquisites. Cities from other regions of Canada were also reviewed for best practices and review processes relating to establishing elected official's remuneration.

Reviewing the matter of compensation as it relates to public office in a manner that reflects the duties, responsibilities, skill, effort, authority and decision-making, the Mayor and Members of Council require a set of Guiding Principles to provide direction and an ability to anchor recommendations made with respect to what appropriate compensation levels should be.

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Revised Guiding Principles

The recommended change to the set of Guiding Principles as outlined in Appendix A, by reducing the competitive position from the 60th to the 55th percentile, was in consideration of Council reducing the competitive position for staff from the 60th to the 55th percentile during the last term of Council. Appendix C

Competitive Position

In keeping with the Guiding Principles (and recommended change) for Council Remuneration, the Citizen Review Committee recommended that the 55th percentile appropriately demonstrates the value of the position of Mayor and City Councillor, and demonstrates fair compensation that is aligned with the performance expectations of these senior roles within the City.

Setting the competitive position at the 55th percentile achieves the following:

1. Financial responsibility: this level is within the range of 50th and the 75th percentiles from other municipalities; Council remuneration does not migrate to the top of the comparator group, yet is not at the bottom and therefore mitigates the risk of systemically lagging behind;
2. Aligns to the competitive position approved by Council for the Non-union and Management Employee group;
3. Fairness and reasonableness to attract a diverse and representative pool of candidates for elected office;
4. Reflects appropriate compensation for the Mayor and Members of Council in view of the responsibilities, time commitment and accountability associated with these roles;
5. Aligns to compensation practices for other positions within the City.

Fairness, reasonableness, and fiscal responsibility are characteristics of the Guiding Principles that recognize the complexity and importance of issues dealt with by City Council and recognizes that elected officials' work is demanding and requires significant time commitment.

Comparator Group

The following criteria was developed and used by the Committee to guide decision making related to the selection of appropriate comparator municipalities.

1. Operating Budget
2. Size of Council
3. Ratio of voters to each Member of Council
4. Population
5. Scope of services (Tier of Municipality)
6. Average family income in the municipality

STAFF REPORT

The Committee considered this information again to gauge whether it remained relevant given the strategic direction, corporate priorities and the complexities of the issues requiring Council’s attention and decision making.

The Committee unanimously agreed that the comparator group used for staff should also be acceptable for determining Council remuneration given that both staff and Council are dealing with the same complex issues albeit from different perspectives.

The Committee recommends using all 18 municipal comparators for Council compensation; however, ensuring that only those municipalities with part-time Councillors are used for comparing Councillor salary and benefit information. The table below will demonstrate the structure of the 18 comparator municipalities.

Tier	Comparator	FT Mayor	PT or FT Councillor
Single Tier	Barrie	Full-time	Part-time
	Brantford	Full-time	Part-time
	Chatham-Kent	Full-time	Part-time
	Hamilton	Full-time	Full-time
	Kingston	Full-time	Part-time
	Sudbury	Full-time	Part-time
Lower Tier	Brampton	Full-time	Full-time
	Burlington	Full-time	Full-time
	Cambridge	Full-time	Part-time
	Kitchener	Full-time	Part-time
	Mississauga	Full-time	Full-time
	Oakville	Full-time	Part-time
	Waterloo	Full-time	Part-time
Upper Tier	Halton Region	Full-time	Part-time
	Waterloo Region	Full-time	Part-time
	Peel Region	Full-time	Part-time

Salary Adjustment for the Mayor

Sixteen of the eighteen comparator municipalities responded to the compensation survey and under the direction of the Citizens Committee, staff analyzed the data and presented various options to the Committee.

The current salary for the full-time Mayor is \$95,383.

Within the comparator group of municipalities, the current Mayor’s salary is at the 41st percentile.

Based on the 55th percentile of the above comparator group of municipalities, the recommended salary for the position of the Mayor is \$116,126 (full time).

