

Subject: 2022-2026 Mid-term Governance Review

File Number: ACS2025-OCC-GEN-0001

Report to Council on 22 January 2025

Submitted on January 17, 2025 by Caitlin Salter MacDonald, City Clerk

**Contact Person: Kiel Anderson, Manager, Governance, Elected Officials and
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Ward: Citywide

**Objet : Examen de mi-mandat de la structure de gestion publique pour 2022-
2026**

Numéro de dossier : ACS2025-OCC-GEN-0001

Rapport présenté au Conseil le 22 janvier 2025

Soumis le 2025-01-17 par Caitlin Salter MacDonald, greffière municipale

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

- 1. That at its meeting of January 22, 2025, Council:**
 - a. Receive the Mayor's delegation of certain assigned statutory powers under the *Municipal Act, 2001*, as set out in Document 1;**
 - b. Approve that the Nominating Committee shall convene on January 28, 2025, to consider changes to memberships on standing committees and other bodies, as described in this report; and**
 - c. Receive and table the remainder of this report.**
- 2. That at its meeting of January 29, 2025, Council consider and approve the following recommendations related to the Council and committee structure, policies, procedures and other related matters:**

PART I – COUNCIL, STANDING COMMITTEES AND RELATED MATTERS

COUNCIL AND COMMITTEE STRUCTURE AND RELATED MATTERS

- 1. Approve the mid-term renewal measures for standing committees as described in this report, including:**
 - a. The following Council committee structure for the remainder of the 2022-2026 Term of Council, effective immediately and including that the Light Rail Sub-Committee be dissolved and the Transit Commission be renamed as the Transit Committee, as described in this report:**
 - i. Agriculture and Rural Affairs Committee;**
 - ii. Audit Committee;**
 - iii. Built Heritage Committee;**
 - iv. Community Services Committee;**
 - v. Debenture Committee;**
 - vi. Emergency Preparedness and Protective Services Committee;**
 - vii. Environment and Climate Change Committee;**
 - viii. Finance and Corporate Services Committee;**
 - ix. Planning and Housing Committee;**
 - x. Transit Committee; and**
 - xi. Transportation Committee;**
 - b. The revised meeting frequency for standing committees as outlined in this report; and**
 - c. The amendments and process to revise the 2025 meeting schedule, as described in this report;**

COMMITTEE MANDATES AND RELATED MATTERS

- 2. That committee Terms of Reference, governance-related documents, and report routing processes be amended to provide for the following in relation to the Finance and Corporate Services Committee, as described in this report:**
 - a. That the Finance and Corporate Services Committee has the responsibility to review and make recommendations to Council on all matters and reports associated with all current and future Long Range Financial Plans;**

- b. That the Finance and Corporate Services Committee has the responsibility to review and approve, as applicable, the following finance-related reports that shall be consolidated with existing reports from other City departments:
 - i. Quarterly transit operating and capital status reports, and annual transit capital budget adjustments and closure reports;
 - ii. Semi-annual transit procurement reports; and
 - iii. Annual Revenue Services reports regarding the exercise of delegated authority with respect to write-offs of uncollectible OC Transpo customer accounts and uncollectible water utility customer accounts; and
 - c. That the Finance and Corporate Services Committee's role with respect to cybersecurity be formalized, with staff to provide training to ensure the committee has knowledge to receive and address reports relating to cybersecurity;
3. That responsibilities under the 2022-2024 Light Rail Sub-Committee's mandate be added to the Transit Commission/Committee's Terms of Reference, as described in this report;
 4. That revised Terms of Reference for the Agriculture and Rural Affairs Committee and Finance and Corporate Services Committee be submitted in draft form to the respective committees as soon as practicable but no later than June 30, 2025, for consideration and recommendation to Council for approval;

ADVISORY BODIES

5. Approve the mandate and membership of the Agile Government Efficiency Review Working Group as described in this report;
6. Direct each advisory committee to adopt and provide to the Office of the City Clerk by no later than June 30, 2025, the mandatory revised procedure by-law minimum provisions attached in Document 3;
7. Receive for information the Department-led Working Groups Policy attached as Document 4, and the inventory of department-led working groups attached as Document 5; and
8. Confirm the appointment of members of the Community Safety and Well-Being Advisory Committee as set out in Document 6, further to the Terms of

Reference approved on October 2, 2024, and approve the process and composition of the selection panel to be used for future appointments, as described in this report.

PART II – ACCOUNTABILITY AND TRANSPARENCY

1. Receive the 2024 Annual Report of the Integrity Commissioner, attached as Document 7;
2. Approve the proposed Ethical Framework for Members' Staff with implementation for the beginning of the 2026-2030 Term of Council, as described in this report and in Document 8; and
3. Approve amendments to the Code of Conduct for Members of Council [By-law No. 2018-400] and the Code of Conduct for Citizen Members of the Built Heritage Committee [By-law No. 2022-413] as described in this report and in Document 9;

PART III – LOCAL BOARDS

1. Approve the following with respect to the ByWard Market District Authority Municipal Services Corporation:
 - a. Direct staff to work with the ByWard Market District Authority to review and implement any procedural changes that would align the Annual Meeting of Members with established Council procedures, as described in this report; and
 - b. Approve that the ByWard Market District Authority is eligible to participate in the Parking Initiatives Grant Program, as described in this report;
2. Approve the Committee of Adjustment Terms of Reference attached in Document 12;
3. Amend By-law No. 199-81 (being a by-law to establish a Board of Management for the Rideau Area Improvement Area), as amended, to provide that City Council shall appoint one Member of Council to the Board of Management for the Downtown Rideau Business Improvement Area (BIA), and rescind the appointment of the Ward 14 Councillor to the BIA board in accordance with the amended board composition; and
4. Approve the following matters related to the Ottawa Police Service Board in accordance with statutory requirements under the new *Community Safety and Policing Act, 2019*, as described in this report:

- a. That the Ottawa Police Service Board shall continue to be composed of seven members; and
- b. The Diversity Plan set out in Document 14 to ensure that the members of the Ottawa Police Service Board appointed by Council are representative of the diversity of the population in the municipality, and delegate authority to the City Clerk to amend the Diversity Plan pursuant to any relevant statutory requirements or policy changes.

PART IV – AMENDMENTS TO VARIOUS BY-LAWS, POLICIES AND RELATED MATTERS

BY-LAWS

1. Approve amendments to the *City Manager By-law* as described in this report and in Document 15;
2. Approve amendments to the *Delegation of Authority By-law* as described in this report and in Document 16;
3. Approve the revised *Procedure By-law* as described in this report and attached in Document 17;
4. Approve amendments to the *Procurement By-law* as described in this report and in Document 18;

POLICIES AND PROCEDURES

5. Approve amendments to the Accountability and Transparency Policy, and the repeal of By-law No. 2014-442, as described in this report and in Document 19;
6. Approve amendments to the Appointment Policy as described in this report and in Document 20;
7. Approve the revised Council Expense Policy as described in this report and attached in Document 21;
8. Approve amendments to the Council-Staff Relations Policy as described in this report and in Document 22;
9. Approve amendments to the Delegation of Powers Policy as described in this report and in Document 23;
10. Approve amendments to the Election-Related Resources Policy and Election-Related Blackout Period Procedures as described in this report and in Documents 24 and 25;
11. Approve amendments to the Petition Policy as described in this report and in Document 26;

12. Approve amendments to the Public Conduct Policy, and the revised Trespass to Property Procedures, as described in this report and in Documents 27 and 28;
13. Approve amendments to the Routine Disclosure and Active Dissemination Policy as described in this report and in Document 29; and
14. Approve amendments to the Statutory Officer Recruitment, Appointment and Contract Administration Policy and Procedures as described in this report and in Documents 30 and 31.

PART V – OTHER MATTERS

1. Direct the City Clerk and City Treasurer to bring forward for committee and Council consideration no later than June 30, 2025, options to address the recommendations from the independent third-party reviewer (MNP Business Consulting and Advisory Services LLP) regarding the funding allocation for Members' Constituency Services Budgets, as described in this report;
2. Approve the revised Councillors' Office Manual attached as Document 33;
3. Approve the Elected Officials Records Management Policy attached as Document 34; and
4. Approve that the City Clerk be delegated the authority to implement changes to all related processes, procedures, policies and Terms of Reference, and to bring forward by-laws as required to implement Council's decisions further to the approval of this report and to reflect the current organizational alignment.

RECOMMANDATION(S) DU RAPPORT

1. Qu'à sa réunion du 22 janvier 2025, le Conseil :
 - a. prenne acte de la délégation par le maire de certains pouvoirs législatifs attribués en vertu de la *Loi de 2001 sur les municipalités*, comme il est présenté dans le Document 1;
 - b. approuve la tenue de la réunion du Comité des candidatures le 28 janvier 2025, dans le cadre de laquelle il examinera les modifications apportées à la composition des comités permanents et d'autres organismes, comme il est décrit dans le présent rapport;
 - c. prenne connaissance du reste du rapport et le dépose.
2. Qu'à sa réunion du 29 janvier 2025, le Conseil étudie et approuve les recommandations suivantes liées à la structure, aux politiques et aux procédures du Conseil et des comités ainsi qu'à d'autres questions connexes :

PARTIE I – CONSEIL, COMITÉS PERMANENTS ET QUESTIONS CONNEXES

STRUCTURE DU CONSEIL MUNICIPAL ET DES COMITÉS ET QUESTIONS CONNEXES

- 1. Approuver les mesures de renouvellement des comités permanents à mi-mandat, comme il est décrit dans le présent rapport, y compris ce qui suit :**
 - a. L'entrée en vigueur immédiate de la structure des comités du Conseil municipal suivante pour le reste du mandat 2022-2026 du Conseil, y compris la dissolution du Sous-comité du train léger et le changement de nom de la Commission du transport en commun, qui deviendra le Comité du transport en commun, comme il est décrit dans le présent rapport :**
 - i. Comité de l'agriculture et des affaires rurales;**
 - ii. Comité de vérification;**
 - iii. Comité du patrimoine bâti;**
 - iv. Comité des services communautaires;**
 - v. Comité sur les débentures;**
 - vi. Comité des services de protection et de préparation aux situations d'urgence;**
 - vii. Comité de l'environnement et du changement climatique;**
 - viii. Comité des finances et des services organisationnels;**
 - ix. Comité de la planification et du logement;**
 - x. Comité du transport en commun;**
 - xi. Comité des transports;**
 - b. La nouvelle fréquence des réunions des comités permanents décrite dans le présent rapport;**
 - c. Les modifications apportées au calendrier des réunions de 2025 et le processus proposé pour réviser le calendrier, comme il est décrit dans le présent rapport;**

MANDATS DES COMITÉS ET QUESTIONS CONNEXES

- 2. Que les mandats, les documents relatifs à la gouvernance et les processus de transmission des rapports des comités soient modifiés pour qu'ils comprennent les éléments suivants liés au Comité des finances et des services organisationnels, comme il est décrit dans le présent rapport :**

- a. **Que le Comité des finances et des services organisationnels ait la responsabilité d'examiner les questions et les rapports ayant trait aux plans financiers à long terme actuels et futurs et de formuler des recommandations au Conseil à cet égard;**
 - b. **Que le Comité des finances et des services organisationnels ait la responsabilité d'examiner et d'approuver, selon le cas, les rapports liés aux finances suivants, qui seront regroupés avec les rapports existants d'autres directions générales de la Ville :**
 - i. **les rapports d'étape trimestriels de fonctionnement et des immobilisations du transport en commun ainsi que les rapports d'ajustement et de clôture du budget des immobilisations du transport en commun;**
 - ii. **les rapports d'approvisionnement semestriels pour le transport en commun;**
 - iii. **les rapports annuels des Services des recettes concernant l'exercice des pouvoirs délégués ayant trait aux radiations des comptes clients d'OC Transpo irrécouvrables et aux comptes clients des services d'eau irrécouvrables;**
 - c. **Que le rôle du Comité des finances et des services organisationnels ayant trait à la cybersécurité soit officialisé, et que des membres du personnel donnent des formations pour veiller à ce que les membres du Comité disposent des connaissances nécessaires pour recevoir et examiner les rapports sur la cybersécurité;**
3. **Que les responsabilités en vertu du mandat du Sous-comité du train léger pour 2022-2024 soient ajoutées au mandat du Comité du transport en commun (anciennement la Commission du transport en commun), comme il est décrit dans le présent rapport;**
 4. **Que la version révisée provisoire des mandats du Comité de l'agriculture et des affaires rurales et du Comité des finances et des services organisationnels soit soumise aux comités respectifs le plus tôt possible, mais au plus tard le 30 juin 2025, pour examen et recommandation au Conseil aux fins d'approbation;**

ORGANISMES CONSULTATIFS

5. **Approuver le mandat et la composition du groupe de travail sur l'examen de l'efficacité d'un gouvernement agile, comme décrit dans le présent rapport;**
6. **Demander à chaque comité consultatif d'adopter et de remettre au Bureau du greffe municipal d'ici le 30 juin 2025 les dispositions minimales obligatoires**

du Règlement de procédure révisé qui se trouvent dans le document 3 en pièce jointe;

7. Prendre acte, à titre information, de la politique sur les groupes de travail dirigés par les directions générales qui se trouve dans le document 4 en pièce jointe ainsi que du répertoire actuel des groupes de travail dirigés par les directions générales qui se trouve dans le document 5 en pièce jointe;
8. Confirmer la nomination des membres du Comité consultatif pour la sécurité et le bien-être dans les collectivités indiqués dans le document 6 à la suite de l'approbation du mandat du Comité le 2 octobre 2024 et approuver le processus de sélection et la composition du comité de sélection pour les futures nominations, comme il est décrit dans le présent rapport.

PARTIE II – RESPONSABILISATION ET TRANSPARENCE

1. Prendre connaissance du rapport annuel de la commissaire à l'intégrité de 2024, ci-joint en tant que document 7;
2. Approuver le cadre éthique à l'intention du personnel des membres du Conseil, qui sera mis en œuvre au début du mandat du Conseil pour la période 2026-2030, comme il est décrit dans le présent rapport et dans le document 8;
3. Approuver les modifications apportées au Code de conduite des membres du Conseil [*Règlement n° 2018-400*] et au Code de conduite des citoyens membres du Comité permanent du patrimoine bâti [*Règlement n° 2022-413*] comme il est décrit dans le présent rapport et dans le document 9;

PARTIE III – CONSEILS LOCAUX

1. Approuver ce qui suit en ce qui a trait à la société de services municipaux de l'Autorité du district du marché By :
 - a. Demander au personnel de collaborer avec l'Autorité du district du marché By pour examiner et mettre en œuvre les modifications procédurales qui permettraient d'appliquer les procédures du Conseil établies à l'assemblée annuelle des membres, comme il est décrit dans le présent rapport;
 - b. Approuver l'admissibilité de l'Autorité du district du marché By au Programme de subventions des initiatives de stationnement, comme il est décrit dans le présent rapport;
2. Approuver le mandat du Comité de dérogation qui se trouve dans le document 12 en pièce jointe;

3. **Modifier le *Règlement n° 199-81* (qui vise à mettre sur pied un conseil de gestion de la Zone d'amélioration du secteur Rideau), dans sa version modifiée, pour stipuler que le Conseil municipal nommera un membre du Conseil qui siégera au Conseil de gestion de la Zone d'amélioration commerciale (ZAC) du centre-ville Rideau et révoquer la nomination de la conseillère du quartier 14 au Conseil de la ZAC conformément à la composition modifiée du Conseil;**
4. **Approuver les questions suivantes liées à la Commission de service de police d'Ottawa conformément aux exigences réglementaires prévues dans la nouvelle *Loi de 2019 sur la sécurité communautaire et les services policiers*, comme il est décrit dans le présent rapport :**
 - a. **Que la Commission de service de police d'Ottawa continue d'être composée de sept membres;**
 - b. **Le Plan sur la diversité présenté dans le document 14 pour veiller à ce que les membres de la Commission de service de police d'Ottawa nommés par le Conseil soient représentatifs de la diversité de la population de la municipalité, et déléguer à la greffière municipale le pouvoir de modifier le Plan sur la diversité conformément à toute exigence réglementaire pertinente ou à toute modification apportée à une politique.**

PARTIE IV – MODIFICATIONS À DIVERS RÈGLEMENTS, POLITIQUES ET QUESTIONS CONNEXES

RÈGLEMENTS

1. **Approuver les modifications apportées au *Règlement municipal sur le directeur municipal* comme il est décrit dans le présent rapport et dans le document 15;**
2. **Approuver les modifications apportées au *Règlement municipal sur la délégation de pouvoirs* comme il est décrit dans le présent rapport et dans le document 16;**
3. **Approuver la version révisée du *Règlement de procédure* comme il est décrit dans le présent rapport et dans le document 17 en pièce jointe;**
4. **Approuver les modifications apportées au *Règlement sur les approvisionnements* comme il est décrit dans le présent rapport et dans le document 18;**

POLITIQUES ET PROCÉDURES

5. **Approuver les modifications apportées à la Politique sur la reddition de**

comptes et la transparence et l'abrogation du *Règlement n° 2014-442* comme il est décrit dans le présent rapport et dans le document 19;

6. Approuver les modifications apportées à la Politique de nomination comme il est décrit dans le présent rapport et dans le document 20;
7. Approuver la version révisée de la Politique sur les dépenses du Conseil comme il est décrit dans le présent rapport et dans le document 21;
8. Approuver les modifications apportées à la Politique sur les relations entre le Conseil et le personnel comme il est décrit dans le présent rapport et dans le document 22;
9. Approuver les modifications apportées à la Politique sur la délégation de pouvoirs comme il est décrit dans le présent rapport et dans le document 23;
10. Approuver les modifications apportées à la Politique sur les ressources liées aux élections et aux Procédures liées aux élections durant la période d'interdiction, comme il est décrit dans le présent rapport et dans les documents 24 et 25;
11. Approuver les modifications apportées à la Politique de nomination comme il est décrit dans le présent rapport et dans le document 26;
12. Approuver les modifications apportées à la Politique en matière de conduite et à la Procédure régissant l'interdiction d'entrée sans autorisation, comme il est décrit dans le présent rapport et dans les documents 27 et 28;
13. Approuver les modifications apportées à la Politique de divulgation systématique et de diffusion proactive comme il est décrit dans le présent rapport et dans le document 29;
14. Approuver les modifications apportées à la Politique relative au recrutement, à la nomination et à l'administration des contrats des titulaires d'une charge créée par une loi et des procédures connexes comme il est décrit dans le présent rapport et dans les documents 30 et 31.

PARTIE V – AUTRES QUESTIONS

1. Demander à la greffière municipale et à la trésorière municipale de présenter au Comité et au Conseil, au plus tard le 30 juin 2025, les options pour donner suite aux recommandations formulées par l'examineur indépendant (MNP Business Consulting and Advisory Services LLP) concernant le financement des budgets alloués aux services des circonscriptions des membres du Conseil, comme il est décrit dans le présent rapport;
2. Approuver la version révisée du Manuel administratif des conseillers et conseillères qui se trouve dans le document 33 en pièce jointe;

3. **Approuver la Politique de gestion des dossiers des élus qui se trouve dans le document 34 en pièce jointe;**
4. **Approuver la délégation à la greffière municipale du pouvoir de mettre en œuvre les modifications apportées aux procédures, aux processus, aux politiques et aux mandats connexes, et de présenter au besoin les règlements municipaux requis afin de donner suite aux décisions du Conseil après l’approbation du présent rapport et de manière à refléter l’actuelle structure organisationnelle.**

EXECUTIVE SUMMARY

The City of Ottawa’s governance structure, like those of other Ontario cities, facilitates the legislative process. The governance structure consists of several different but related deliberative bodies, namely City Council, standing committees, advisory committees and arm’s-length agencies, boards and commissions. It also includes the regulatory tools that govern those bodies, such as the *Procedure By-law*, *Delegation of Authority By-law*, *Procurement By-law* and various policies and procedures. As municipalities are the level of government that is closest to residents, the governance structure is designed to enable formal direct community input to Council and staff through measures such as advisory bodies, public delegations to elected representatives on standing committees, and the inclusion of public members on the Built Heritage Committee.