Phased In Approach for the Mayor

The Citizen Review Committee was keenly aware that recommending a 21.7% increase for the position of Mayor may be inappropriate for a number of reasons. Recognizing this, the Committee wishes to make an important distinction. That is, the salary

STAFF REPORT



recommendation merely advises that the 55th percentile is \$116,226 and that the implementation of the recommended salary is as follows:

- Effective December 1, 2014 – Salary for the Mayor is \$105,393 which is 44.6th percentile which represents and one time increase of \$10,000 the balance of \$10,833 to be split in equal installments as:
- Effective December 1, 2015 – Equity increase of \$3,611
- Effective December 1, 2016 – Equity increase of \$3,611
- Effective December 1, 2017 – Equity increase of \$3,611

With the intent being that the compensation for the position of Mayor will achieve the 55th percentile by the end of the next term of Council.

RRSP for the Mayor

Ten (10) of the sixteen (16) responding municipalities provide the Mayor position with an OMERS pension and one (1) municipality provides an RRSP. The Committee, recommends providing the position of Mayor with an RRSP matching the Mayor's contribution amount not to exceed 3% based on the taxable portion only.

The Committee was concerned about binding either the incumbent or the City to an approximate cost of \$12,500 annually for an OMERS pension. The Committee deems the RRSP matching contribution with an estimated cost of \$2,114 per year, to be both fair to the incumbent and to the community.

Vehicle Allowance

All sixteen (16) comparators provide a vehicle or a vehicle allowance to the position of Mayor. The Committee recommends a vehicle allowance equal to \$425.00 per month be offered to the incumbent.

The recommended amount was established after reviewing the amounts provided to other Mayors within the responding comparators. The monthly allowance takes into consideration the significant amount of travel the Mayor does representing the City.

Salary Adjustment for Councillors

Sixteen of the eighteen comparator municipalities responded to the compensation survey and under the direction of the Citizens Committee, staff analyzed the data and presented various options to the Committee.

The current salary for a part-time City Councillor is \$31,846.

Within the comparator group of municipalities, the current Councillor's salary is at the 48.4th percentile.

Based on the 55th percentile of the above comparator group of municipalities, the recommended salary for the position of City Councillor is \$33,433 (part time).

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Chairing Standing Committees

The Committee recommends that 5% be added to the salary for any Councillor who is responsible to Chair a Standing Committee. The additional knowledge, skill and ability required to Chair a Standing Committee and the increased responsibilities and time commitment to effectively fulfill the role needs to be recognized and compensated accordingly.

The Committee acknowledges that although only one other municipality provides additional compensation to Chair a Standing Committee, there was considerable discussion around the following:

- the time involved for a Member of Council to Chair a meeting;
- monthly meetings with the Executive Team;
- the skill sets required to effectively Chair a meeting;
- knowledge of the "rules of procedure"; and
- data from the Clerk's Annual Report as used to quantify the number and length of meetings

The Committee reached a consensus that additional compensation was due in consideration of this increase in workload and commitment for a part-time Member of Council.

The Committee acknowledged that the Mayor position is full time and the base salary encompasses any responsibility required to Chair a Standing Committee.

RRSP & Vehicle Allowance

The survey data from other municipalities did not support and were not benefits typical of part-time Councillors. However, in the event that the City was to move to a full-time Council, Members of Council should be provided with an RRSP and vehicle allowance similar to the recommendation for the position of full-time Mayor.

Economic increase

The Terms of Reference for the Citizen Review Committee states "compensation adjustments that are supported by market data and comparable municipalities in terms of scope, size and nature of work."

There was lengthy discussion on the optics and appropriateness to continue the practice of providing the same economic increases for the Mayor and Members of Council to that of the Non-Union and Management Employee (NUME) group. Based on the discussion, the Committee recommends economic adjustments equal to the following, which in the Committee's view removes any potential conflict of interest:

- 1) Increases equal to the average Consumer Price Index (CPI) or to NUME whichever is less
- 2) The use of the CPI for Ontario only
- 3) CPI period is from September to September

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- 4) Adjustments to take place January 1st each year of the term of Council

The Committee recognizes that if approved, every four years a Citizens Review Committee will review the salary payable to the Mayor and Members of Council and that it will be appropriately aligned to the 55th percentile at the commencement of each term or at Council's direction.

Furthermore, most of the sixteen (16) responding municipalities provide a similar approach to establishing an economic increase and that if Council approves the recommendation the salary should keep pace with the comparators.

Benefits

Based on an analysis of the survey data, the Committee recommends no change to the benefits provided to the Mayor and Members of Council.

Administrative Change

The Committee reviewed the meal allowances provided to a Member of Council attending a conference or offsite training session. The Committee recommends an amount equal to \$70.00 for a full day and \$35.00 for a half day. The current policy of \$15.00 for breakfast, \$20.00 for lunch and \$35.00 for dinner is an administrative burden and inconsistent with the comparator group. The total value is unchanged.

Citizen's Review Committee and Market Review for Council Remuneration

The Committee recommends continuing the use of a Citizen's Review Committee and the current policy on conducting a formal market review every four years for the purpose of establishing Council Remuneration. The practice demonstrates fiscal responsibility and offers transparency to the citizens of Guelph.

Explore Feasibility of a Full-time Council

In reviewing the roles and responsibilities for the position of Mayor and Council, the Citizen's Committee believes there is benefit of moving to a full-time Council and give consideration of the overall structure in terms of numbers of Council members.

After reviewing some of the information contained in the Clerk's Department Annual Report for 2013, there was appreciation of the volume of materials to read, the number and duration of various official City business meetings and the timing of these meetings make the option of public office undesirable and cost prohibitive for someone employed elsewhere full-time.

ALTERNATIVES

Not approved recommendations

Council could decide to not approve the recommended salary adjustment for the positions of Mayor and City Councillor. This approach is not recommended given it

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would be contrary to the Guiding Principles developed by the Citizen Review Committee.

The Citizens Review Committee values the work of the Mayor and Members of Council. The recommended salary adjustments fairly compensate the Mayor and Councillors according to their roles and responsibilities as elected officials.

Not approve phased in approach for Mayor’s salary

The Citizens Committee recommended a phased in approach to bring the position of Mayor to the 55th percentile over the next term of Council. However, Council could elect to approve the alternative which is to move the position of Mayor to the 55th percentile effective December 1, 2014 (at the onset of the next term). This would be a one-time adjustment of \$20,833.

Providing an OMERS Pension rather than an RRSP

Council could consider providing the position of Mayor with the OMERS pension at a cost of \$12,500 per year. This is not the recommended approach as this decision will bind the City of Guelph and will continue to escalate year over year. Given there are no age restrictions for the position of Mayor, OMERS is not an option for anyone elected to the role after age 70.

CORPORATE STRATEGIC PLAN

The recommendation in consistence with the Corporate Strategic Plan, specifically:

Innovation in Local Government:

- 2.3 Ensure accountability, transparency and engagement

Organizational Excellence:

- 1.2 Develop Collaborative work teams to apply whole systems thinking to deliver creative solutions

FINANCIAL IMPLICATIONS:

The total cost of compensation adjustments recommended in this report is as follows:

Cost of Recommendations	
Description of Cost	Annual Cost
RRSP Option for the Mayor approximately:	\$2,114
Cost of car allowance for the Mayor:	\$5,100
Wage Increase for the Mayor, one-time cost 1 st year of term	\$10,000
Wage Increase for Members of Council (Current salary of \$31,846 – recommended salary of \$33,433 x 12 Councillors)	\$19,044
Chairing a Standing Committee for Members of Council @ 5% (33,433 x 5% = 1671.65 x 6)	\$10,030
Total Cost of all Recommendations of the Citizen’s Review Committee effective December 1, 2014	\$ 46,288

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Additional cost after the 1 st year of Council	
Additional cost over the 2 nd , 3 rd , 4 th year of the term of Council (to phase in Mayor salary increases to achieve 55 th percentile)	\$3,611 in the 2 nd year \$3,611 in the 3 rd year \$3,611 in the 4 th year
Annual CPI Increase	As determined each year