Since amalgamation, the City has conducted comprehensive reviews of the governance structure twice in each term of Council. The first governance review takes place at the beginning of a term of Council and traditionally is when major changes are made to the governance structure. Approximately halfway through the term, the mid-term governance review typically “tweaks” the governance structure to address any issues that have arisen in the interim.

This is the report on the mid-term governance review for the 2022-2026 Term of Council. The 2022-2026 Mid-term Governance Review, as in each previous review, was guided by the principles that any proposed change must ensure that:

- The governance structure and related processes remain transparent and accountable to the community at large;
- Changes contribute to an efficient and effective decision-making process; and
- The governance structure and related processes are focused and aligned with identified City priorities.

This report contains recommendations and proposals that are intended to build upon Council’s existing governance structure and provide for the associated by-laws, policies and procedures required for Council, committees of Council and related bodies.

In keeping with past governance reviews, recommendations were generally developed through interviews conducted with Members of Council by the City Clerk and the Manager, Governance, Elected Officials and Business Support Services. The City Clerk also met with Chairs and Vice-Chairs of the City's advisory committees, and sought input from senior staff. In addition, relevant legislative changes that came into force since the beginning of the 2022-2026 Term of Council were reviewed.

Consistent with past practice, the report may indicate where there was consensus for a recommendation among Members of Council. The report also indicates where a recommendation may originate with the Mayor and/or staff. In some instances, staff are bringing forward recommendations that arose after the consultations with Members of Council were complete. Staff believe that these recommendations align with the principles set out above. In addition, there are a number of recommended "housekeeping" amendments, which are changes involving existing processes that need to be "cleaned up," or where new direction or updates are suggested.

As in previous governance reviews, the City Clerk worked closely with the Mayor in finalizing the recommendations in this report. In addition to new powers of the Mayor provided by Bill 3, the *Strong Mayors, Building Homes Act, 2022*, fundamental responsibilities of the "head of council" under subsections 225(c) and (c.1) of the *Municipal Act, 2001* include, "to provide leadership to the council," and, "... to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1)." Clauses 224 (d) and (d.1) relate specifically to Council's responsibilities to ensure that administrative and controllership policies, practices and procedures "are in place to implement the decisions of council," and "to ensure the accountability and transparency of the operations of the municipality ...".

The *Municipal Act, 2001* as amended by Bill 3 assigns powers to the Mayor with respect to determining committee structure and appointing committee Chairs and Vice-Chairs for prescribed committees. In order to provide for Council to consider matters set out in this report, the Mayor has delegated these powers to Council in accordance with relevant legislative provisions, as set out in Document 1.

This report recommends that on January 22, 2025, Council:

- Receive the Mayor's delegation;
- Approve that the Nominating Committee shall convene on January 28, 2025, to consider changes to memberships on standing committees and other bodies; and
- Receive and table the remainder of this report.

It is further recommended that at its meeting of January 29, 2025, Council consider and approve the remaining report recommendations, some of which are summarized below:

Part I – Council, standing committees and related matters

Further to Member feedback regarding workload and the efficiency of the legislative process, the Mayor has worked with staff to develop a set of proposed measures that would update the committee structure and provide for Members to evaluate their commitments, rebalance their workloads and refocus their work as required.

The proposed mid-term standing committee renewal recommendations would:

- Streamline the committee structure by dissolving the Light Rail Sub-Committee, which has largely achieved its mandate. This would also reduce the number of committees on which Members must sit;
- Reduce the meeting frequency for certain committees, providing for efficient management of the legislative agenda and Members' time; and
- Allow Members to update memberships on standing committees through the mid-term Nominating Committee process.

In addition, proposed changes and actions with respect to committee mandates include as follows:

- Staff intend to bring forward proposed updates to the Agriculture and Rural Affairs Committee's Terms of Reference to strengthen the committee's mandate and ensure that reports with significant rural implications should be considered by this committee, further to consultation conducted for Rural Summit 2024 and this report.
- Finance and Corporate Services staff recommend that the Finance and Corporate Services Committee have responsibility regarding all matters and reports associated with all current and future Long Range Financial Plans, as well as various departmental finance-related reports that are anomalies under current reporting practices. In addition, in accordance with recommendations from the City's Auditor General, the Finance and Corporate Services Committee's role with respect to cybersecurity would be formalized, and staff would provide related training.
- The renamed Transit Committee would take on any outstanding responsibilities of the former Light Rail Sub-Committee.

Further to the substantive mandate updates proposed for the Agriculture and Rural Affairs Committee and Finance and Corporate Services Committee, staff would bring forward revised Terms of Reference to those committees as soon as practicable (but no later than the end of Q2 2025) for consideration and recommendation to Council for approval.

With respect to advisory bodies:

- The Mayor, working with several Councillors, is proposing a new working group to review service responsiveness, recommend a process review and make suggestions to reduce timelines for service delivery.
- Staff reviewed various matters relating to advisory committees, and recommend Council approve updated minimum provisions for advisory committee procedure by-laws.
- Further to a review of procedural guidance for department-led working groups, a new corporate administrative policy was created that incorporates advice and feedback from a Council sponsors group. The policy and an inventory of department-led working groups are provided for Council's information.
- Staff recommend Council confirm the appointment of members of the Community Safety and Well-Being Advisory Committee, further to Terms of Reference approved by Council on October 2, 2024. It is also recommended that Council approve the process and composition of the selection panel to be used for future appointments to this advisory committee.

Information is also provided regarding other Council- and committee-related matters that were reviewed, including performance measures that may be used to assess the efficiency and effectiveness of advisory bodies, and the Council and committee report template.

Part II – Accountability and transparency

- The 2024 Annual Report of the Integrity Commissioner is provided.
- A proposed Ethical Framework for Members' Staff is recommended as a code of conduct for Members' staff in recognition of the unique work environment of an elected official's office. If approved, the proposed Ethical Framework would be implemented for the beginning of the 2026-2030 Term of Council.
- Updates to Council-approved codes of conduct are recommended to address matters such as legislative changes, the reimbursement of legal fees to Members who are the subject of an inquiry, changes to the Complaint Protocol and "housekeeping" amendments.

Part III – Local boards

- This report recommends Council direct staff to attempt to address some procedural matters relating to the ByWard Market District Authority (BMDA) Annual Meeting of Members. It is also recommended that the BMDA be eligible to participate in the City's Parking Initiatives Grant Program, given the BMDA's new and expanded operating mandate in the area previously under the jurisdiction of the former ByWard Market BIA, which includes public paid parking.

- Following an organizational review of the Committee of Adjustment, proposed formalized Terms of Reference set out the committee's mandate and structure, and highlight the arm's length relationship between Council, the City administration and the committee. The draft Terms of Reference also describe roles, responsibilities and reporting/working relationships. In addition, further to Council direction, this report provides updates regarding the implementation of matters related to the organizational review, as well as responses to comments regarding the Committee of Adjustment that were submitted by the Federation of Citizens' Associations.
- Further to a request from the Board of Management for the Downtown Rideau Business Improvement Area, it is recommended the board composition be amended to remove one of two Members of Council.
- In accordance with new statutory requirements, it is recommended Council confirm the size of the Ottawa Police Service Board and approve a Diversity Plan to ensure that the members of the board appointed by Council are representative of the diversity of the population in the municipality.

Part IV – Amendments to by-laws, policies and related matters

- The traditional review of the *Procedure By-law*, the *Delegation of Authority By-law* and the *Procurement By-law* was completed, with various amendments brought forward for consideration. Changes to the *City Manager By-law* are also recommended to reflect updated statutory provisions.
- Various policy updates are recommended, as set out in the report and related attachments.

Part V – Other matters

- In accordance with direction from Council, staff retained MNP Business Consulting and Advisory Services LLP to undertake an independent third-party review of the funding allocation for the Constituency Services Budgets of Members of Council, the pay scales and job descriptions for Members' staff, and Members' remuneration. Further to MNP's review, it is recommended that Council direct the City Clerk and City Treasurer to bring forward for Council's consideration options to address MNP's recommendations relating to the funding allocation for Constituency Services Budgets.
- An updated Councillors' Office Manual sets out policies and procedures related to the administration of Members' offices. Proposed updates to the manual would address matters such as policy changes and legislative training requirements.
- A proposed Elected Officials Records Management Policy would incorporate, formalize and centralize past guidance and information provided to Members of

Council with respect to records management. The policy does not introduce any new requirements for Members, but may particularly assist Members in the event of an access to information request under the *Municipal Freedom of Information and Protection of Privacy Act*, and in times of Member and staff transition.

RÉSUMÉ

La structure de gouvernance de la Ville d'Ottawa, comme celles d'autres villes de l'Ontario, appuie le processus législatif. La structure de gouvernance se compose de plusieurs organes délibérants différents, mais liés entre eux, à savoir le Conseil municipal, les comités permanents et les comités consultatifs, ainsi que des agences, conseils et commissions indépendants. Elle comprend également les mécanismes réglementaires régissant ces instances, comme le *Règlement de procédure*, le *Règlement sur la délégation de pouvoirs*, le *Règlement sur les approvisionnements* et diverses autres procédures et politiques. Puisque les municipalités sont l'ordre de gouvernement le plus près de la population, leur structure de gestion publique est conçue pour permettre la participation directe et formelle de la population à l'aide de mécanismes comme les organismes consultatifs, les présentations devant les représentantes et représentants élus siégeant aux comités permanents et la participation de membres du public au Comité du patrimoine bâti.

Depuis la fusion, la Ville réalise deux examens complets de la structure de gestion publique au cours de chaque mandat du Conseil. Le premier examen a lieu en début de mandat et habituellement lorsque d'importants changements sont apportés à la structure de gestion publique. L'examen de mi-mandat apporte habituellement de légères modifications à la structure afin de remédier aux problèmes survenus en cours de mandat.

Le présent rapport concerne l'examen de mi-mandat de la structure de gestion publique pour le mandat 2022-2026 du Conseil. L'examen de mi-mandat de la structure de gestion publique 2022-2026, comme les examens précédents, s'est inspiré des principes selon lesquels tout changement proposé doit faire en sorte que :

- La structure de gestion publique de la Ville et les procédures correspondantes demeurent transparentes et permettent de rendre compte à la population en général;
- Les modifications apportées rendent le processus décisionnel plus efficace et efficient;
- La structure de gestion publique et les processus connexes sont conformes aux priorités définies de la Ville.

Le présent rapport contient des propositions et des recommandations qui prennent appui sur la structure actuelle de gouvernance du Conseil. Il propose les politiques, les

procédures et les règlements nécessaires au fonctionnement du Conseil, des comités permanents et des organismes connexes.

Conformément aux examens précédents de la structure de gestion publique, ces recommandations sont le résultat de consultations menées auprès des membres du Conseil par la greffière municipale et le gestionnaire, Gouvernance et Services de soutien des élus et des activités. La greffière municipale a également rencontré les présidents et les vice-présidents des comités consultatifs de la Ville et a consulté les cadres supérieurs. Les modifications législatives qui ont pris effet depuis le début du mandat du Conseil 2022-2026 ont également fait l'objet d'un examen.

Conformément à la pratique antérieure, le rapport indique les cas où une recommandation a fait l'objet d'un consensus parmi les membres du Conseil. Lorsqu'une recommandation provient du maire ou du personnel, le rapport le précise également. Dans certains cas, le personnel formule des recommandations découlant des consultations avec les membres du Conseil. Le personnel estime que ces recommandations respectent les principes énoncés précédemment. De plus, le rapport recommande plusieurs modifications d'ordre administratif, à savoir des changements apportés aux procédures administratives qui ont besoin d'être « dépolissées » ou des suggestions de nouvelles orientations ou de mises à jour.

Comme dans les examens précédents de la structure de gestion publique du Conseil, la greffière municipale a travaillé en étroite collaboration avec le maire pour parachever les recommandations de ce rapport. Outre les nouveaux pouvoirs que confère au maire le projet de loi 3, *Loi de 2022 pour des maires forts et pour la construction de logements*, les responsabilités fondamentales du « chef du Conseil municipal » (en vertu des paragraphes 225 [c] et [c.1] de la *Loi de 2001 sur les municipalités*) incluent « de faire preuve de leadership dans ses rapports avec le conseil [et]... de fournir des renseignements et faire des recommandations au Conseil à l'égard du rôle de celui-ci visé aux alinéas 224 (d) et (d.1) ». Les alinéas 224(d) et (d.1) portent précisément sur les responsabilités du Conseil de faire en sorte que des politiques, des pratiques et des procédures administratives et en matière de contrôle « soient en place pour mettre en œuvre ses décisions » et « veiller à la responsabilisation et à la transparence des opérations de la municipalité [...] ».

La *Loi de 2001 sur les municipalités*, qui a été modifiée par le projet de loi 3, attribue au maire des pouvoirs en ce qui concerne l'établissement de la structure des comités et la nomination des présidents et des vice-présidents de comités. Afin de permettre au Conseil de se pencher sur les éléments dont il est question dans le présent rapport, le maire a délégué ces pouvoirs au Conseil conformément aux dispositions législatives pertinentes, comme il est décrit dans le document 1.

Le présent rapport recommande au Conseil d'effectuer ce qui suit le 22 janvier 2025 :

- prenne acte de la délégation par le maire;
- approuve la tenue de la réunion du Comité des candidatures le 28 janvier 2025, dans le cadre de laquelle il examinera les modifications apportées à la composition des comités permanents et d'autres organismes;
- prenne connaissance du reste du rapport et le dépose.

On recommande également au Conseil d'examiner et d'approuver les autres recommandations du rapport, dont certaines sont résumées ci-dessous, lors de sa réunion du 29 janvier 2025 :

Partie I – Conseil municipal, comités permanents et questions connexes

Pour faire suite aux commentaires des membres concernant la charge de travail et l'efficacité du processus législatif, le maire collabore avec le personnel pour mettre au point un ensemble de mesures visant à moderniser la structure des comités et à permettre aux membres d'évaluer leurs engagements, de rééquilibrer leurs charges de travail et de recentrer leur travail, au besoin.

Les recommandations proposées relatives au renouvellement des comités permanents à mi-mandat permettraient de :

- simplifier la structure des comités en dissolvant le Sous-comité du train léger, qui a essentiellement accompli son mandat. Cela permettrait également de réduire le nombre de comités auxquels les membres doivent siéger;
- réduire la fréquence des réunions de certains comités, ce qui améliorerait l'efficacité de la gestion du programme législatif et de l'horaire des membres;
- mettre à jour l'adhésion des membres aux comités permanents dans le cadre du processus du Comité des candidatures à mi-mandat.

Voici également certaines des modifications et des mesures proposées relatives aux mandats des comités :

- Le personnel a l'intention de proposer des mises à jour à apporter au mandat du Comité de l'agriculture et des affaires rurales afin de renforcer ce dernier et de veiller à ce que les rapports ayant des répercussions sur les zones rurales soient pris en compte par le Comité, à la suite de la consultation menée dans le cadre du Sommet rural 2024 et de la rédaction du présent rapport.
- Le personnel de la Direction générale des finances et des services organisationnels recommande que le Comité des finances et des services organisationnels s'occupe des questions et des rapports ayant trait aux plans financiers à long terme actuels et futurs ainsi que des divers rapports de la Direction générale liés aux finances qui sont considérés comme des anomalies en vertu des pratiques en matière d'établissement de rapports. De plus,

conformément aux recommandations de la vérificatrice générale, le rôle du Comité des finances et des services organisationnels en ce qui a trait à la cybersécurité serait officialisé, et le personnel donnerait la formation connexe.

- Le Comité du transport en commun assumerait toutes les responsabilités en suspens de l'ancien Sous-comité du train léger.

Pour faire suite aux importantes modifications apportées aux mandats du Comité de l'agriculture et des affaires rurales et du Comité des finances et des services organisationnels, le personnel soumettrait les mandats révisés aux comités respectifs le plus tôt possible (mais au plus tard à la fin du T2 2025), pour examen et recommandation au Conseil aux fins d'approbation.

En ce qui concerne les organismes consultatifs :

- Le maire, travaillant de concert avec plusieurs conseillers, propose la création d'un nouveau groupe de travail pour examiner la réactivité des services, recommander un examen des processus et formuler des suggestions visant à réduire les délais pour la prestation des services.
- Le personnel a examiné différentes questions touchant les comités consultatifs et recommande au Conseil d'approuver les dispositions minimales du *Règlement de procédure des comités consultatifs* mis à jour.
- Pour faire suite à l'examen d'une orientation procédurale pour les groupes de travail dirigés par les directions générales, une nouvelle politique administrative municipale a été mise au point. Celle-ci tient compte des conseils et des commentaires d'un groupe de conseillers parrains. La politique ainsi qu'une liste des groupes de travail actuellement dirigés par les directions générales sont également fournies au Conseil à titre d'information.
- Le personnel recommande au Conseil de confirmer la nomination des membres du Comité consultatif pour la sécurité et le bien-être dans les collectivités à la suite de l'approbation du mandat par le Conseil le 2 octobre 2024. On recommande également au Conseil d'approuver le processus de sélection et la composition du comité de sélection pour les futures nominations à ce comité consultatif.

De l'information est également fournie sur les questions relatives au Conseil et aux comités qui ont été examinées, notamment les mesures de rendement qui pourraient être utilisées pour évaluer l'efficacité et l'efficacités des organismes consultatifs et le modèle de rapport destiné au Conseil et aux comités.

Partie II – Reddition de comptes et transparence

- Le rapport annuel de la commissaire à l'intégrité de 2024 est joint.

- On recommande la mise en œuvre d'un cadre éthique à l'intention du personnel des membres du Conseil, qui agira comme un code de conduite des membres du Conseil et tiendra compte de l'environnement de travail unique que constitue tout bureau d'un représentant élu. S'il est approuvé, le cadre éthique proposé serait mis en œuvre au début du mandat du Conseil pour la période 2026-2030.
- On recommande la mise à jour des codes de conduite approuvés par le Conseil pour aborder certaines questions comme les modifications législatives, le remboursement des frais juridiques engagés par les membres qui font l'objet d'une enquête, les modifications apportées au Protocole régissant les plaintes ainsi que les modifications d'ordre administratif.

Partie III – Conseils locaux

- Le présent rapport recommande au Conseil de demander au personnel d'aborder certaines questions de procédure liées à l'assemblée annuelle des membres de l'Autorité du district du marché By (ADMB) On recommande également de rendre l'ADMB admissible au Programme de subventions des initiatives de stationnement de la Ville étant donné le nouveau mandat d'exploitation et le mandat d'exploitation élargi de l'ADMB dans le secteur qui relevait auparavant de la compétence de l'ancienne zone d'amélioration commerciale (ZAC) du marché By, qui comprend un stationnement public payant.
- À la suite d'un examen organisationnel du Comité de dérogation, on a proposé un mandat formel qui définit non seulement le mandat et la structure du Comité, mais souligne la relation d'indépendance entre le Conseil, l'Administration municipale et le Comité. La version provisoire du mandat décrit également les rôles, les responsabilités et les relations hiérarchiques et de travail. Conformément aux directives du Conseil, le présent rapport fait également le point sur la mise en œuvre des questions liées à l'examen organisationnel ainsi que sur les réponses aux commentaires concernant le Comité de dérogation qui ont été soumises par la Fédération des associations civiques.
- À la suite d'une demande formulée par le Conseil de gestion de la Zone d'amélioration commerciale (ZAC) du centre-ville Rideau, on recommande de modifier la composition du Conseil pour supprimer la participation d'un ou deux membres du Conseil.
- Conformément aux nouvelles exigences réglementaires, on recommande au Conseil de confirmer le nombre de membres qui doivent siéger à la Commission de service de police d'Ottawa et d'approuver le Plan sur la diversité pour veiller à ce que les membres de la Commission nommés par le Conseil soient représentatifs de la diversité de la population de la municipalité.