Cost of Alternatives	
Description of Cost	Annual Cost
OMERS Pension for the Mayor approximately:	\$12,500
Wage increase for the Mayor Effective December 1, 2014 move immediately to the 55 th	\$20,833

*Note the above total amounts have been rounded to nearest dollars

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

Clerks' Annual Report 2013
Survey Data obtained from 16 of the 18 comparator municipalities

ATTACHMENTS

Appendix A – Previous Guiding Principles
Appendix B – Terms of Reference
Appendix C – Recommended Guiding Principles

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STAFF REPORT

Recommended By:
Council Remuneration Citizen Committee

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Appendix A

Previously Approved

Guiding Principles for City of Guelph Council Remuneration

The philosophy is to base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles and responsibilities.

To achieve the above, a Compensation plan reflects one that:

- Is fair and reasonable and will attract a diverse and representative pool of candidates from Guelph residents wishing to seek election to Council but also be seen as fair by taxpayers;
- Recognizes that the work of the mayor and council is demanding and important and as such they should be appropriately compensated;
- Recognizes the complexity, responsibilities, time commitments and accountabilities associated with the role of Mayor and Council;
- Is aligned to the 60th percentile (similar to the City's non-union employees) of the comparator group and is appropriate for the average full-time earnings within the community;
- Applies an appropriate ratio between the role of a part-time councillor and that of a full-time mayor;
- Must demonstrate fiscal responsibility and align to the Strategic Plan for the City of Guelph.

CITY OF GUELPH
COUNCILLORS' REMUNERATION

TERMS OF REFERENCE 2014

PURPOSE:

To appoint a Citizens' Committee to review and establish Elected Officials remuneration.

ACCOUNTABILITIES:

Supported by staff from Human Resources, the Committee will provide recommendations on base compensation for Elected Officials.

In developing its recommendations, the Committee will recognize that benefits currently provided to Elected Officials constitute an integral part of the overall compensation package.

FUNCTIONS:

- Reflect on fiscal and corporate objectives as outlined in the Compensation report for non-union City staff.
- Review the matter of compensation as it relates to public office
- Enable compensation adjustments supported by market data and comparable municipalities in terms of scope, size and nature of work.
- Review data and proposals submitted by staff from Human Resources
- Oversee preparation and presentation of a final report and recommendations to Council for approval

MEMBERSHIP:

The Committee will consist of 5 members selected from the community, based on expressions of interest solicited by placing an advertisement in Guelph's local newspaper. The Chair of the Committee will be chosen by the members at its first meeting.

Members of the Committee will undertake to attend each meeting as required and the Committee will remain in force until Council approves recommendations on these matters, or such time as the Committee is formally disbanded.

In the event a member is unable or unwilling to continue to serve, a replacement will be appointed by the City Clerk from the expressions of interest previously received. The members of the Committee, including the Chair, shall serve in a volunteer capacity only with no remuneration other than for reasonable expenses incurred by attending meetings.

TIMEFRAME:

The Committee will be established by February 2014 and will attempt to make its recommendations in respect of compensation for elected officials by May 2014.

Appendix C

Recommended Change to Guiding Principles for City of Guelph Council Remuneration

The philosophy is to base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles and responsibilities.

To achieve the above, a Compensation plan reflects one that:

- Is fair and reasonable and will attract a diverse and representative pool of candidates from Guelph residents wishing to seek election to Council but also be seen as fair by taxpayers;
- Recognizes that the work of the mayor and council is demanding and important and as such they should be appropriately compensated;
- Recognizes the complexity, responsibilities, time commitments and accountabilities associated with the role of Mayor and Council;
- Is aligned to the 55th percentile (similar to the City's non-union employees) of the comparator group and is appropriate for the average full-time earnings within the community;
- Applies an appropriate ratio between the role of a part-time councillor and that of a full-time mayor;
- Must demonstrate fiscal responsibility and align to the Strategic Plan for the City of Guelph.