Partie IV – Modifications à divers règlements, politiques et questions connexes

- Le traditionnel examen du *Règlement de procédure*, du *Règlement sur la délégation de pouvoirs* et du *Règlement sur les approvisionnements* a été réalisé, et diverses modifications ont été soumises aux fins d'examen. On recommande également que les modifications qui seront apportées au *Règlement sur le directeur municipal* tiennent compte des dispositions de la loi mises à jour.
- On recommande de mettre à jour diverses politiques, comme il est décrit dans le présent rapport et les pièces jointes connexes.

Partie V – Autres questions

- Conformément à la directive du Conseil, le personnel a retenu les services de MNP Business Consulting and Advisory Services LLP pour réaliser un examen indépendant du financement des budgets alloués aux services des circonscriptions des membres du Conseil, des échelles salariales et de la description des tâches des adjointes et adjoints des conseillères et conseillers, ainsi que de la rémunération des membres du Conseil. À la suite de l'examen de MNP, on recommande au Conseil de demander à la greffière municipale et à la trésorière municipale de soumettre les options pour donner suite aux recommandations de MNP concernant le financement des budgets alloués aux services des circonscriptions à l'étude du Conseil municipal.
- Le Manuel administratif des conseillers actualisé présente les politiques et procédures pertinentes liées à l'administration des bureaux des membres du Conseil, est annexé au présent rapport. Les mises à jour proposées portent notamment sur les modifications apportées aux politiques et sur les exigences réglementaires en matière de formation.
- La Politique de gestion des documents proposée intègre, officialise et centralise les conseils et les renseignements en matière de gestion des dossiers donnés aux membres du Conseil. La Politique ne contient pas de nouvelles exigences pour les membres, mais pourrait aider ces derniers dans le cadre d'une demande d'accès à l'information présentée en vertu de la *Loi sur l'accès à l'information municipale et la protection de la vie privée* et lors d'un changement de membres du Conseil ou de membres du personnel.

BACKGROUND

The City of Ottawa's governance structure, like those of other Ontario cities, facilitates the legislative process. The governance structure consists of several different but related deliberative bodies, namely City Council, standing committees, advisory committees and arm's-length agencies, boards and commissions. It also includes the

regulatory tools that govern those bodies, such as the *Procedure By-law*, *Delegation of Authority By-law*, *Procurement By-law* and various policies and procedures. The governance structure is designed to enable formal direct community input to Council and staff through measures such as advisory bodies, public delegations to elected representatives on standing committees, and the inclusion of public members on the Built Heritage Committee.

Since amalgamation, the City has conducted comprehensive reviews of the governance structure twice in each term of Council. The first governance review takes place at the beginning of a term of Council and traditionally is when major changes are made to the governance structure. Approximately halfway through the term, the mid-term governance review typically “tweaks” the governance structure to address any issues that have arisen in the interim. Recommendations in both governance review reports are generally developed based on consensus established through consultations with Members of Council, members of the Senior Leadership Team and operational staff.

The 2022-2026 Mid-term Governance Review, as in each previous review, was guided by the principles that any proposed change must ensure that:

- The governance structure and related processes remain transparent and accountable to the community at large;
- Changes contribute to an efficient and effective decision-making process; and
- The governance structure and related processes are focused and aligned with identified City priorities.

The City’s authority is determined by its enabling legislation, which primarily is the *Municipal Act, 2001* and the *City of Ottawa Act, 1999*. A key set of amendments to the *Municipal Act, 2001* occurred through Bill 130, the *Municipal Statute Law Amendment Act, 2006*. Bill 130 received Royal Assent on December 20, 2006, and many of its changes to the act came into effect by January 2008. The overall intent of the changes in Bill 130 was to provide municipalities with flexibility and autonomy to respond to local matters and fulfill responsibilities within their jurisdiction. To this end, the legislation provided municipalities with greater powers and autonomy that were balanced with increased accountability and transparency measures. The changes to the statute have influenced the evolution of the City’s governance structure and practices since its enactment.

Further legislative changes approved by the Ontario Legislature in recent years will continue to shape the municipal governance structure. This includes legislation such as Bill 3, the *Strong Mayors, Building Homes Act, 2022*, and various planning- and police-related pieces of legislation. Bill 3 and its related regulations came into force on November 23, 2022, and provide the Mayor with additional powers beyond those previously set out in the *Municipal Act, 2001*, including:

- Appointing and dismissing the Chief Administrative Officer/City Manager as well as various senior managers;
- Appointing Chairs/Vice-Chairs for “prescribed committees, or committees within a prescribed class of committees,” and establishing or dissolving such prescribed committees;
- Bringing matters forward for Council consideration if the Mayor “is of the opinion that considering a particular matter could potentially advance a prescribed provincial priority”;
- Vetoing certain by-laws approved by Council if the Mayor “is of the opinion that all or part of the by-law could potentially interfere with a prescribed provincial priority”; and
- Proposing and preparing the municipal budget.

Recommendations and proposals in this report are intended to build upon Council’s existing governance structure and provide for the associated by-laws, policies and procedures required for Council, committees of Council and related bodies. As part of the preparation for the report, the City Clerk and Manager, Governance, Elected Officials and Business Support Services, consulted with elected representatives, Chairs and Vice-Chairs of the City’s advisory committees, members of the Senior Leadership Team and operational staff, as well as staff in the Office of the City Clerk, Legal Services and the City Manager’s Office who work most closely with the legislative process. Matters considered through the governance review process were raised in a number of ways, including referral or direction from a committee or Council, changes in provincial legislation, and suggestions from individual Members of Council or staff.

Consistent with past practice, the report may indicate where there was consensus for a recommendation among Members of Council. The report also indicates where a recommendation may originate with the Mayor and/or staff. In some instances, staff are bringing forward recommendations that arose after the consultations with Members of Council were complete. Staff believe that these recommendations align with the principles set out above. In addition, there are a number of recommended “housekeeping” amendments, which are changes involving existing processes that need to be “cleaned up,” or where new direction or updates are suggested.

As in previous governance reviews, the City Clerk worked closely with the Mayor in finalizing the recommendations in this report. In addition to the new powers of the Mayor provided in Bill 3, fundamental responsibilities of the “head of council” under subsections 225(c) and (c.1) of the *Municipal Act, 2001* include, “to provide leadership to the council,” and, “... to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1).” Clauses 224(d) and (d.1) relate specifically to Council’s responsibilities to ensure that administrative and

controllership policies, practices and procedures “are in place to implement the decisions of council,” and “to ensure the accountability and transparency of the operations of the municipality ...”.

DISCUSSION

As noted above, recommendations in this report generally result from consultations with elected officials and City staff. Certain matters raised for consideration in the governance review process may not have resulted in recommendations because there was no consensus among Members of Council with respect to these matters, or because the issues are being addressed through other staff reports, initiatives or undertakings that may be described in this report.

It should also be noted that significant matters and proposed amendments are generally summarized in the body of this report, with details appearing in the appendices as required. Minor matters of an administrative nature (for example, correction/updating of department names and staff titles, etc.) may not be expressly identified within the report, but are noted in the appendices.

Matters for Council to address on January 22, 2025

Recommendation 1(a): Receiving the Mayor’s delegation of certain assigned statutory powers

The *Municipal Act, 2001* and Ontario Regulation 530/22 assign the following powers to the Mayor further to Bill 3, the *Strong Mayors, Building Homes Act, 2022*:

- Powers with respect to prescribed committees, including the power to establish or dissolve committees, appoint committee Chairs and Vice-Chairs, and assign functions to committees (Section 284.8 of the *Municipal Act, 2001*). Section 4 of the regulation provides that prescribed committees are, “Committees established under the Act that consist solely of members of council.”

To provide for Council to consider matters in this report relating to the standing committee structure, Terms of Reference and the appointment process for committee Chairs and Vice-Chairs, the Mayor has delegated the above-noted powers to Council in accordance with delegation provisions set out in Subsection 284.13(1) of the *Municipal Act, 2001* and Subsection 6(1) of Ontario Regulation 530/22.

The Mayor’s delegation is provided in Document 1. It is recommended that Council formally receive the delegation in accordance with past practice.

Recommendation 1(b): Approving that Nominating Committee convene to consider changes to memberships on standing committees and other bodies

In accordance with the City’s *Procedure By-law*, the Nominating Committee makes recommendations to Council regarding the appointments of Members of Council to

standing committees and other bodies. On December 7, 2022, Council approved Motion No. 2022-03/02, as amended, which appointed the following Members to serve as the Nominating Committee:

- Mayor Sutcliffe (Chair)
- Councillor Brockington
- Councillor Curry
- Councillor Gower
- Councillor Kavanagh
- Councillor Kitts
- Councillor Tierney

Through consideration of the [2022-2026 Council Governance Review](#) report, Council approved a recommendation that Chairs and Vice-Chairs be appointed until Council considers the 2022-2026 Mid-term Governance Review report. In addition, the mid-term governance review is a regular opportunity for Members of Council to review their membership on standing committees and other bodies, and to make any changes. As part of the consultation for this report, Members were provided an opportunity to advise of any requests for changes to memberships on standing committees and other bodies, and Members also raised such requests directly with the Mayor.

As such, this report recommends that Council approve that the Nominating Committee convene on January 28, 2025, to consider:

- Changes to memberships on standing committees and other bodies; and
- Appointment of standing committee Chairs and Vice-Chairs for the remainder of the 2022-2026 Term of Council.

The Nominating Committee process would be similar to the process used at the beginning of the term of Council, as set out in sections 94 and 95 of the *Procedure By-law*:

- The Nominating Committee considers the appointments by way of a series of motions, regularly moved.
- The motions may be coordinated by the Mayor and moved by members of the Nominating Committee, keeping in mind the need to ensure a City-wide balance and perspective, as well as recognizing as much as possible each Councillor's previous service, experience and areas of interest.

- The Nominating Committee votes on the motions, as well as any motions from the floor to add/remove additional candidates.
- The Nominating Committee may approve motions to add additional Members of Council to any committee until the maximum membership is reached (12 is generally the maximum possible membership). If more Members are nominated than places on the committee, a run-off vote is held.
- A report containing the recommendations of the Nominating Committee will be submitted to the next Council meeting (**Wednesday, January 29, 2025**).

Recommendation 1(c): Receiving and tabling the remainder of this report

This report recommends Council receive and table the remainder of this report after receiving the Mayor's delegation and approving the convening of the Nominating Committee as described above. Council would address the remainder of the report on January 29, 2025.

Matters for Council to address on January 29, 2025

At its meeting of January 29, 2025, Council is to consider the recommendations and matters described below:

Part I – Council, standing committees and related matters

Council and committee structure and related matters

Mid-term renewal for standing committees

Part I, Recommendation 1:

Approve the mid-term renewal measures for standing committees as described in this report, including:

- a. **The following Council committee structure for the remainder of the 2022-2026 Term of Council, effective immediately and including that the Light Rail Sub-Committee be dissolved and the Transit Commission be renamed as the Transit Committee, as described in this report:**
 - i. **Agriculture and Rural Affairs Committee;**
 - ii. **Audit Committee;**
 - iii. **Built Heritage Committee;**
 - iv. **Community Services Committee;**
 - v. **Debenture Committee;**
 - vi. **Emergency Preparedness and Protective Services Committee;**

- vii. **Environment and Climate Change Committee;**
 - viii. **Finance and Corporate Services Committee;**
 - ix. **Planning and Housing Committee;**
 - x. **Transit Committee; and**
 - xi. **Transportation Committee;**
- b. **The revised meeting frequency for standing committees as outlined in this report; and**
 - c. **The amendments and process to revise the 2025 meeting schedule, as described in this report.**

Various Members of Council have advised the Mayor and staff of a need to balance workload and to improve the efficiency of the legislative process while ensuring Members are consistently able to address constituency matters. Feedback from Members has included the following:

- There has been a heavy legislative agenda that is expected to continue throughout the remainder of the term;
- Standing committee requirements in addition to constituency work and other Council-approved roles such as appointments to external agencies and boards have led to a substantial workload;
- Members of the public and Members of Council would benefit from any increased ability for Members to focus on constituency work and key committee files; and
- Committee meetings and mandates in some instances could be more focused and efficient.

The Mayor has worked with staff to address Member feedback by developing a set of proposed measures that would renew standing committees at this midpoint of the term of Council. The recommended changes would update the committee structure and provide for Members to evaluate their commitments, rebalance their workloads and refocus their work as required. Members could also build on experience gained during the current term and continue in current roles or pursue new opportunities.

Specifically, the proposed mid-term standing committee renewal recommendations would:

- Streamline the committee structure by dissolving the Light Rail Sub-Committee, which has largely achieved its mandate. This would also reduce the number of committees on which Members must sit;

- Reduce the meeting frequency for certain committees, providing for efficient management of the legislative agenda and Members' time; and
- Allow Members to update memberships on standing committees through the mid-term Nominating Committee process.

Staff note that on August 23, 2023, Council approved [Motion No. 2023 – 19-10](#), which included the following resolution relating to committee and board workload:

THEREFORE BE IT RESOLVED that City Council direct the City Clerk to include the following matters relating to Standing Committee and board governance as part of the 2022-2026 Mid-term Governance Review process:

- 1. A review of additional support provided to leadership roles such as Committee and Board Chairs, and Ward-/position-specific appointments, as described in this motion, including but not limited to reviewing current levels and allocation of funding, and reviewing proposed approaches that would provide for Committee Vice-Chairs and/or Ward-/position-specific appointments to receive additional support in recognition of increased workload; and**
- 2. That Members of Council continue to be consulted regarding their Committee and Board workload, and that amendments to Committee membership and/or a potential reduction in the size of Committees be considered should Members raise workload concerns.**

It is anticipated that recommendations associated with the mid-term standing committee renewal would eliminate any need for additional support in recognition of an increased workload as described in the above-noted motion, which would allow for the updated legislative framework to be supported within the current financial environment.

Any potential reduction in the size of standing committees could be considered through the 2026-2030 Council Governance Review should any changes be required further to the measures proposed in this report.

Proposed changes related to the recommended mid-term renewal are described below.

a. Updated Council committee structure for the remainder of the 2022-2026 Term of Council

The recommended updated Council committee structure includes a proposal to dissolve the Light Rail Sub-Committee and move the sub-committee's mandate to a renamed Transit Committee, as described in more detail in the section of this report relating to committee mandates (see Part I, Recommendation 3). It is anticipated that an overall requirement to sit on fewer committees would help to mitigate the workload issues

identified by Members (the Light Rail Sub-Committee is composed of six members, plus the Mayor as an *ex officio* member), complementing the changes proposed to meeting frequency described below. Other amendments to committee Terms of Reference and practices recommended in this report would similarly provide for increased efficiency and effective use of staff and Member time.

As noted above, it is also proposed that the Transit Commission be renamed as the Transit Committee, further to the changes that removed citizen appointees from the Transit Commission's membership through the 2022-2026 Council Governance Review process. The updated committee name would align with the naming of other standing committees of Council, and removing references to "commission" would also simplify language relating to standing committees in governance-related documents such as the *Procedure By-law*.

b. Revised standing committee meeting frequency

Subsection 81(1) of the *Procedure By-law* includes that regular meetings of standing committees "shall be on the day(s) of the week determined by Council ..." and "... shall be held monthly or at the frequency determined by Council." All committee Chairs may hold Special Meetings as required, subject to Section 87 of the *Procedure By-law*.

Currently, standing committees generally meet at the frequency reflected in the Council, committee and commission calendar approved through the [2022-2026 Council Governance Review](#) report. In some cases, the calendar provides for a range of potential meeting frequencies and limits, as indicated in Document 2.

To better align the meeting frequency with committee and Member workloads, and develop a straightforward and consistent schedule, the Mayor recommends that the regular meeting frequency for all standing committees that do not have statutory requirements be updated such that they would meet six times per year, as noted in Document 2. Each committee Chair would retain the ability to call Special Meetings in accordance with the *Procedure By-law*.

From a scheduling perspective, the proposed changes would free up consistent days (Mondays and Fridays) that could be used to accommodate Special Meetings as required, and would otherwise give Members some certainty regarding days they may generally expect to be free of committee meetings to focus on constituent matters and/or key files.

Given the need for the Agriculture and Rural Affairs Committee, Built Heritage Committee, and Planning and Housing Committee to meet statutory timelines associated with planning-related applications, these committees would generally continue to meet at their current frequency (with proposed changes to the Planning and

Housing Committee meeting schedule as described below). In addition, the Audit Committee and Debenture Committee would continue to meet at the call of the Chair due to their respective mandates and processes.

c. Revised 2025 meeting schedule

The Office of the City Clerk, in consultation with the Mayor’s Office, proposes revising the 2025 Council and committee meeting schedule to provide for the following:

- Changes to reflect the proposed revised standing committee meeting frequency as described above. In practice, few changes to the current meeting schedule would be anticipated in Q1 and Q2 as the legislative calendar has largely been set. It is recommended that staff consult with departments and committee Chairs to align any “removed” meetings with the legislative agenda. Revised schedules would be circulated to Members of Council by the end of February 2025, with relevant changes to be implemented as early as March 2025.
- An updated meeting schedule for the Planning and Housing Committee and City Council that would provide consistency (with each generally meeting on specific Wednesdays) while continuing to meet statutory timelines and other requirements, as described below. This proposed schedule change would take effect in May 2025.

Currently, City Council and the Planning and Housing Committee meet every two weeks, on alternating Wednesdays, in accordance with a schedule approved by Council on June 14, 2023, through consideration of the staff report titled, “[Bill 109 Implementation Phase 2](#).” This staff report built on previous reports aimed at addressing legislative changes under Bill 109, the *More Homes for Everyone Act, 2022*, which received Royal Assent on April 14, 2022. Among other things, Bill 109 condensed the timelines to reach a decision on Zoning By-law Amendment reports that go through committee before rising to Council for consideration, and mandated application fee refunds if the timelines were not met.

On December 7, 2022, Council considered the 2022-2026 Council Governance Review report and took a preliminary step from a scheduling perspective to ensure statutory timelines were met.¹ The June 2023 “Bill 109 Implementation Phase 2” staff report stated it was necessary to further increase the frequency of Planning and Housing Committee and Council meetings in order to accommodate the changes under Bill 109, and recommended Council approve an updated meeting schedule that provided for

¹ Specifically, Council approved what is being proposed now: That the Planning and Housing Committee meet on the first and third Wednesdays of the month, with the opportunity for the Chair to schedule an additional regular committee meeting as required on a Wednesday that is not a Council meeting date. Council would meet on the second and fourth Wednesdays, with the ability of the Mayor to schedule an additional regular Council meeting on a Wednesday that is not a Planning and Housing Committee date.

alternating Council and Planning and Housing Committee meetings on Wednesdays. On June 14, 2023, Council approved a recommendation that stated as follows:

Schedule Council and Planning and Housing Committee meetings bi weekly on alternating Wednesdays, and that additional meetings scheduled during traditional legislative breaks in January, March break, July, August, and December, be convened as special meetings, if required, to consider any Zoning By-law amendments or any other time-sensitive items approved by the Chair.

Following Council's approval, the alternating meeting schedule took effect in October 2023 and continues at the present time.

On June 6, 2024, Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, received Royal Assent. Bill 185 made various changes, including removing the requirement for refunds related to missed statutory timelines. On September 18, 2024, Council considered the report titled, "[Bill 185 Implementation with respect to Development Review, and Bill 109 Monitoring Report](#)," and approved administrative changes meant to allow for continued compliance and the same level of intensity of service.

Following additional experience with the current legislative regime and timelines, and the various Council-approved administrative changes, staff now believe the Planning and Housing Committee and Council meeting schedules can be simplified by reimplementing the schedule approved through the 2022-2026 Council Governance Review report. Staff anticipate that statutory timelines and other requirements relating to the planning process will continue to be met under the revised meeting schedule, and the proposed schedule would provide for more consistency as well as a slight reduction in Council and Planning and Housing Committee meetings that would contribute to reducing the meeting-related demands placed on Members.

As such, the following changes are proposed to take effect in May 2025:

Council/committee	Current meeting schedule	Revised meeting schedule
City Council	Every second Wednesday (alternating with Planning and Housing Committee).	Twice per month (second and fourth Wednesdays), with the ability of the Mayor to schedule an additional regular Council meeting on a Wednesday that is not a Planning and Housing Committee meeting date.
Planning and	Every second	Twice per month (first and third

Council/committee	Current meeting schedule	Revised meeting schedule
Housing Committee	Wednesday (alternating with City Council).	Wednesdays), with the opportunity for the Chair to schedule an additional regular Planning and Housing Committee meeting as required on a Wednesday that is not a Council meeting date.

Overall, meeting dates would remain subject to the Mayor's/Chairs' ability to call Special Meetings in accordance with the *Procedure By-law*. In addition, Section 81 of the *Procedure By-law* provides that individual regular meetings of a committee may be varied by the Chair from the day of the week determined by Council and the time and place determined by Committee subject to prescribed notice provisions, provided that the date or time do not conflict with the date and time assigned to another standing committee by Council or the regular meeting times of certain boards.

Committee mandates and related matters

Agriculture and Rural Affairs Committee

Staff will bring forward proposed amendments to the Agriculture and Rural Affairs Committee's Terms of Reference to strengthen the committee's mandate and ensure that reports with significant rural implications should be considered by this committee, further to consultation conducted for [Rural Summit 2024](#) and this report, as described below.

Under its current Terms of Reference, the Agriculture and Rural Affairs Committee is responsible for "ensuring that the unique interests and requirements of the City's rural areas are taken into account in the decisions made by the City of Ottawa, and identify ways to promote an understanding of rural and agricultural communities and their issues." The committee makes recommendations to Council on issues and programs pertaining to the agricultural and associated industries, the rural economy, rural residential communities, land development and landscaping, transportation, water, wastewater and stormwater services, and environmental protection.

During recent consultations, Members of Council and members of the public identified various issues related to governance of rural matters. As noted in the Governance Workshop [presentation](#) for Rural Summit 2024, consultation for the Rural Summit identified various issues, including as follows:

- Rural Ottawa lacks the autonomy and capacity to make decisions that address the unique issues and reflect the unique interests of their communities.

- Often, rural issues are poorly addressed by City programs and services that are oriented toward urban areas.
- Moreover, with vast geographies, several distinct communities, and rapid growth, Councillors' offices lack the resources to fully deliver the kind of assistance that residents in rural Ottawa deserve and expect.
- Essentially, one size does not fit all; rural Ottawa needs a governance model that reflects this reality.
- As it stands, there is a lack of coordination across City departments on rural issues. Issues are viewed first with an urban lens, and rural considerations are left as an afterthought or a few throw-away lines on a report.
- Moreover, many departments lack strategic advocacy and issues knowledge necessary to advance rural issues. Residents and Councillors alike are often disappointed that staff have a poor understanding of the unique challenges and interests of rural Ottawa, and this is often reflected in program design that fails to consider rural Ottawa.

The Mayor's presentation at the Rural Summit identified commitments with respect to strengthening the Agriculture and Rural Affairs Committee's mandate and giving the committee more decision-making power on rural matters. The Governance Workshop presentation also noted as a near-term deliverable that the committee's mandate is "to be respected to help ensure that City departments that provide a program or service in rural Ottawa report directly to the committee."

Similarly, some Members of Council noted during consultation for the mid-term governance review that there is a need to emphasize that reports with significant rural implications should be considered by the Agriculture and Rural Affairs Committee. Further to Members' comments, staff also note that there has been some inconsistency in the routing of reports to the committee.

As such, in reviewing the committee's Terms of Reference, staff will bring forward proposed changes to clarify and emphasize the nature of reports that should be brought to this committee, as well as the role of the committee with respect to making decisions regarding rural matters. Staff note that on December 11, 2024, Council approved a motion directing the Office of the City Clerk to amend the Agriculture and Rural Affairs Committee's Terms of Reference "to include matters related to rural land acquisition, further to the Rural Summit."

Appreciating that matters generally rise to full Council for consideration, staff further note that staff and committee Chairs are to work together to determine appropriate report routing. In accordance with Subsection 88(1)(a) of the *Procedure By-law*, the Chairs of the respective committees shall determine which committee will be

responsible for such an issue, whether the issue can be considered by both committees successively, or, alternatively, whether a joint committee meeting should be held.

On November 7, 2024, the Agriculture and Rural Affairs Committee approved [Motion No. ARAC 2024-18-02](#), which directed staff to report back to the committee in Q4 2025 “with an update on implementation of identified recommendations during the 2024 Rural Summit, including work that has been completed to date and any outstanding works that need to be completed, as well as the outcomes that any changes made as part of the 2024 Rural Summit have had on rural Ottawa.”

Audit Committee

No mandate-related changes are proposed for the Audit Committee.

Built Heritage Committee

No mandate-related changes are proposed for the Built Heritage Committee.

Community Services Committee

No mandate-related changes are proposed for the Community Services Committee.

That said, staff intend to update the committee’s Terms of Reference to include some additional language that addresses the committee’s delegated authority to deal with matters related to its statutory role as the “Committee of Management” in accordance with the *Fixing Long-Term Care Act, 2021*. As noted in the [2022-2026 Council Governance Review](#) report, the Community Services Committee is the statutory Committee of Management for the City of Ottawa’s four long-term care homes. While the committee’s current Terms of Reference note that it has certain responsibilities with respect to long-term care, staff believe the Terms of Reference can be strengthened in this regard. The City Clerk would make these changes in accordance with the delegated authority recommended in Part V, Recommendation 4 of this report.

Debenture Committee

No mandate-related changes are proposed for the Debenture Committee.

Emergency Preparedness and Protective Services Committee

No mandate-related changes are proposed for the Emergency Preparedness and Protective Services Committee.

Environment and Climate Change Committee

No mandate-related changes are proposed for the Environment and Climate Change Committee.

Finance and Corporate Services Committee

Part I, Recommendation 2:

That committee Terms of Reference, governance-related documents, and report routing processes be amended to provide for the following in relation to the Finance and Corporate Services Committee, as described in this report:

- a. That the Finance and Corporate Services Committee has the responsibility to review and make recommendations to Council on all matters and reports associated with all current and future Long Range Financial Plans;**
- b. That the Finance and Corporate Services Committee has the responsibility to review and approve, as applicable, the following finance-related reports that shall be consolidated with existing reports from other City departments:**
 - i. Quarterly transit operating and capital status reports, and annual transit capital budget adjustments and closure reports;**
 - ii. Semi-annual transit procurement reports; and**
 - iii. Annual Revenue Services reports regarding the exercise of delegated authority with respect to write-offs of uncollectible OC Transpo customer accounts and uncollectible water utility customer accounts; and**
- c. That the Finance and Corporate Services Committee's role with respect to cybersecurity be formalized, with staff to provide training to ensure the committee has knowledge to receive and address reports relating to cybersecurity.**

As described below, Finance and Corporate Services staff believe recommendations relating to this committee's oversight of Long Range Financial Plans and the consolidation of certain finance-related reports would assist in providing a more complete and transparent picture of the City's finances and allow for more efficient use of staff time and resources. In addition, formalizing the committee's role with respect to cybersecurity would address recommendations from the City's Auditor General.

If Council approves the recommendations, staff from the Office of the City Clerk would make applicable amendments to committee Terms of Reference and other governance-related documents as noted below, and report routing processes would be updated accordingly. The City Clerk would make the consequential amendments referenced below, as required, in accordance with the delegated authority recommended in Part V, Recommendation 4 of this report.

a. Consideration of all matters and reports associated with all current and future Long Range Financial Plans

The Finance and Corporate Services Committee's Terms of Reference currently provide the committee with a mandate regarding the City's long-range financial planning, in accordance with the following specific responsibilities relating to financial planning, operations and sustainability:

4. Review and make recommendations to Council on all matters associated with the Corporate rates policies, tax ratios and administration and reserve funds.
5. Review and make recommendations to Council on all matters associated with the City's Long Range Financial Plan, Fiscal Framework, and the overall establishment and implementation of Corporate financial management and sustainability principles.
7. Monitor all matters connected with high-level expenditure, revenue and investment, and make recommendations to Council where necessary.

The City currently has five Long Range Financial Plans (LRFPs) that are updated at regular intervals to reflect new information such as changed priorities, adjusted pricing and any new legislated requirements:

- Solid Waste
- Tax Supported Capital
- Housing
- Transit
- Water, Wastewater, Stormwater (Rate) Supported Programs

Previous report routing to standing committees for approvals, updates and related matters regarding these LRFPs has varied. To clarify and streamline governance of the City's various LRFPs, staff recommend that the Finance and Corporate Services Committee maintain its purview over all City long-range financial planning (further to the above-noted provisions within its Terms of Reference), and that the committee's Terms of Reference be updated to reflect that this includes the responsibility to review and make recommendations to Council on all matters and reports associated with all current and future LRFPs.

If Council approves this recommendation, the Planning and Housing Committee's Terms of Reference would require consequential amendments to an existing specific responsibility for that committee to make recommendations to Council regarding the Long-Range Financial Plan for Housing (Section 18 under "Specific responsibilities").

b. Consideration of consolidated finance-related reports

Staff identified some anomalies in the current treatment of certain finance-related reports. It is recommended that the separate departmental reporting described below be consolidated and routed to the Finance and Corporate Services Committee for consistency, completeness, transparency and efficiency.

i. Transit quarterly operating and capital status reports, and transit annual capital budget adjustments and closure reports

Currently, staff provide separate reports to the Finance and Corporate Services Committee and Transit Commission for the purposes of quarterly operating and capital status reports, and annual capital budget adjustments and closure reports. Transit is the only department that makes separate financial reports to a standing committee (the Transit Commission), and its information is excluded from the remainder of the City's quarterly departmental financial reports and annual capital close reports that are provided to the Finance and Corporate Services Committee.

Staff recommend the separate financial reports for transit be consolidated with financial reporting for all other City departments and provided to the Finance and Corporate Services Committee for review and approval as required. Staff note that:

- Consolidating transit operating and capital reporting/approvals with reports from all other departments would provide a more complete picture of the City's financial status and offer more streamlined, transparent, and accessible information for public consumption.
- Consolidating these reports would create efficiencies and promote better use of staff time by eliminating the need to prepare additional reports for separate committee meetings.

If Council approves this recommendation:

- The Transit Commission's Terms of Reference would require consequential amendments to the specific responsibility to "Consider and approve all operating and capital budget adjustments pertaining to items within the Commission's mandate and within the overall Council-approved transit budget, subject to the budgetary powers and duties assigned to the head of Council under the *Municipal Act, 2001* and associated regulations and any Council-approved budget process" (Section 4 under "Responsibilities under delegated authority of the Commission"); and
- Section 10 of Schedule "B" within the *Delegation of Authority By-law* would be reviewed with respect to the requirement for a "commission" to authorize operating and capital budget transfers.

ii. Transit semi-annual procurement reports

Subsection 39(1) of the *Procurement By-law* requires the Chief Procurement Officer to submit to Council an information report semi-annually containing the details relevant to the exercise of delegated authority for all contracts awarded by Directors exceeding \$25,000.

Currently, Supply Services reports the exercise of this delegated authority to the Finance and Corporate Services Committee for all departments except Transit Services. OC Transpo contracts are reported separately to the Transit Commission in accordance with a specific responsibility that provides the commission with final decision-making authority to, "Receive reports from staff regarding the exercise of delegated authority on items within the Commission's mandate" (set out in the Transit Commission's Terms of Reference as Section 16 under "Responsibilities under delegated authority of the Commission").

Staff recommend reporting related to transit contracts be consolidated with reports for the remainder of City departments that are considered by the Finance and Corporate Services Committee. Supply Services has not identified any benefits to having the OC Transpo procurement matters reported separately, and staff note as follows:

- No other departments have this delegation of authority reported to a separate standing committee.
- As public members are no longer appointed to the Transit Commission, there is no opportunity lost for such members to obtain this information.
- All committee Chairs sit on the Finance and Corporate Services Committee, including the Chair of the Transit Commission; the report already rises to Council for information and is received by all Councillors.
- Reports are typically only for information and no approvals are sought.
- Consolidating these reports would offer more streamlined information that is more transparent and accessible for public consumption.
- Consolidating the four reports into two would create efficiencies and promote better use of staff time. It would eliminate the burden on staff to undertake two additional reports, which includes preparation for four additional meetings for staff from both Finance and Corporate Services and Transit Services.
- The procurement year in review and mid-year procurement reports currently include a summary and roll-up of information/statistics that already includes all transit items.

If Council approves this recommendation, the Transit Commission's Terms of Reference would require consequential amendments to Section 16 under "Responsibilities under delegated authority of the Commission," as described above.

iii. Revenue Services reports on the exercise of delegated authority with respect to uncollectible and written off customer accounts

Subsection 22(1) of Schedule “B” within the *Delegation of Authority By-law* provides that the Chief Financial Officer/Treasurer and the Deputy City Treasurer, Revenue, individually are authorized to write-off general accounts receivable that they have determined are uncollectible. Under Subsection 22(2) of Schedule “B,” the exercise of this delegated authority “shall be reported to the appropriate Standing Committee at least once in each calendar year.”

Currently, Revenue Services develops three separate annual Information Previously Distributed (IPD) memoranda to report on the exercise of delegated authority in this regard. These IPDs are provided to committees regarding the following uncollectible and written off accounts:

- Finance and Corporate Services Committee – Corporate accounts receivable, *Provincial Offences Act* infractions and parking infractions.
- Environment and Climate Change Committee – Water utility customer accounts.
- Transit Commission – OC Transpo customer accounts.

Although it has been past practice for separate reports to be provided to the Environment and Climate Change Committee and the Transit Commission, staff believe these accounts write-offs should have been included with the City’s general accounts write-offs in reports to the Finance and Corporate Services Committee. Staff therefore recommend consolidating the three IPDs so that the delegation of authority reporting by Revenue Services includes the City’s general accounts write-offs for all customer accounts and is reported to a single committee, being the Finance and Corporate Services Committee. Staff note that:

- Consolidating the IPDs would provide a more streamlined, transparent and complete picture of delegation of authority reporting by Revenue Services.
- Consolidation would create efficiencies and promote better use of staff time by eliminating the need to prepare two additional reports for two separate committees.

If Council approves this recommendation, staff will implement the report routing change and make clarifications as necessary in affected committees’ Terms of Reference.

c. Formalizing the committee’s role with respect to cybersecurity

On November 27, 2023, the Audit Committee considered the report from the Office of the Auditor General regarding an [Audit of Cybersecurity](#). The report was considered *in camera* pursuant to Subsection 13(1)(a) of the *Procedure By-law*, relating to “the

security of the property of the City,” and based on rationale set out in the Legal Implications section of the report. On [December 6, 2023](#), Council considered and approved the report recommendations.

While the report was addressed *in camera* and is not to be reported out, the City Clerk, City Solicitor and Auditor General have agreed that it may be noted for the purposes of the mid-term governance review report that the Office of the Auditor General has recommended from a general governance perspective that:

- The Finance and Corporate Services Committee’s role with respect to cybersecurity should be formalized within the committee’s Terms of Reference, and
- The City Clerk should ensure that Finance and Corporate Services Committee members are provided with the necessary training and/or expertise to ensure the committee has the knowledge to receive and challenge reports related to cybersecurity.

This report therefore recommends that staff be directed to amend the Finance and Corporate Services Committee’s Terms of Reference to formalize its role with respect to cybersecurity. The City Clerk, in consultation with departmental staff and the Chief Information Security and Digital Risk Officer, will also ensure training is provided to ensure the committee has knowledge to receive and challenge reports relating to cybersecurity.

Light Rail Sub-Committee (recommended to be dissolved)

Part I, Recommendation 3:

That responsibilities under the 2022-2024 Light Rail Sub-Committee’s mandate be added to the Transit Commission/Committee’s Terms of Reference, as described in this report.

The Light Rail Sub-Committee was established by Council through consideration of the [2022-2026 Council Governance Review](#) report on December 7, 2022. Council approved Motion No. 2022 – 03/06, which among its recommendations stated, “that City Council establish a Light Rail Sub-committee of Council to provide oversight over non-operational matters related to the Confederation Line 1 and the construction of Confederation Stage 2 and Trillium Lines.”

As set out within its current Terms of Reference, the Light Rail Sub-Committee’s mandate is “to provide oversight and focused attention on non-operational matters related to Ottawa’s light rail systems (LRT), including all light rail construction projects, as well as the City’s action plan in response to the Ottawa Light Rail Public Inquiry and other third-party reviews of the light-rail transit system.”

Some key developments relating to matters under the sub-committee’s mandate have occurred during the first half of the 2022-2026 Term of Council:

- On March 6, 2024, Council considered the report titled, “[Update on the LRT Action Plan – Response to OLRT Public Inquiry Recommendations](#).” The report stated as follows:

“Although there are a few remaining items that are considered in progress, staff believe that further updates on this work can be made through regular operational reports to the Transit Commission or through construction updates to the Light Rail Sub-Committee. As a result, staff recommend that the Action Plan be closed and considered complete.

It is important to note that the ‘In Progress’ items will continue to be monitored moving forward and that staff will provide updates to the Transit Commission or to the Light Rail Sub-Committee (as appropriate) on any specific issues if the work and oversight outlined in the Action Plan changes.”

Council approved a report recommendation directing Transit Services “to provide further updates to the Transit Commission on any remaining items in the Action Plan that are still in progress, which relate to Transit operations, until such time that all recommendations are closed.”

- The phased opening of O-Train Lines 2 and 4, beginning in January 2025, was announced in December 2024.

Given the general completion or substantial progress of these two key aspects of the Light Rail Sub-Committee’s mandate, Members of Council consulted for this report indicated support to dissolve the Light Rail Sub-Committee and for matters previously under the sub-committee’s mandate to be included in the Transit Commission’s mandate.

Should Council approve the recommendations to dissolve the sub-committee and realign its responsibilities, the Transit Commission/Committee’s Terms of Reference would be updated accordingly, and matters such as regular Stage 2 Light Rail Transit project presentations would be made to the Transit Commission/Committee.

Planning and Housing Committee

If Council approves Part I, Recommendation 2(a) for the Finance and Corporate Services Committee regarding matters and reports associated with all current and future Long Range Financial Plans, the Terms of Reference for the Planning and Housing Committee would require consequential amendments to a provision that states: “Make recommendations to Council on capital funding of affordable housing programs and **the Long-Range Financial Plan for Housing**” (Section 18 under “Specific responsibilities,”

emphasis added). As noted above, the City Clerk would make these changes, as required, in accordance with the delegated authority recommended in Part V, Recommendation 4 of this report.

No other mandate-related changes are proposed for the Planning and Housing Committee.

Transit Commission/Committee

The Terms of Reference for the Transit Commission/Committee would require consequential amendments if Council approves the following:

- Part I, Recommendation 2(b) with respect to the routing of various reports relating to transit-related financial matters, as discussed in the section above with respect to the Finance and Corporate Services Committee.
- Part I, Recommendation 1(a) and Part I, Recommendation 3 with respect to dissolving the Light Rail Sub-Committee and providing the Transit Commission/Committee with oversight of matters previously under the sub-committee's mandate.

As noted above, the City Clerk would make these changes, as required, in accordance with the delegated authority recommended in Part V, Recommendation 4 of this report. No other mandate-related changes are proposed for the Transit Commission/Committee.

Transportation Committee

No mandate-related changes are proposed for the Transportation Committee.

Updating standing committee Terms of Reference

Part I, Recommendation 4:

That revised Terms of Reference for the Agriculture and Rural Affairs Committee and Finance and Corporate Services Committee be submitted in draft form to the respective committees as soon as practicable but no later than June 30, 2025, for consideration and recommendation to Council for approval.

Further to the substantive mandate updates for the Agriculture and Rural Affairs Committee and the Finance and Corporate Services Committee that are recommended or discussed in this report, staff would bring forward revised Terms of Reference to those committees for consideration and recommendation to Council for approval.

It is recommended that the revised Terms of Reference be submitted in draft form to the respective committees as soon as practicable but no later than the end of Q2 2025.

Advisory bodies

Agile Government Efficiency Review Working Group

Part I, Recommendation 5:

Approve the mandate and membership of the Agile Government Efficiency Review Working Group as described in this report.

Service process and responsiveness

The Mayor, working with several Councillors, is proposing a new working group to review service responsiveness, recommend a process review and make suggestions to reduce timelines for service delivery.

Enhancing the focus on service excellence and continuous improvement

The focus is to ensure the public can access programs and services in as timely and effective way as possible. To advance this objective the principles and governance framework for this working group are outlined for Council's consideration.

Service excellence and continuous improvement

The focus is to ensure these principles are embedded in operations across the organization.

The Agile Government Efficiency Review Working Group will identify areas for review, to identify potential improvements and determine the best way to accelerate and streamline service delivery. The 2025 work plan will include a concentrated review of efforts underway through service excellence and continuous improvement initiatives underway on the Service Ottawa 'closing the loop' for service requests, the development review process within the Planning, Development and Building Services and the parks planning process within Recreation, Cultural and Facility Services.

This work program will include monitoring the performance of identified services through ongoing benchmarking and performance measurement. Performance measurement will ensure that services and programs are regularly measured against external and internal benchmarks with well-defined targets that align to the City's overall goals to strengthen transparency and accountability to Council and the public and to identify areas for improvement.

Agile government principles

The principles informing the work of the Agile Government Efficiency Review Working Group are the following:

- The Agile working group seeks to save time for residents and businesses that interact with City programs and services.

- The focus is to enhance internal and public facing service timeliness and strengthen responsiveness through operational efficiencies and streamlined processes.
- The intent is to ensure staff talent is being fully utilized, and to reinvest any incidental savings within departments.
- Benchmarking and best practice reviews will be undertaken to evaluate process improvement opportunities, respecting Council's public policy objectives or established service standards in alignment with legislative requirements.
- Streamline processes by identifying and eliminating, where feasible, unnecessary steps and harmonize regulations.
- Eliminate bottlenecks to enhance service responsiveness.
- Enhance the service experience for the public by prioritizing the needs of the end users.
- Modernize and leverage technology to the benefit of staff and the public and adopt best practices that align with Council service delivery levels and public policy objectives.

Governance, standing committee and Council involvement and oversight

In consultation with the Mayor, this report recommends a working group comprised of the Mayor, Councillor Kitts, Councillor Brown and Councillor Hubley, and relevant City staff.

The working group will consider and oversee direct targeted reviews. City staff will provide updates on an ongoing basis to keep the working group apprised of progress and to seek direction and feedback when required. Where improvements can be made within existing delegated authority and are in keeping with advancing or achieving Council established service levels and public policy objectives these will be implemented. Where a departure or revision to existing Council established service levels or public policy objectives, a report will be brought to the respective Standing Committee as warranted. Additionally, staff will report back to Council on an annual basis for the remainder of this term of Council through the budget process on the overall results from the reviews carried out that year.

Finally, the results will be either integrated into the annual budget transmittal report tabled at Council or as information supplemental to the budget and include the ongoing outcome of the review including opportunities for improvement and the cost of any redesign efforts prior to finalization and implementation.

The intent is to conduct several targeted efficiency reviews annually as determined by the working group.

Each review will be carried out by the respective General Manager and a small core staff team with a mix of relevant operational experience, and financial and process review expertise. The reviews will be completed within existing resources. The make-up and time commitment required of the project team will vary depending upon the scope and size of the service or program under review.

The City Manager's Office will be responsible for coordinating the activities (conducting, implementing, and tracking) related to the Agile Government Efficiency Review work program as identified by the working group.

The reviews will serve as a management control to help save time, ensure efficiency and effectiveness of services, streamline programs and branch operations. The reviews will take into consideration the risk profiles associated with the respective service under review.

Other advisory body matters – Background

On July 12, 2023, Council considered the staff report titled, "[Advisory Body Review](#)," and approved various recommendations relating to the City's advisory bodies, including an overall structure that includes the following:

1. **Advisory committees** – Statutory and policy-based advisory bodies that are required under legislation or with direct ties to legislation. Advisory committees provide advice to Council and/or staff. They are typically composed of members of the public and/or other members based on statutory requirements, and include one or more Members of Council in a non-voting liaison capacity. Advisory committees are considered to be statutory "local boards" of the City of Ottawa and are therefore subject to certain mandatory by-law and policy requirements.
2. **Council sponsors groups** – Ad hoc advisory bodies established by standing committee/Council to provide advice to staff. They are typically composed of Members of Council and staff. Unlike committees of Council, Council sponsors groups do not have decision-making authority. Council sponsors groups are not established under legislation and are not considered to be statutory "local boards."
3. **Department-led working groups** – Ad hoc advisory bodies established by staff (General Managers) to provide advice to staff. They are typically composed of members of the public and staff, and may include Members of Council in an ex officio/Council liaison capacity. As with Council sponsors groups, department-led working groups are not established under legislation and are not considered to be statutory "local boards." It should be noted that the definition of department-led working groups does not include internal working groups or other similarly-named bodies composed only of City staff and representatives of local boards.

In considering the Advisory Body Review staff report, Council approved recommendations and motions regarding various matters that were to be reviewed and/or brought back as part of the mid-term governance review, as discussed below.

Advisory committees – Procedural requirements and governance documents; desired qualifications for members; livestreaming of meetings

Procedural requirements and governance documents

Part I, Recommendation 6:

Direct each advisory committee to adopt and provide to the Office of the City Clerk by no later than June 30, 2025, the mandatory revised procedure by-law minimum provisions attached in Document 3.

As noted above, advisory committees are considered to be statutory “local boards” of the City and are therefore subject to certain mandatory by-law and policy requirements, including a requirement under subsections 238(2) and 238(2.1) of the *Municipal Act, 2001* to pass a procedure by-law for governing the calling, place and proceedings of meetings, including public notice of meetings.

Following Council’s approval of recommendations in the [Advisory Body Review](#) report, advisory committees approved procedure by-laws based on minimum provisions that were provided in the report. Those minimum provisions were based on past documents such as the former *Advisory Committee Procedure By-law*. That said, Recommendation 2(a)(iii) of the Advisory Body Review report directed the City Clerk to “review the Advisory Committee procedural requirements and governance documents as part of the 2022-2026 Mid-term Governance Review.” The report noted as follows:

- The review would be intended to ensure the rules of procedure reflect that advisory committees are advisory bodies rather than decision-making bodies, and that any discretionary procedural requirements facilitate discussion and do not act as a barrier to engagement.
- Staff believed there may be an opportunity to make provisions more user-friendly and provide greater flexibility to reflect the different functions of the advisory committees.
- The review would also ensure that the rules of procedure continue to be appropriate for advisory committees in their capacity as local boards.

During interviews for the mid-term governance review, Members of Council generally supported clarifying current minimum provisions for advisory committee procedure by-laws. In addition, the City Clerk met with advisory committee representatives to seek feedback on July 22, 2024, and received similar comments that the rules of procedure should be clearer.

Further to this consultation, staff undertook a review of the advisory committee procedure by-law minimum provisions to provide added clarity and to simplify or remove certain provisions that may be barriers to engagement. The proposed updated provisions are in keeping with advisory committees' role to provide advice to Council and/or staff in accordance with their statutory and/or policy mandates.

The recommended revised procedure by-law minimum provisions are set out in Document 3. This report recommends Council direct each advisory committee to adopt and provide their revised procedure by-laws to the Office of the City Clerk no later than June 30, 2025.

Furthermore, in response to other matters raised by advisory committee Chairs and Vice-Chairs, staff intend to:

- Create a “cheat sheet” to share with advisory committees regarding Chairs’ roles and meeting procedures;
- Review opportunities for more in-person meeting options, with consideration to be given to member availability; and
- Continue to enhance public information related to advisory committees.

Desired qualifications for advisory committee members

Recommendation 2(d) of the [Advisory Body Review](#) report directed the City Clerk “to consult with Members of Council regarding desired qualifications for advisory committee members as part of the 2022-2026 Mid-term Governance Review process.” The report noted that desired membership qualifications for advisory committees would generally remain unchanged at the time of the report, but that the recommended consultation “would provide for Members to offer feedback based on the operations of the Advisory Committees up to mid-term, and allow for any recommended changes to desired member qualifications to be implemented for the next recruitment cycle.”

Members of Council consulted for this report did not express desire to make changes regarding desired membership qualifications, and generally acknowledged that current practices are sufficient. As such, there is no recommendation made in this report regarding this matter.

Streaming of advisory committee meetings to YouTube

The [Advisory Body Review](#) report noted that Planning Advisory Committee meetings would be streamed to YouTube on a pilot basis, “and the results will be reviewed at the time of the 2022-2026 Mid-term Governance Review with the goal of implementing YouTube streaming for all Advisory Committees.”

Further to a review of this matter, no changes are recommended for the current practice due to the resource requirements identified for staff to support the streaming of all advisory committee meetings. Staff will review this matter again as part of the 2026-2030 Council Governance Review process.

Department-led working groups – Review of procedural guidance

Part I, Recommendation 7:

Receive for information the Department-led Working Groups Policy attached as Document 4, and the inventory of department-led working groups attached as Document 5.

The [Advisory Body Review](#) report included general procedural guidance for Council sponsors groups and department-led working groups. During consideration of the report, Council approved Motion No. 2023-18-08, which provided for a review of the proposed procedural guidance for department-led working groups (as contained in Document 6 to the report) and the preparation of an inventory of existing department-led working groups. The motion included as follows:

THEREFORE BE IT RESOLVED that Document 6 be referred back to staff and staff be directed to:

- 1. Prepare an inventory of existing department-led working groups, including their mandate, membership and current operating procedures;**
- 2. Review additional options for increasing the accountability, transparency and documentation requirements of department-led working groups and for the legal and operational impacts of the potential changes.**

BE IT FURTHER RESOLVED THAT Council strike a Council Sponsors Group to work with the City Clerk to support this review, comprised of up to 5 Members of Council that do not form a quorum of any Standing Committee; and

BE IT FURTHER RESOLVED that the Office of the City Clerk report back with updated recommendations for department-led working groups for Council consideration as part of the 2022-2026 Mid-Term Governance Review.

On September 4, 2024, Council approved a motion to approve the appointment of the following Members to the Council sponsors group for the review:

1. Mayor Sutcliffe or designate;
2. Councillor Laine Johnson;

3. Councillor Tim Tierney;
4. Councillor Stephanie Plante; and
5. Councillor Marty Carr.

The Council sponsors group met on October 21, 2024. In keeping with Council's direction, the City Clerk provided participants with an overview of the issue and an inventory of existing department-led working groups. The City Clerk also sought feedback on a preliminary draft policy to govern department-led working groups. This draft policy was based on the guidelines originally set out in Document 6 of the Advisory Body Review report, updated to reflect feedback from City departments as well as comments received from Members of Council through consultation for the mid-term governance review.

The Council sponsors group provided the following feedback on the draft policy, all of which was accepted and/or will be implemented or otherwise reviewed:

- The Council sponsors group was generally satisfied with the City Clerk's proposed corporate administrative policy approach, including emphasis on accountability, transparency, equity and documentation requirements.
- Using the name "department-led working group" is important to convey the body's function and reporting relationship.
- The department-led working group's mandate should be made clear at the outset, including any constraints arising from legislation (jurisdictional, statutory roles and responsibilities, etc.).
- There is an opportunity to explain the rationale behind the department-led working group's composition (for example, lived experience, organizations, etc.)
- The policy and its requirements should be clearly communicated to all departments.
- There is concern that some department-led working groups may be involved in authorizing grants.

New administrative policy for department-led working groups

The *Delegation of Authority By-law* provides the City Manager and General Managers with delegated authority to approve corporate administrative policies and procedures that are consistent with the organizational and departmental mandates.

Further to the review of procedural guidance, and to achieve Council's goal of increasing the accountability, transparency and documentation requirements of department-led working groups, the Office of the City Clerk prepared a new Department-led Working Groups Policy to govern department-led working groups. The

policy is established under the Corporate Administrative Policy Framework, which provides a systematic and consistent approach to the development, approval, implementation, updating and monitoring of all City corporate administrative policies.

The Department-led Working Groups Policy incorporates the advice and feedback provided from the Council sponsors group. The policy will be approved by the City Clerk and take effect on April 1, 2025, following further outreach to all City departments by the Office of the City Clerk. The policy:

- Requires staff to adhere to specific accountability, transparency and documentation requirements with respect to department-led working groups.
- Includes clear roles and responsibilities, including that General Managers are accountable for ensuring that the department-led working groups in their department are compliant.
- Provides that General Managers may, in consultation with the City Clerk and/or City Solicitor, exempt a department-led working group from certain requirements for legal, operational, and/or equity reasons. For instance, on occasion, cultural, privacy and/or safety needs may necessitate a deviation from the policy. Any such exemptions, along with the rationale, must be documented on a standard form and preserved as an Official Business Record in accordance with the City's Records Management Policy.
- Requires that general information, including the group's mandate, membership and any related Council reports, must be posted on ottawa.ca.

In accordance with the Corporate Administrative Policy Framework, the policy will be regularly monitored and formally reviewed every four years. To ensure that the policy and its requirements are clearly communicated to all departments, the City Clerk intends to share the related information through the internal *Management Bulletin* and through presentations to departments' leadership teams.

For Council's information, the new Department-led Working Groups Policy is included in Document 4. In accordance with the policy's requirement to inform Council of the creation of a department-led working group, Document 5 includes an overview of department-led working groups across the organization.

Advisory body performance measures

Recommendation 6 of the approved [Advisory Body Review](#) report, as amended, directed the City Clerk to "develop basic performance measures for ... advisory bodies and include relevant reporting and analysis in the 2022-2026 Mid-term Governance Review Report, including any recommendations for further changes to advisory bodies." This recommendation resulted from Motion No. FCSC 2023 06-02, which was approved by the Finance and Corporate Services Committee on [July 4, 2023](#), as follows:

WHEREAS on July 4, 2023, the Finance and Corporate Services Committee considered the report from the Office of the City Clerk titled, “Advisory Body Review” (2023-OCC-GEN-0008), which makes various recommendations pertaining to the City’s Advisory Committees, Council Sponsors Groups, and Departmental Working Groups; and

WHEREAS advisory bodies should support Council with achieving its strategic priorities and adhering to its legislative requirements; and

WHEREAS there is an opportunity to develop performance measures and gather relevant data about these advisory bodies on how they support these City objectives (e.g. alignment with strategic and legislative objectives, contributions to reports, etc.); and

WHEREAS there is an opportunity to further review these bodies as part of the 2022-2026 Mid-term Governance Review;

THEREFORE BE IT RESOLVED that the City Clerk be directed to develop basic performance measures for these advisory bodies and include relevant reporting and analysis in the 2022-2026 Mid-term Governance Review Report, including any recommendations for further changes to advisory bodies.

While no additional changes are recommended for advisory bodies at this time, staff can advise that the performance and operations of advisory bodies are reviewed as matters arise during the term of Council and through the regular governance review process. In addition, the following measures have been implemented and may be used in any assessment of the efficiency and effectiveness of advisory bodies:

- Through the 2009 Mid-term Governance Review, Council approved a requirement that advisory committees develop a work plan that aligns with the Term of Council priorities. These work plans are developed on a biennial basis and, in turn, scrutinized and approved by the appropriate standing committee. The City Clerk will include additional information in these reports, including the number of meetings held, the number of items considered, and the number of motions passed by the advisory committee.
- The new Department-led Working Groups Policy requires that staff reports to committee and Council must include information regarding how the department-led working group’s activities and advice have influenced recommendations. Furthermore, as part of the implementation of the policy, staff will recommend General Managers periodically review each working group’s performance and will supply a series of evaluation questions that staff and working group members may complete.

- The Office of the City Clerk has updated its SharePoint page that provides guidance regarding report template sections and guidance for report writers to explain that the mandatory Consultation section of the report should include, among other things, a description of the work of any relevant Council sponsors group(s). This should include the mandate of the Council sponsors group and an explanation of its advice and activities. Staff should describe why and how the advice was incorporated into the staff recommendation(s), or why it was not. The SharePoint site also reminds staff that links to these reports to must be posted to ottawa.ca as part of the public information about the Council sponsors group.

The guidance also explains that the mandatory section titled, “Advisory Committee(s) Comment,” should be used to provide a summary of any comments, feedback or recommendations made by one or more advisory committees relating to the report. Staff should also use this section to highlight where an advisory committee was engaged or consulted, or where an advisory committee representative participated in a staff working group – even if no formal recommendations were made.

Community Safety and Well-Being Advisory Committee

Part I, Recommendation 8:

Confirm the appointment of members of the Community Safety and Well-Being Advisory Committee as set out in Document 6, further to the Terms of Reference approved on October 2, 2024, and approve the process and composition of the selection panel to be used for future appointments, as described in this report.

The City of Ottawa’s Community Safety and Well-Being Advisory Committee is established in accordance with the *Community Safety and Policing Act, 2019*, which requires Council to prepare and, by resolution, adopt a community safety and well-being plan that addresses various prescribed matters.

Subsection 250(1) of the act states that a municipality that prepares such a plan “shall establish an advisory committee” that is consulted in the plan’s preparation and revision. Subsection 250(6) of the act further provides that, “In appointing the members of the advisory committee, the municipality ... shall consider the need to ensure that advisory committee is representative of the municipality or municipalities, having regard for the diversity of the population in the municipality or municipalities.” Key steps in the establishment of the City’s Community Safety and Well-Being Advisory Committee include as follows:

- The former Crime Prevention Ottawa’s board of directors acted as the first advisory committee, further to Council’s consideration of the [2018-2022 Council Governance Review](#) report on December 5, 2018, and a subsequent report titled,

[“Crime Prevention Ottawa Terms of Reference,”](#) which was considered on June 26, 2019.

- A new advisory committee was established further to Council’s consideration of the reports titled, [“Community Safety and Well-Being Plan”](#) (considered on October 27, 2021) and, [“Community Safety and Well-Being Plan Progress Update”](#) (considered on April 27, 2022). The latter report set out the new advisory committee’s membership and selection process for public members, which involved a selection committee composed of community leaders and City staff.
- On July 12, 2023, Council considered the report titled, [“Advisory Body Review,”](#) and approved a revised structure establishing advisory committees – including the Community Safety and Well-Being Advisory Committee – as statutory and policy-based advisory bodies.
- On October 2, 2024, Council considered the staff report titled, [“Update to the Community Safety and Well-Being Plan: Incorporation of the former Crime Prevention Ottawa,”](#) and approved various matters, including the Community Safety and Well-Being Advisory Committee’s Terms of Reference. Council also approved a recommendation to, “Approve the members and the recruitment process for two new resident members to the Community Safety and Well-Being Advisory Committee to increase diversity and representation of members who are independent of an organization and bring a resident perspective.”

The Community Safety and Well-Being Advisory Committee has a membership of up to 16 members (including the two new resident members approved on October 2, 2024, who have yet to be appointed). Voting members include mandatory members required by legislation as well as specialized members described in the Terms of Reference, as set out in Document 6. The membership also includes two Members of Council in a non-voting liaison capacity. In accordance with the Community Safety and Well-Being Advisory Committee’s Terms of Reference, all members shall be appointed by City Council.

Given Council’s recent approval of the Terms of Reference, it is recommended Council confirm the appointment of the current Community Safety and Well-Being Advisory Committee members, who were selected through the past practice of using a selection committee of community leaders and City staff. These members are identified in Document 6. In accordance with the Appointment Policy, these appointments would continue for the remainder of the 2022-2026 Term of Council and the members may continue to serve past the expiration of their term until they are reappointed or replaced. Council already approved the appointment of the two Council liaisons to the advisory committee (Councillor Hill and Councillor King) by way of motions on July 12, 2023.

With respect to the appointment of the two new resident members, the staff report titled, [“Update to the Community Safety and Well-Being Plan: Incorporation of the former Crime Prevention Ottawa,”](#) noted that pursuant to the Appointment Policy, their term would be tied to the term of Council and expire on November 14, 2026 (or until their successors are appointed next term of Council). The report further stated that, “The application will be open to the public, and a selection committee will review candidates, considering factors such as race, gender, disability, language, and age, as well as their experience and commitment to diversity and inclusion,” and that staff would work with the City Clerk’s office to begin the recruitment and selection process.

Further to the Community Safety and Well-Being Advisory Committee’s formalized status as a statutory and policy-based advisory committee following the 2023 advisory body review, the City Clerk recommends the process for these appointments and all future appointments to the Community Safety and Well-Being Advisory Committee follow the Appointment Policy, rather than the past practice of using a staff/community leader selection committee. The Appointment Policy is used to select and recommend to Council public members for other advisory committees, and addresses matters such as diversity and representation.

Selection provisions within the Appointment Policy provide for the appointment of at least two members of Council to sit on a selection panel to review applications and make recommendations to Council regarding public appointments. Each selection panel is typically composed of two to three Members of Council, including the Mayor/Mayor’s designate and the Chair of the applicable standing committee. The selection panel is responsible for receiving and considering applications, and making recommendations to Council on whom to appoint as public members. This process may include establishing committee-specific selection criteria and conducting interviews.

With respect to appointments to the Community Safety and Well-Being Advisory Committee, it is recommended that the selection panel be composed of:

- The Mayor (or designate);
- The Chair of the Community Services Committee; and
- The two Members of Council who are appointed to the advisory committee in a non-voting liaison capacity.

Community and Social Services staff would provide support and guidance to the selection panel as required, in consultation with the Office of the City Clerk.

In addition, staff recommend that should a vacancy arise during the term of Council, the organization represented by the vacating member may nominate a new representative to fill the vacancy, subject to approval from the selection panel and Council.

As described in the above-noted staff report, the new Community Safety and Well-Being Advisory Committee membership of 16 will be larger than required by the statute. The report notes that, “It is anticipated that the membership would be reviewed/consolidated as part of the 2026-2030 Governance Review report to meet legislative requirements,” while also promoting representation discussed in the report.

Other Council and standing committee updates

Council and committee report template

All staff reports prepared for committee and Council consideration follow the corporate standard report template, which provides for matters such as the report recommendations, background and discussion to be easily identified. The template also includes individual focused sections that address the implications of the report and its recommendations on specific matters.

The inclusion of these individual implications sections has largely arisen in response to the development of new Term of Council priorities or by way of Council resolutions. The implications sections are meant to provide a high-level summary of how the report recommendations will affect that particular area of focus or how the recommendations comply with relevant standards, policies and legislation.

Currently, the report template includes “mandatory” implications sections (Financial Implications and Legal Implications), as well as various “mandatory if applicable” implications sections, including:

- Accessibility Impacts
- Asset Management Implications
- Climate Implications
- Delegation of Authority Implications
- Economic Implications
- Environmental Implications
- Indigenous, Gender and Equity Implications
- Risk Management Implications
- Rural Implications
- Technology Implications

For the 2022-2026 Mid-term Governance Review, information is provided below regarding the following:

- Consultation undertaken by staff in accordance with Council direction regarding a proposal to include a Children and Youth Implications section in the report template.
- Clarification regarding the Financial Implications section.

It should also be noted that further to comments in the [Office of the City Clerk 2022 Annual Report](#), staff in the Office of the City Clerk have worked to refresh report writing guidance and enhance information on the internal SharePoint site that provides information and guidance to report writers.

Consultation regarding a proposal to include a new Children and Youth Implications section

On [September 13, 2023](#), Council carried Motion No. 2023-20-10, which included as follows:

THEREFORE BE IT RESOLVED that City Council direct staff to bring forward for Council's consideration as part of the 2022-2026 Mid-term Governance Review process a proposal for a Children and Youth Implications section to be included in the standard Council and Committee report template.

Further to Council's direction, Members were consulted during the mid-term governance review process regarding the possibility of adding a new Children and Youth Implications section to the template. There was no consensus among Members to add this section. As such, no recommendation is being made. Some Members noted that an additional implications section was not necessary, and that any relevant information pertaining to children and youth should be included in the body of the report.

Clarification regarding the Financial Implications section

During the mid-term governance review consultation process, a Member proposed that staff conduct a review of the Financial Implications section of the report template, including a review of the section title and guidance for staff, to ensure the section is completed as intended by Council.

By way of background, report writers are responsible for drafting the general financial information, details and rationale for their report in the Discussion and Executive Summary sections of the report template, as applicable. Report writers are expected to consult with appropriate Finance staff early in the development of the report's financial analysis to ensure accuracy of financial assumptions.

Completion of the Financial Implications section is mandatory and is carried out by the relevant Finance staff. In this section:

- Finance staff highlight significant financials cited in the report and financial impacts to the City resulting from report recommendations. Information summarized in the Financial Implications section generally focuses on financial requirements or impacts, based on the information presented in the report (for example, any change in the budget requirement as a result of increases or decreases in full-time employees, taxes, revenues, future costs, reserves, debt and development charges, among other matters). Where the financial impacts are discussed throughout the body of the report, such as budget-related reports, the Financial Implications section typically includes language to the effect of, “Financial implications are described in the report.”
- If there are no financial implications or impacts, Finance staff will provide a comment to that effect.

During consultations regarding this matter, some Members suggested revising the title of the Financial Implications section or providing additional guidance for staff, while others felt that relevant financial information is captured within the report and no changes are required. As there was no consensus among Members, no recommendation is being made to amend the Financial Implications section. That said, staff will make administrative updates to instructions in the report template to clarify roles and responsibilities for report writers, and to provide additional information regarding the intent of the section and the commentary by Finance staff.

Part II – Accountability and transparency

Background – Accountability Framework

As part of the 2010-2014 Governance Review, City Council endorsed the development of an Accountability Framework for the City, including a code of conduct for Members of Council and a low-cost lobbyist registry. These accountability and transparency mechanisms were in addition to existing initiatives such as the creation of the Office of the Auditor General in 2004, the appointment of the Meetings Investigator, and the approval of the Accountability and Transparency Policy and the Delegation of Powers Policy in 2007.

Implementation of the City of Ottawa’s Accountability Framework began in January 2011 with the regular public disclosure of office expenses of Members of Council and Members of the City’s Executive Committee. In July 2012, Council approved the establishment of the Lobbyist Registry (enacting By-law No. 2012-309 establishing both the Lobbyist Registry and the Lobbyists’ Code of Conduct) and the position of Integrity Commissioner. The City of Ottawa’s Integrity Commissioner fulfills three roles, acting as the Integrity Commissioner, Lobbyist Registrar and Meetings Investigator. In May 2013, Council approved additional major pieces of the Accountability Framework: the Code of

Conduct for Members of Council, a Gifts Registry, the Council Expense Policy, and the Community, Fundraising and Special Events Policy.

In March 2019, the Accountability Framework evolved to include the Code of Conduct for Members of Local Boards and a new municipal conflict of interest framework, including a public registry of declarations of interest.

The policies and practices of Council's Accountability Framework have been incorporated into the biennial governance review process. The Integrity Commissioner brings forward policy changes to the Accountability Framework through the governance reviews, in consultation with Members of Council, and based on emerging best practices and legislative changes.

2024 Annual Report of the Integrity Commissioner

Part II, Recommendation 1:

Receive the 2024 Annual Report of the Integrity Commissioner, attached as Document 7.

The Integrity Commissioner is an independent and impartial statutory officer who reports directly to Council. Under Section 223.3 of the *Municipal Act, 2001*, the legislated duties of the Integrity Commissioner include:

- Application of codes of conduct for Members of Council and members of local boards;
- Application of any other procedures, rules and policies governing the ethical behaviour of Members of Council and members of local boards;
- Application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to Members of Council and of local boards;
- Providing advice to Members of Council and of local boards respecting their obligations under the code of conduct applicable to the Member;
- Providing advice to Members of Council and of local boards respecting their obligations under any other procedure, rule or policy of the municipality or local board governing the ethical behaviour of Members;
- Providing advice to Members of Council and of local boards respecting their obligations under the *Municipal Conflict of Interest Act*; and
- Providing educational information to Members of Council and of local boards, the municipality, and the public about the municipality's codes of conduct for Members of Council and members of local boards and about the *Municipal Conflict of Interest Act*.

The City of Ottawa’s Integrity Commissioner also fulfills the statutory roles of the Meetings Investigator (Section 239.2 of the *Municipal Act, 2001*) and Lobbyist Registrar (Section 223.11 of the *Municipal Act, 2001*).

Karen E. Shepherd began her term as Integrity Commissioner on September 1, 2021. As part of her mandate, Ms. Shepherd is responsible for providing City Council with an annual report on the various aspects of her role as Integrity Commissioner including a summary of complaints, investigations and advice provided and to make recommendations for any changes to the approved policies and processes.

The 2024 Annual Report of the Integrity Commissioner is attached as Document 7.

Ethical Framework for Members’ Staff

Part II, Recommendation 2:

Approve the proposed Ethical Framework for Members’ Staff with implementation for the beginning of the 2026-2030 Term of Council, as described in this report and in Document 8.

Background

Integrity Commissioner inquiry report and Council direction

In June 2021, Council considered a [report from the former Integrity Commissioner](#) on an inquiry respecting the conduct of a Member of Council. The inquiry focused on employment and contract relationships between the Member and other individuals, including an employee in the Member’s Office. The Integrity Commissioner found the relationships gave rise to an apparent conflict of interest for the Member.

Among other matters, the Integrity Commissioner’s inquiry determined that the employee developed their own practice for making their potential conflicts of interest known to the Member, in the absence of a clear procedure. The inquiry found discrepancies between the employee’s recollection of an agreement with the Member on how to manage conflicts of interest, and the Member’s recollection of the same matter.

In supplemental guidance appended to his report, the Integrity Commissioner noted that the inquiry:

“...highlighted the need for a consolidated ethical framework to assist Members’ employees manage practical matters at the intersection of the Members’ Code (of Conduct) and the Employee Code (of Conduct).”

The Integrity Commissioner’s supplementary guidance further stated:

“An ethical framework setting out responsibilities specific to the Member, the employee, and any other party involved, could complement the Employee Code

by providing additional specific guidance on a range of matters, including managing apparent, real and potential conflicts of interest.”

The Integrity Commissioner recommended the ethical framework be a practical resource for Members of Council and their assistants and it should, among other matters:

- Address key issues such as conflict of interest, including disclosure of financial interest, confidentiality and non-disclosure and engagement in outside business activities;
- Set out clear roles and responsibilities of all parties with respect to the key issues, including Members of Council as managers of City employees under their authority, Councillors’ Assistants, the City Clerk and Human Resources;
- Confirm applicable Human Resources policy requirements for Members’ staff; and
- Undergo review by the City Clerk, Integrity Commissioner, City Solicitor and City Manager as part of the regular governance cycle.

During consideration of the former Integrity Commissioner’s report at its meeting of June 23, 2021, Council approved Motion No. 56/4, which, among other matters, directed the City Clerk with the Integrity Commissioner, City Solicitor and City Manager to develop an ethical framework for Members’ staff as described in the “Guidance” section appended to the Integrity Commissioner’s report.

In the 2022-2026 Council Governance Review report, the Integrity Commissioner confirmed she would provide an update on the Ethical Framework for Members’ Staff as part of the 2022-2026 Mid-term Governance Review.

Council request respecting personal relationships

The proposed Ethical Framework responds to Council’s October 5, 2022, request to the Integrity Commissioner respecting personal relationships, as set out in Council Motion No. 2022-83-9:

WHEREAS in accordance with Section 223.3 of the *Municipal Act, 2001*, the City of Ottawa has established an Integrity Commissioner who has statutory oversight over the Code of Conduct for Members of Council; and

WHEREAS the Integrity Commissioner is currently reviewing the Code of Conduct for Members of Council as part of her forthcoming Annual Report, which will be appended to the 2022-2026 Governance Review report; and

WHEREAS Members of Council have authority to hire, manage and terminate their staff with relative impunity, which can create a power dynamic that is not in the best interests of a healthy workplace; and

WHEREAS this power dynamic may go beyond the internal affairs of a Member's Office, as Elected Officials may also form close personal relationships with other assistants or employees; and

WHEREAS City of Ottawa employees are required to identify any personal relationships with their colleagues to their direct managers;

THEREFORE BE IT RESOLVED that Council request the Integrity Commissioner review and consider updates to the Code of Conduct for Members of Council to address the issue of personal relationships between Members of Council and staff, including consideration of a requirement for a Member to disclose to the Integrity Commissioner when in a personal relationship with a Member's staff and implementing any other best practices as may be appropriate in a workplace environment.

As described in greater detail below, the proposed Ethical Framework includes requirements and guidance for Members of Council and their staff on managing consensual personal relationships that involve a workplace power imbalance.

The City of Toronto's Human Resources Management and Ethical Framework for Members' Staff

The former Integrity Commissioner's supplementary guidance to his June 2021 inquiry report to Council stated that the City of Toronto's "Human Resources Management and Ethical Framework for Members' Staff" could serve as a useful model for the ethical framework.

Toronto City Council adopted the "Human Resources Management and Ethical Framework for Members' Staff" in August 2014 as a parallel component to the Toronto Public Service by-law, which provides guidance to members of the public service on their rights and responsibilities for ethical matters related to conflict of interest, confidentiality, and political activity.

The City of Toronto's "Human Resources Management and Ethical Framework for Members' Staff" acknowledges the unique nature of Members' staff, setting out the roles and responsibilities of elected officials for human resources management of their staff, and providing ethical requirements for the staff of Members of Council on matters including:

- The duties/responsibilities of Members' staff in relation to the Code of Conduct for Members of Council;
- Lobbying;

- Political activity;
- Conflict of interest and disclosure of financial interests;
- Preferential treatment;
- Gifts;
- Employment of relatives; and
- The prohibition on staff's use or disclosure of confidential information.

On November 13, 2024, Toronto City Council adopted the Integrity Commissioner's recommendation to assign the Integrity Commissioner the role of ethics executive for Members' staff under the *Human Resources Management and Ethical Framework for Members' Staff*.

The City of Ottawa's Integrity Commissioner used the City of Toronto's Framework as a model for the proposed Ethical Framework for Members' Staff for the City of Ottawa. The proposed Ethical Framework is based on the same key principles as the City of Toronto model (integrity, accountability, and respect), and includes requirements for Members' staff on the same matters as those in the City of Toronto model, with a strong focus on conflict of interest.

The proposed Ethical Framework includes elements that are not present in the City of Toronto's Ethical Framework, such as:

- Guidance respecting personal relationships, in response to Council's request by Council Motion No. 2022-83-9 that the Integrity Commissioner "address the issue of personal relationships between Members of Council and staff"; and
- A focus on clear lines of reporting for complaints of wrongdoing by Members of Council and Members' staff, as well as a "no wrong door" approach for staff members who wish to make a complaint.

These matters are described in greater detail below.

The proposed Ethical Framework for Members' Staff

Application

Should Council approve the proposed Ethical Framework for Members' Staff, it would serve as a code of conduct for the staff of Members of Council, separate from the City of Ottawa Employee Code of Conduct.

The proposed Ethical Framework was developed as a code of conduct for Members' staff in recognition of the unique work environment of an elected official's office. Ethical considerations that arise for Members' staff in the course of their work – for example, regarding outside activities, including political activity – often differ from those of other City staff.

Should Council approve the proposed Ethical Framework, when it is implemented at the beginning of the 2026-2030 Term of Council, it will be the code of conduct for Members' staff. At that time, the City of Ottawa Employee Code of Conduct will cease to apply to Members' staff who are City employees.

For the purposes of the proposed Ethical Framework for Members' Staff, "Staff of members of Council" are defined as:

Individuals whose role regularly supports the standard functions of the Member's Office including, but not limited to, constituency, project/policy, and/or administrative work.

This includes salaried Councillors' Assistants on full or part-time contract with the City of Ottawa. Also included in this definition are contractors and students paid by invoice or honorarium through Members' Constituency Services Budgets, where the work of those individuals regularly supports the standard functions of the Member's Office as described in the definition above.

The proposed Ethical Framework would not apply to external individuals or third parties who provide "off the shelf" goods or services to Members of Council including, but not limited to items such as software licensing or subscriptions, web hosting, or office supplies.

Roles and responsibilities

Members of Council

The proposed Ethical Framework for Members' Staff applies to Members of Ottawa City Council in their capacity as managers of their staff.

The proposed Ethical Framework confirms Members' existing responsibilities with respect to their staff, including:

- Managing their staff in accordance with requirements set out in the Councillors' Office Manual, including the mandatory procedures for recruitment and hiring adopted by Council in 2020;
- Ensuring a safe work environment in accordance with Section 7 (Discrimination and Harassment) of the Code of Conduct for Members of Council, which sets out Members' duty to treat members of the public, one another, and staff with respect and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment; and
- Ensuring all employment-related matters, including hiring, promotions, performance appraisals and discipline are undertaken in accordance with the Code of Conduct for Members of Council, and in an objective and impartial

manner, free from improper influence and/or conflict of interest based on familial or personal relationships.

Currently, Members of Council are subject to the Employment of Family Members Policy, which prohibits employment situations where family members would be:

- Supervised by, or subordinate to, one another;
- Given preferential treatment in recruitment; or
- Appointed to positions where job responsibilities would be incompatible with positions occupied by family members.

Additionally, the Employment of Family Members Policy expressly prohibits elected officials' employment of any family member as part of their office staff, and from retaining any family member on contract for personal service.

The proposed Ethical Framework for Members' Staff incorporates Members' responsibilities under the current Employment of Family Members Policy. Specifically, the proposed Ethical Framework:

- Prohibits Members of Council from employing family members as staff of their offices, and from retaining any family member on contract or in a vendor relationship; and
- Prohibits employment situations in Members' offices wherein individuals would participate in recruitment, hiring, performance appraisal or promotion of family members, and/or work in a supervisory or reporting relationship with a family member.

As the proposed Ethical Framework incorporates Members' responsibilities under the Employment of Family Members Policy, should Council adopt the Ethical Framework, staff will make a parallel amendment to remove reference to elected officials from the Employment of Family Members Policy.

Should Council approve the proposed Ethical Framework, implementation is recommended for the beginning of the 2026-2030 Term of Council. Until that time, staff recommend adding to the Councillors' Office Manual Members' responsibilities that appear in the "Employment of Family Members" section of the proposed Ethical Framework.

In addition to confirming Members' existing responsibilities respecting their staff, the proposed Ethical Framework sets out new responsibilities for Members of Council on the following matters:

- **Personal relationships** – The proposed Ethical Framework describes that a "personal relationship" is one where the nature or closeness of the relationship

would compromise one's ability to be non-biased and objective (for example, a relationship between close friends, or between intimate/romantic partners).

For the purposes of the proposed Ethical Framework, "personal relationships" are understood to be consensual relationships. The guidance respecting personal relationships does not apply where an individual may be the subject of harassment. In such a scenario, existing City of Ottawa policies and procedures would apply, such as the Workplace Violence and Harassment Policy and Procedures, and the Code of Conduct for Members of Council.

The proposed Ethical Framework describes that if a Member of Council is involved in a personal relationship with someone who works for them, there is an apparent conflict of interest. If a Member is involved in a personal relationship with someone who works for another Member of Council, or for the City, there may be a conflict of interest.

Under the proposed Ethical Framework, Members of Council are responsible for ensuring personal relationships that involve a workplace power imbalance are properly managed to avoid a conflict of interest. The proposed Ethical Framework requires that if a Member becomes aware that they are involved in a personal relationship in which a workplace power imbalance is present, the Member must report the relationship to the Integrity Commissioner.

The Integrity Commissioner, in consultation with the City Clerk and/or Human Resources, would then determine recommended measures to address the conflict of interest. For example, if the individual is a staff member in the Member's Office, it may be appropriate to offer the staff member an alternate but comparable position in another Member's Office or within the City administration, as feasible.

The proposed Ethical Framework states that Members of Council are only required to report to the Integrity Commissioner when they are involved in a personal relationship in which a workplace power imbalance is present. However, Members are encouraged to seek the Integrity Commissioner's confidential guidance respecting any personal relationship that may give rise to the perception of a conflict of interest.

- **Receiving an inquiry report from the Integrity Commissioner** – Under the Complaint Protocol for the proposed Ethical Framework, anyone who identifies or witnesses behaviour or an activity by a staff member of a Member of Council that appears to be in contravention of the Framework may initiate the informal

complaint resolution process, or may file a formal complaint with the Integrity Commissioner.²

If the Integrity Commissioner determines an investigation is required, she will investigate and provide a factual report on the matter to the respondent staff member, the Member of Council to whom they report, and the City Clerk. The Integrity Commissioner's report will set out factual findings and a determination on whether the respondent staff member contravened the Ethical Framework for Members' Staff.

If the Integrity Commissioner's report has found the respondent contravened the Ethical Framework, the Member of Council shall work with the City Clerk to determine the appropriate response/disciplinary action which can include, but is not limited to, training, monitoring, a reprimand, or being subject to a transfer, suspension, or a dismissal.

City Clerk

Under the proposed Ethical Framework, the Office of the City Clerk will continue to provide support for Members of Council in the management of their staff, and for the staff of Members of Council themselves. Council and Mayor Support Services will continue to serve as points of contact for routine human resource inquiries, approve time and leave requests and assist with recruitment and hiring.

The proposed Ethical Framework sets out additional roles for the City Clerk, including:

- Working with the Integrity Commissioner as appropriate to determine recommended measures when a conflict of interest may have arisen for a staff member of a Member of Council; and
- Working with the relevant Member of Council to determine the appropriate response when the Integrity Commissioner has investigated an alleged breach of the Ethical Framework by the Member's staff member, and determined the staff member's actions/behaviour contravened the Framework.

Integrity Commissioner

The proposed Ethical Framework designates the Integrity Commissioner as ethics executive for the staff of Members of Council. In that role, the Integrity Commissioner:

- Receives requests from Members' staff for guidance about their responsibilities under the Ethical Framework, and provides confidential advice; and

² In accordance with the Workplace Violence and Harassment Policy, complaints of workplace violence and harassment naming a staff member as the respondent should be reported to Human Resources' Workplace Violence and Harassment Unit. All other alleged contraventions of the proposed Ethical Framework shall be reported to the Integrity Commissioner.

- Receives complaints alleging staff members of Members of Council contravened the Ethical Framework for Members' Staff. As relevant to the specific scenario, the Integrity Commissioner would:
 - Assist the parties in informal resolution of the matter; or
 - In the case of a formal complaint, either dismiss the complaint if there are insufficient grounds for an investigation; or investigate the complaint and provide a report on the investigation to the respondent staff member, the Member of Council to whom they report, and the City Clerk.

Designating the independent Integrity Commissioner as ethics executive for Members' staff will allow for consistent guidance on ethical matters to staff across all Members' Offices.

As the proposed Ethical Framework describes, Members' staff often act on behalf of the Member to whom they report, including by representing the Member at events or communicating with constituents. Staff's actions on behalf of a Member may result in the Member being found to have contravened the Code of Conduct for Members of Council, and lead to sanction of the Member. The Integrity Commissioner is uniquely positioned to provide advice to Members' staff in a way that takes into consideration the requirements of the Code of Conduct for Members of Council.

As noted above, in November 2024, Toronto City Council adopted the Integrity Commissioner's recommendation to assign the Integrity Commissioner the role of ethics executive for Members' staff under the *Human Resources Management and Ethical Framework for Members' Staff*. In his November 5, 2024, report to Council on the matter, Commissioner Jonathan Batty recommended that Members' staff, "when seeking advice on their own personal conflicts of interest, be permitted to consult directly and confidentially with the Integrity Commissioner", further noting that staff, "may be deterred from asking questions they feel uncomfortable raising with the person to whom they report."³

At the provincial level, the Integrity Commissioner of Ontario provides conflict of interest advice to Members of Provincial Parliament and serves as "Ethics Executive" to Ministers' staff, answering their questions about the application of conflict of interest rules that apply to that group, determining whether a conflict exists, and providing direction. These roles are set out in the *Members' Integrity Act, 1994* and the *Public Service of Ontario Act, 2006*.

Staff of Members of Council

³ City of Toronto Integrity Commissioner Jonathan Batty, "Updates on Addressing Workplace Harassment and Discrimination" (November 5, 2024). Report to Toronto City Council November 13, 2024, <https://secure.toronto.ca/council/agenda-item.do?item=2024.CC23.3>.

As a code of conduct for the staff of Members of Council, the proposed Ethical Framework sets out clear responsibilities in the following areas:

- **Conflict of interest** – When a staff member becomes aware they have or could have a conflict of interest, they shall seek the Integrity Commissioner’s advice. The Integrity Commissioner will provide written advice to the staff member on managing the conflict. If the Integrity Commissioner determines there is a conflict, the staff member must disclose the matter to the Member of Council to whom they report.
- **Outside activities** – Staff members shall not engage in outside work/business activity that conflicts with their duties in the Member’s Office, and shall not use confidential information obtained during their employment in the Member’s Office to benefit their own business activities/interests, or those of any other person or body. Staff who engage in outside work/business activities shall disclose those activities to the Member and the Integrity Commissioner in advance.
- **Political activity** – The proposed Ethical Framework does not prohibit staff’s participation in political campaigns, and/or support of candidates. However, in compliance with the *Municipal Elections Act, 1996*, public funds and resources are not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office. Staff members are required to comply with the requirements of the Election-Related Resources Policy and related Election-Related Blackout Period Procedures.
- **Appearing before City committees, agencies or local boards** – Staff members may not appear before any such body on behalf of a private citizen or third party. Staff may appear before such bodies on their own behalf or on behalf of a family member. Should a staff member intend to appear before a City committee or local board as a private citizen, it is recommended they disclose the matter to the Member and Integrity Commissioner and seek the Integrity Commissioner’s guidance on potential conflict of interest.
- **Personal relationships** – If a staff member becomes involved in a personal relationship with another staff member in which a workplace power imbalance is present – for example, if the relationship is with a staff member in the same Office, and one of the individuals is supervised by or reports to another – there is an apparent conflict of interest. The staff member shall report the relationship to their Member of Council and to the Integrity Commissioner, who will work with the City Clerk and Human Resources as appropriate to determine measures to address the conflict.
- **Employment of family members** – Staff members shall not participate in activities related to recruitment, hiring, performance appraisal or promotion of

family members, or work in a supervisory/reporting relationship with a family member or a relationship in which one party would be subordinate to the other. Should such a situation arise, staff shall disclose the matter to their Member of Council and the Integrity Commissioner, who will work with the Clerk to determine measures to address the conflict.

- **Preferential treatment** – A staff member shall not use their position to give anyone preferential treatment that would advance their own interest or that of any party where such interest is contrary to that of the City, or give preferential treatment to family members or anyone with whom they have personal relationships.
- **Gifts** – A staff member may accept a gift of nominal value (not exceeding \$30) given as an expression of courtesy or hospitality, provided it does not influence, or be perceived to influence, the performance of their duties. Staff shall not accept gifts that would, to a reasonable member of the public, appear to be in gratitude for influence/induce influence, or otherwise go beyond the necessary and appropriate public functions involved. Staff are not permitted to accept gifts from lobbyists with active lobbying registrations, or from their registered clients or their employees.
- **Lobbying** – When lobbied, staff members' duties include informing lobbyists of the requirement to register, reviewing the Lobbyist Registry monthly to confirm that instances where they and/or the Member to whom they report have been properly registered, and informing their Member of any failures on the part of lobbyists to disclose an activity. The Member and/or staff member may then remind the lobbyist of the requirement to disclose, or inform the Integrity Commissioner.
- **Post-employment prohibition on lobbying** – As named public office holders under Section 7 of the *Lobbyist Registry By-law* (Post-employment Lobbying Restrictions), staff members shall not lobby the City for a period of one year after the date they cease to be a staff member of an elected official.
- **Use of municipal property/resources** – Staff members shall not use, or permit the use of any City property (including facilities, supplies, equipment, etc.) for activities not associated with the performance of their duties. Staff shall not use municipal property/resources wastefully, or for their own personal benefit.
- **Confidentiality and non-disclosure** – Staff members shall not use information that is obtained in their capacity as staff and that is not available to the general public to further/seek to further their private interest, or improperly to further/seek to further another person's private interest. Staff shall not disclose or release by any means confidential information acquired by virtue of their position, except

what may be necessary by law, including under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

Compliance

Alleged wrongdoing by the staff of Members of Council

The proposed Ethical Framework contains a Complaint Protocol that describes two streams for complaints alleging wrongdoing by the staff of Members of Council.

- **Complaints of workplace violence and harassment naming a staff member as the respondent** – These complaints should be reported to the Workplace Violence and Harassment Unit in Human Resources at HRWVH@ottawa.ca.

In accordance with the Workplace Violence and Harassment Policy and related procedures:

- Reported incidents will be assessed, and the Workplace Violence and Harassment Unit may initiate an investigation as appropriate in the circumstances.
- If the respondent is an employee, and an investigation finds that they have subjected another employee to workplace violence or harassment, the City will take appropriate measures to address the conduct. This may include the respondent being subject to disciplinary action, which can include, but is not limited to, monitoring, a reprimand, or being subject to a transfer, a suspension or a termination of employment. When a workplace violence or harassment investigation is not required, alternate resolution options may be discussed with the Director or General Manager.
- **All other alleged contraventions of the Ethical Framework by staff of Members of Council** – The Complaint Protocol includes an informal, and a formal complaint procedure. Any individual who identifies or witnesses behaviour or an activity by a staff member of a Member of Council that appears to contravene the Ethical Framework may initiate the informal procedure, or file a formal complaint with the Integrity Commissioner.

The informal process mirrors that of the Code of Conduct for Members of Council, the Code of Conduct for Members of Local Boards, and the Code of Conduct for Citizen Members of the Built Heritage Standing Committee. Individuals are encouraged to pursue the informal complaint procedure as the first step in addressing behaviour that they believe contravenes the Framework. With the consent of both the complaining individual and the respondent staff member, the Integrity Commissioner may participate in the informal process. The informal process is not a precondition to pursuing the formal complaint procedure.

The formal complaint procedure is initiated by an individual making a report to the Integrity Commissioner of a staff member's alleged contravention of the Ethical Framework. The complaint must be in writing, and must be made by an identifiable individual. Anonymous complaints will not be accepted.

The complaint must provide as much information as possible about the allegation [for example, names, dates, witnesses, and details of the nature of the alleged contravention, including which section(s) of the Framework are alleged to have been contravened]. The Integrity Commissioner will make every effort to protect the identity of a complainant, where appropriate and necessary. With that said, their identity may not be protected if the Integrity Commissioner finds that the complaint was not made in good faith.

The Integrity Commissioner will undertake a thorough intake analysis of the complaint, assess whether the matter falls within the Integrity Commissioner's jurisdiction, and whether an investigation is required. The Integrity Commissioner may refuse to investigate a complaint or may terminate an investigation in process if the Integrity Commissioner believes:

- There are no grounds/insufficient grounds for investigation;
- The complaint is frivolous/vexatious or not made in good faith; or
- An investigation would serve no useful purpose.

If an investigation is required, the Integrity Commissioner will provide notice of such to the respondent staff member, and the Member of Council to whom they report. The Integrity Commissioner will provide the respondent staff member with information and documentation provided by the complainant, and request that the respondent staff member provide a written response to the allegation within 10 business days.

Following the completion of an investigation, the Integrity Commissioner will provide the respondent staff member a copy of the draft report on findings, and offer the respondent the opportunity to provide comments.

The Integrity Commissioner will produce a final report on the investigation setting out factual findings and the Integrity Commissioner's determination on whether the respondent contravened the Ethical Framework for Members' Staff.

The Integrity Commissioner's report will not be public. Rather, the Integrity Commissioner will provide the final report on the investigation to the respondent staff member, the Member of Council to whom they report, and the City Clerk. The complainant will receive a brief update on the investigation – they will not receive the Integrity Commissioner's report.

The Integrity Commissioner's report will be confidential, pursuant to Section 223.5 of the *Municipal Act, 2001* ("Duty of Confidentiality"), which prevails over MFIPPA. Furthermore, the report would be excluded from the right to access, as it would be subject to the labour relations and employment exclusion of MFIPPA.

If the Integrity Commissioner's investigation finds that the respondent staff member contravened the Ethical Framework, the City Clerk and the relevant Member of Council will determine the appropriate response (for example, training, monitoring, a reprimand, or being subject to a transfer, suspension, or dismissal).

Alleged wrongdoing by Members of Council

Allegations of wrongdoing by Members of Council that are brought to the Integrity Commissioner will be addressed under the existing Complaint Protocol for the Code of Conduct for Members of Council. This includes complaints of workplace violence and harassment that name a Member of Council as the respondent.

If a staff member makes a complaint to Human Resources of workplace violence and harassment naming a Member of Council as the respondent, Human Resources staff will refer the complaint to the Integrity Commissioner and will be the complainant for the purposes of the Integrity Commissioner's procedures. This process, described in the "Safe Workplace" section of the proposed Ethical Framework, supports the "no wrong door" approach to reporting workplace violence and harassment, while respecting the Integrity Commissioner's oversight of the Code of Conduct for Members of Council.

Consultation

The Integrity Commissioner and City Clerk developed the proposed Ethical Framework in consultation with the Chief Human Resources Officer and the City Solicitor, and in concurrence with the City Manager.

Early in 2024, as part of the Integrity Commissioner's annual check-in meetings with Members of Council, the Commissioner received feedback from Members on high-level aspects of the proposed Ethical Framework. During consultation with Members of Council on mid-term governance items, the City Clerk and the Manager, Governance, Elected Officials and Business Support Services, received further input from Members of Council on key aspects of the proposed Framework.

On September 27, 2024, the City Clerk and Integrity Commissioner held an information session for the staff of Members of Council on the key elements of the proposed Ethical Framework. Approximately eight staff attended in person, and 18 joined the meeting online. After a brief presentation, staff present in person and those attending online had the opportunity to ask questions and provide comments. A recording of the presentation portion of the session, as well as French and English versions of the power point

presentation, were posted on the Council Administration SharePoint site for staff and Members' reference.

On September 20, 2024, the Integrity Commissioner circulated an email to all Members of Council advising of the then-upcoming information session for staff of Members of Council, and offering to, with the Clerk, provide a briefing on the proposed Ethical Framework to any Member who wished to receive one. Since that time, the Clerk and Integrity Commissioner have briefed some Members of Council on key elements of the proposed Ethical Framework.

Disposition

Implementation and regular review

Should Council approve the proposed Ethical Framework for Members' Staff, the Framework will be implemented at the beginning of the 2026-2030 Term of Council. This timeframe will allow staff to develop necessary procedures and guidelines to support the Framework, and to update the Councillors' Assistant contract template as necessary.

The timeline will further allow the Integrity Commissioner and City Clerk to develop educational materials and deliver training sessions on the Ethical Framework for Members of Council, their staff, and City staff who support Members and their Offices, such as staff of the Office of the City Clerk and Human Resources personnel.

Should Council approve the proposed Ethical Framework, the Integrity Commissioner will make a corresponding amendment to the Code of Conduct for Members of Council, as indicated in Document 9, to be effective November 15, 2026, with the start of the new term of Council. The amendment will set out Members' requirement to ensure the administration of their offices is undertaken in accordance with the Ethical Framework for Members' Staff.

The Ethical Framework will be appended to the Councillors' Office Manual at the beginning of the 2026-2030 Term of Council. The Integrity Commissioner and Office of the City Clerk will provide training on the Ethical Framework to all Members of Council and their staff as part of 2026-2030 Council orientation. Going forward, the Ethical Framework will undergo review by the City Clerk, Integrity Commissioner, City Solicitor and City Manager as part of the regular governance cycle.

The Integrity Commissioner and City Clerk will monitor for any resource implications on the Office of the Integrity Commissioner as a result of the Ethical Framework, and will report back to Council on this matter as necessary.

Relationship to the Employee Code of Conduct

Until the Ethical Framework is in place, the City of Ottawa Employee Code of Conduct will continue to apply to City employees who work in the Offices of Members of Council.

Separate from the proposed Ethical Framework, staff from the Office of the City Solicitor will bring forward for Council's awareness an updated Employee Code of Conduct in February 2025. The updated Employee Code of Conduct will apply to City of Ottawa employees, including City employees who work in the Offices of Members of Council. When the Ethical Framework comes into force, it will serve as the code of conduct for Members' staff.

Updates to Council-approved codes of conduct

Part II, Recommendation 3:

Approve amendments to the Code of Conduct for Members of Council [By-law No. 2018-400] and the Code of Conduct for Citizen Members of the Built Heritage Committee [By-law No. 2022-413] as described in this report and in Document 9.

Strong Mayor powers

Bill 3, the *Strong Mayors, Building Homes Act, 2022*, received Royal Assent on September 8, 2022, and came into force on November 23, 2022. This legislation and associated regulations provide the Mayor with additional powers beyond those previously set out in the *Municipal Act, 2001*.

The proposed revisions to Section 10 of the Code of Conduct for Members of Council set out in Document 9 are intended to reflect the changes brought about by Bill 3, specifically the Mayor's authority to direct staff, in writing.

Reimbursement of legal expenses

The Complaint Protocol provides that Members of Council who are the subject of an inquiry may consult with a lawyer and charge those expenses to their Constituency Services Budget.

If, after an investigation is complete and the allegation(s) against a Member are determined to have merit, the Complaint Protocol provides that the Integrity Commissioner may require the Member to repay the City for reimbursed legal expenses.

In practice, the current wording of Subsection 9(2)(a) creates administrative challenges that compromise the confidentiality of the Integrity Commissioner's work. For example, where a Member submits legal expenses for reimbursement during an ongoing investigation, City staff cannot validate the legitimacy of the expense without the Integrity Commissioner confirming the legal expenses relate to a Code of Conduct inquiry. Further, when a Member's office expenses are reconciled they become subject

to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). As a result, the confidentiality of the inquiry process is at risk.

The proposed change does not impact Members' ability to charge legal expenses associated with a Code of Conduct inquiry in those instances where a complaint is dismissed, no contravention is found, or the Integrity Commissioner determines reimbursement of the Member's legal expenses is appropriate. However, it would mean that reimbursement would not occur until after an inquiry is complete and the Integrity Commissioner decides reimbursement is appropriate.

The Integrity Commissioner recommends Subsection 9(2)(a) be amended as follows:

Current wording:

The Member who is the subject of the investigation may consult with a lawyer and charge this to their office budget. If the complaint is determined to have merit, the Integrity Commissioner may require the Member to reimburse these expenses to the City. If the subject of the investigation of a citizen member of the Transit Commission, the costs may be expensed to the Council administration budget through the Clerk's office.

Proposed revised wording:

A Member who is the subject of an inquiry may consult with a lawyer. If the complaint is dismissed or no contravention is found, the Member may charge the applicable expenses to their Constituency Services Budget. If a contravention is found, the Integrity Commissioner may determine that the applicable expenses will not be reimbursed by the City. After an inquiry has concluded, the Integrity Commissioner will disclose their determination to the Member, and the City Clerk as appropriate.

Changes to the Complaint Protocol

The Integrity Commissioner recommends the following amendments to the Complaint Protocols for the Code of Conduct for Members of Council:

- Section 3 – Clarification that a designated City official may refer a complaint to the Integrity Commissioner in keeping with the relevant policy. For example, Council approved the Administrative Penalty System (APS) Prevention of Political Interference Policy on May 15, 2024, which is intended to minimize and restrict opportunities for political interference, intentionally and unintentionally. The policy establishes a process whereby the Director, Service Ottawa, upon receipt of information about an attempt to influence a decision in relation to the administration of the APS Program, would immediately request the Integrity Commissioner investigate the matter. The new provision recognizes the Integrity

Commissioner's authority to consider the referral as a complaint under the Code of Conduct for Members of Council.

- Section 3 – Clarification that the Integrity Commissioner will provide accommodation to any participant as required under the Ontario Human Rights Code or as the Integrity Commissioner deems necessary.
- Section 4 – Establishes a specific intake process for harassment complaints filed by a third party that permits the Integrity Commissioner to exercise her discretion to speak with the alleged victim of the harassment as part of the complaint intake process and before making a determination as to whether an investigation is warranted.

“Housekeeping” amendments

The Integrity Commissioner recommends the following “housekeeping” amendments to the Council-approved codes of conduct:

- Code of Conduct for Members of Council – Reference to the Administrative Penalty System (APS) Program
 - On May 15, 2024, City Council approved the implementation of the APS Program for the enforcement, processing and resolution of parking by-law contraventions, red-light camera and automated speed enforcement contraventions detected by camera systems. As required by the *Municipal Act, 2001*, Regulation 333/07, and the *Highway Traffic Act, 1990*, Regulation 355/22, Council approved the APS Prevention of Political Interference Policy to minimize and restrict opportunities for political interference, intentionally and unintentionally. Consistent with obligations set out in Section 8 of the Code of Conduct respecting the *Provincial Offences Act* – Conflict of Interest Policy, Members of Council shall not attempt to influence or interfere, either directly or indirectly, financially, politically or otherwise with employees, officers or other persons performing duties under the APS Program.
- Code of Conduct for Citizen Members of the Built Heritage Committee – References to “citizen members” would be updated to “public members”
 - Consistent with changes made to the City’s Appointment Policy, using “public members” is a more accurate term because citizenship is not an eligibility requirement in the Appointment Policy. Further, residents who are not citizens may perceive this language as more inclusive and may be encouraged to apply. This furthers the City’s goal of improving diversity in its public memberships.

Conflict of interest disclosure

Public officials have an obligation to act with concern for the public good and not for their private interests. As part of the 2022-2026 Council Governance Review, in an effort to strengthen conflict-of-interest policies for public office holders, City Council approved a change to the Code of Conduct for Members of Council whereby Members are required to proactively file a conflict-of-interest disclosure statement with the Integrity Commissioner at the beginning of the term of Council. Members are further required to confirm or update the disclosure statement on an annual basis.

The Integrity Commissioner committed to evaluating the process over the course of the first two years and reporting back to Council as part of this review with respect to her position on the publication of summarized disclosure statements.

All Members of Council filed disclosure statements at the beginning of the 2022-2026 Term of Council. At the mid-point of the term, Members sought advice regarding potential conflicts of interest on approximately 30 different matters and 10 Members have updated their conflict-of-interest disclosure statements.

It is the Integrity Commissioner's position that the existing conflict-of-interest framework, including the proactive disclosure of conflicts of interest under the *Municipal Conflict of Interest Act*, is fostering thoughtful and productive discussions with Members of Council. Members are disclosing potential conflicts of interest, consulting with the Integrity Commissioner and taking appropriate action as necessary (for example, declaration of an interest under the *Municipal Conflict of Interest Act*, rising on a point of personal privilege, etc.). For these reasons, the Integrity Commissioner does not believe there is additional value in publishing Members' disclosure statements.

The Integrity Commissioner is of the opinion the conflict-of-interest framework is working well and does not recommend changes to the existing mandatory disclosure of conflicts of interest.

Code of conduct for the City's adjudicative boards/tribunals

As described in the 2018-2022 Council Governance Review report, a Divisional Court ruling in the case of *City of Hamilton v. Ombudsman of Ontario, 2017* (ONSC 4865) found that the City of Hamilton's Election Compliance Audit Committee and Property Standards Committee were not "local boards" for the purposes of the open and closed meeting provisions in the *Municipal Act, 2001*. In particular, the Court found that the purpose of these entities, as defined in their respective enabling legislation and as established by the City of Hamilton, was inconsistent with the City's authority to dissolve a local board and assume its functions. In both instances with the Hamilton committees, the Court determined that the Council could not dissolve those committees and take over the responsibilities of those entities.

For this reason, unlike public members appointed to the City's local boards (including the Committee of Adjustment which is also an adjudicative board), the public members of the City's Election Compliance Audit Committee and the Property Standards and License Appeals Committee are not subject to the Code of Conduct for Members of Local Boards.

In consultation with the City Clerk and City Solicitor, the Integrity Commissioner will examine the feasibility of a standalone code of conduct for the public members of the City's adjudicative boards as part of the 2026-2030 Council Governance Review report. Such a code of conduct would apply to the Committee of Adjustment, the Election Compliance Audit Committee, and the Property Standards and License Appeals Committee and the development of a code would involve consultation with those bodies. Public members of all other local boards would continue to be subject to the Code of Conduct for Members of Local Boards.

Lobbyist Registry By-law

In 2021, Council directed the Integrity Commissioner to consider and introduce post-employment lobbying restrictions ("the prohibition") as part of the *Lobbyist Registry By-law*.

The Commissioner introduced the prohibition as part of the 2022-2026 Council Governance review. The prohibition came into effect on December 14, 2022. It included a one-year cooling-off period applied to elected officials, their offices, and to senior public office holders upon leaving the City. The Commissioner committed to monitoring the implementation of the post-employment restrictions and reporting back to Council as part of the 2022-2026 Mid-term Governance Review.

Since coming into effect, 70 officials subject to the prohibition have left the City. There has only been one breach, which occurred at the implementation of the prohibition, where a lobbyist was unaware they were subject to the newly-enforced restrictions. The matter was resolved through a Letter of Direction and a meeting with the lobbyist to educate them on the prohibition.

In its first year, the Commissioner received questions regarding the application of the prohibition. An Interpretation Bulletin was published providing clarification, including to whom the prohibition applied and that the prohibition only limits a former public office holder's ability to lobby the City, as defined by the *Lobbyist Registry By-law*, for the specified period of time.

The prohibition as established duly mitigates the risks of conflict of interest between former colleagues without unduly limiting the former public office holder's employment prospects. In addition, the current formulation of the post-employment restriction on lobbying – to whom the rules apply and the length of the restriction – continues to align with practices in other Canadian jurisdictions and the international standards

recommended by the *2024 Recommendation on Transparency and Integrity in Lobbying and Influence* published by the OECD (Organisation for Economic Co-operation and Development).

For this reason and to continue to meet the City's high standards of accountability and transparency, no changes are proposed to the *Lobbyist Registry By-law*.

Part III – Local boards

Various updates related to current and former local boards of the City are described in Document 10, which refers to matters considered by Council during the 2022-2026 Term of Council as well as follow-up information relating to previous Council decisions such as the dissolution of certain local boards.

Recommendations made in this report relating to local boards are described below.

ByWard Market District Authority Municipal Services Corporation

Part III, Recommendation 1:

Approve the following with respect to the ByWard Market District Authority Municipal Services Corporation:

- a. Direct staff to work with the ByWard Market District Authority to review and implement any procedural changes that would align the Annual Meeting of Members with established Council procedures, as described in this report; and**
- b. Approve that the ByWard Market District Authority is eligible to participate in the Parking Initiatives Grant Program, as described in this report.**

On June 14, 2023, Council considered the report titled, "[ByWard Market Strategic Alignment Initiative and Public Realm Plan Update](#)," and approved recommendations that resulted in updates to the Municipal Services Corporation known as the ByWard Market District Authority. In addition, Council approved steps to dissolve the ByWard Market Business Improvement Area (BIA), by directing the City Clerk to bring forward for Council approval the repeal of by-laws relating to the BIA by no later than December 31, 2023.

The *Municipal Act, 2001* and Ontario Regulation 599/06 provide the City with the power to establish Municipal Services Corporations. The new district model for the ByWard Market District Authority utilizes the Municipal Services Corporation legal structure used for the former Ottawa Markets Municipal Services Corporation, with a new board governance structure and expanded operating mandate.

The Municipal Services Corporation known as Marché d'Ottawa Markets (Ottawa Markets) was incorporated in 2018 under the *Canada Not-for-profit Corporations Act*. In

2023, Council approved updates to the not-for-profit incorporation including the rebranding as the ByWard Market District Authority. The Municipal Services Corporation exists as a not-for-profit organization under the control of City Council, the sole member of the corporation. The Mayor and each City Councillor is an *ex officio* Member of the ByWard Market District Authority Municipal Services Corporation during their term in office.

A board of directors supervises the management of the activities and affairs of the Corporation. As described in the report titled, "[ByWard Market Strategic Alignment Initiative and Public Realm Plan Update](#)," the new board includes up to 12 directors, including 11 voting and one non-voting director. There are two permanent *ex officio* members: The Mayor or Mayor's designate (voting) and the General Manager of the Strategic Initiatives Department or their designate (non-voting). On June 14, 2023, Council approved Motion No. 2023-16-14 appointing a Council observer to the board governance structure as an *ex officio*, non-voting observer to the board and any committees.

Procedural matters – Annual Meeting of Members of the corporation

Further to statutory requirements, the Board of Directors is required to call an Annual Meeting of Members for the purpose of matters including considering financial statements and reports of the public accountant, electing Directors, appointing a public accountant and conducting any other business.⁴

From a procedural perspective, Council has traditionally paused its regular meeting to recess for the purposes of holding the Annual Meeting of Members of the Municipal Services Corporation. The Council meeting resumes upon the conclusion of the Annual Meeting of Members. The Annual Meeting takes place in accordance with the corporation's by-laws, which means certain practices may not align with City Council's *Procedure By-law* (for example, Members vote at the meeting to choose a Chair for the meeting. This Chair is traditionally determined to be the Mayor, who is already chairing the Council meeting).

Staff and Members of Council have observed that the current practice is inefficient and may result in confusion for members of the public due to a different procedural formats being followed during a regular meeting of Council.

Appreciating that specific legislative requirements may apply to a corporation and its Annual Meeting of Members, it is recommended that Council direct staff to work with the ByWard Market District Authority to review whether an improved procedural approach may be implemented to provide for the Annual Meeting of Members to take place with

⁴ For example, on June 25, 2024, Ottawa Markets held its [Annual Meeting of Members](#), at which a special resolution approving the Articles of Amendment amending the name of the Corporation to "ByWard Market District Authority" was approved, among other things.

as little as possible disruption to the flow and practices of a regular Council meeting undertaken in accordance with the *Procedure By-law* – similar to the annual reporting process for other local boards.

Should such an approach be determined, staff note the *Canada Not-for-profit Corporations Act* provides for the corporation's Board of Directors to approve a resolution to amend its by-laws that could take effect immediately and be brought to the next Meeting of Members for confirmation, rejection or amendment. As such, staff anticipate that any changes to meeting practices could take effect for the ByWard Market District Authority's next Annual Meeting of Members in 2025.

Eligibility for the Parking Initiatives Grant Program

The City's Parking Initiatives Grant Program is a component of the Council-approved Municipal Parking Management Program. The grant program aims to provide an opportunity to collaborate with eligible BIAs on promotion and projects that align with the Municipal Parking Management Strategy objectives. Eligible BIAs have used the grant funding for initiatives such as tourism brochures, advertising content and the production of newsletters focused on parking-related information, all of which is fully funded by City parking revenue.

In accordance with Council's direction noted above, the ByWard Market BIA was dissolved pursuant to By-law No. 2023-393, which Council enacted and passed on September 13, 2023. Given the ByWard Market District Authority's new and expanded operating mandate in the area formerly under the jurisdiction of the BIA, which includes public paid parking, staff recommend Council approve that the ByWard Market District Authority is eligible to participate in the Parking Initiatives Grant Program. This would provide an opportunity for the area to continue to benefit from initiatives and projects consistent with the objectives of the Municipal Parking Management Strategy.

Committee of Adjustment

Part III, Recommendation 2:

Approve the Committee of Adjustment Terms of Reference attached in Document 12.

The Committee of Adjustment is an independent quasi-judicial tribunal responsible for considering and making decisions on minor variance, consent, and permission applications. The committee operates at arm's length of Council and the City administration.

City Council is responsible for approving the Committee of Adjustment's mandate, structure, terms of reference, member appointments, annual operating budget, and application fees. City Council also establishes the accountability framework under which

the committee operates, including administrative and controllership policies, practices, and procedures, as well as member and employee codes of conduct.

On January 30, 2023, the Committee of Adjustment provided Members of Council with an update respecting an organizational review of the committee conducted by KPMG LLP. On behalf of the committee Chair, the Secretary-Treasurer shared a copy of the KPMG report and recommendations and noted the committee “is eager to follow-up on the review’s recommendations and will work with City officials and other partners on their implementation.”

On February 15, 2023, as the Planning and Housing Committee considered the report titled, “2023 Draft Operating and Capital Budget – Planning and Housing Committee,” the Federation of Citizens’ Associations (FCA) presented a document titled, “Guidance for the City’s Committee of Adjustment,” which included several recommendations related to how the Committee of Adjustment “discharges its responsibilities” and “enhancing the role of the City’s Planning Department as it participates in the Committee of Adjustment process.” The Planning and Housing Committee approved Motion No. 2023-3/2, which referred the FCA document to City staff for review and comment.

On May 10, 2023, as part of the 2022 Annual Report from the Office of the City Clerk, Council directed staff to review both the KPMG recommendations and the FCA recommendations, in consultation with the committee’s Secretary-Treasurer, and bring forward any proposed amendments to the Committee of Adjustment’s structure, governance and administration as part of the 2022-2026 Mid-term Governance Review.

KPMG – Committee of Adjustment organizational review

The KPMG organizational review ([Organizational Review Final Report](#), January 2023) was the first comprehensive review of the Committee of Adjustment by outside experts since it began operations on January 1, 2002. The report’s findings confirmed that the City’s quasi-judicial tribunal is a “high performing organization”; Committee of Adjustment staff are widely recognized for their responsiveness to applicant and public inquiries; statutory timelines are regularly met; and panelists (members) and Committee of Adjustment staff have an excellent working relationship, with 100 per cent of members surveyed indicating they are well-supported by Committee of Adjustment staff.

The report contains 17 recommendations “to improve the organizational resilience” of the Committee of Adjustment. The recommendations fall under the broad categories of “services and processes,” “organization and governance,” “people and culture,” “public hearings,” and “information and technology.”

The review notably highlights that the Committee of Adjustment is facing challenges impacting its capacity to maintain service levels over the medium- and long-term,

including a misalignment between the decision-making authorities and mandate of Committee of Adjustment management.

Collectively, the committee and City staff have implemented changes or continued to make progress on several KPMG recommendations as summarized in Document 11.

Adjudicative body

The Committee of Adjustment's only function is to act in an adjudicative capacity. It is a distinction that the courts, including the Supreme Court of Canada ([Newfoundland Telephone, \(SCC\), \[1992\] 1 SCR, 623, 638](#)) have made between administrative boards "that are primarily adjudicative in their functions" and those that "[a]t the other end of the scale are boards with popularly elected members such as those dealing with planning and development whose members are municipal councillors." Contrary to elected municipal councils that are legislative in nature, committees of adjustment have no policy formation function; they are strictly adjudicative bodies. They do not conduct any other business than their statutory mandate of holding public hearings to consider certain types of applications and making decisions based on the evidence. This means that adjudicative boards (tribunals) are held to a higher standard of judicial neutrality. At page 645 of its decision, the Supreme Court of Canada reinforced that the consequences of a finding of bias are "a denial of a right to a fair hearing" and that the tribunal's decision "is void."

Considering the consequences of a finding of bias, Committee of Adjustment members must always avoid any perception of bias. Because committee members hold public hearings and come into regular contact with applicants, agents, community association representatives and members of the public, they must guard against making public statements – both inside and outside the hearing room – that could create a reasonable apprehension of bias. The Secretary-Treasurer therefore acts as the Committee of Adjustment's spokesperson and main point of contact for Council, City staff, applicants, agents, external stakeholders and the public.

Formalizing reporting relationships

The KPMG report highlighted that key reporting and working relationships relating to the Chair, Secretary-Treasurer and City Clerk "work well" and should be formalized and documented in publicly available terms of reference (Recommendation 2.2.2).

Expanding on the mandate, structure and organization of the committee as established by Council, draft Terms of Reference for the Committee of Adjustment are provided in Document 12.

The draft Terms of Reference set out the mandate and structure of the Committee of Adjustment and highlight the arm's length relationship between Council, the City administration and the Committee of Adjustment.

The draft Terms of Reference also describe roles, responsibilities and reporting/working relationships among the committee's members, Vice-Chairs and Chair, the Secretary-Treasurer and the City Clerk. In particular, the Terms of Reference address the reporting relationship between the Secretary-Treasurer and the City Clerk for administrative matters (i.e., transactional and human resources matters such as vacation leave and mileage claims). This is a "dotted-line" relationship through which matters are addressed in accordance with the terms and conditions of employment as determined between the committee and the Secretary-Treasurer.

FCA's "Guidance for the City's Committee of Adjustment"

As noted above, the FCA produced a series of recommendations related to how the Committee of Adjustment discharges its responsibilities and how the City's Planning, Development and Building Services Department participates in the committee's process.

Responses to the FCA's recommendations, provided by the Committee of Adjustment and the Planning, Development and Building Services Department, are attached in Document 13.

Downtown Rideau Business Improvement Area

Part III, Recommendation 3:

Amend By-law No. 199-81 (being a by-law to establish a Board of Management for the Rideau Area Improvement Area), as amended, to provide that City Council shall appoint one Member of Council to the Board of Management for the Downtown Rideau Business Improvement Area (BIA), and rescind the appointment of the Ward 14 Councillor to the BIA board in accordance with the amended board composition.

Section 204 of the *Municipal Act, 2001* provides that a municipality may designate an area as an improvement area and may establish a board of management "to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally," and "to promote the area as a business or shopping area." In addition:

- Subsection 204(2) of the *Municipal Act, 2001* provides that a board of management "is a corporation consisting of the number of directors established by the municipality."
- Subsection 204(3) of the *Municipal Act, 2001* provides that a board of management shall be composed of "one or more directors appointed directly by the municipality," and "the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality."

Currently, Section 3 of By-law No. 199-81, as amended (being a by-law to establish a Board of Management for the Rideau Area Improvement Area), provides that two members of the board for the Downtown Rideau Business Improvement Area (BIA) “shall be Members of Council.” On December 7, 2022, Council considered the report titled, “[2022-2026 Council Governance Review](#),” and approved various Ward- and position-specific appointments for the 2022-2026 Term of Council, including the appointment of the Ward 12 Councillor and the Ward 14 Councillor to the Board of Management for the Downtown Rideau BIA.

On February 20, 2024, the Board of Management for the Downtown Rideau BIA approved a motion “to request that the City of Ottawa change the Downtown Rideau BIA Board By-law 199-81, as amended, to provide that only one member of Council is appointed to the Board and that for the current term, the Ward 12 Councillor (Councillor Plante) continue in that appointment.”

The board’s request is being brought forward through this report and related recommendation. Staff note that the Ward 14 Councillor was consulted regarding the proposed change and concurs with the recommendation.

Ottawa Police Service Board

Part III, Recommendation 4:

Approve the following matters related to the Ottawa Police Service Board in accordance with statutory requirements under the new *Community Safety and Policing Act, 2019*, as described in this report:

- a. That the Ottawa Police Service Board shall continue to be composed of seven members; and**
- b. The Diversity Plan set out in Document 14 to ensure that the members of the Ottawa Police Service Board appointed by Council are representative of the diversity of the population in the municipality, and delegate authority to the City Clerk to amend the Diversity Plan pursuant to any relevant statutory requirements or policy changes.**

On April 1, 2024, various legislative provisions came into force under Bill 68, the *Comprehensive Ontario Police Services Act, 2019*, as well as Bill 102, the *Strengthening Safety and Modernizing Justice Act, 2023*. The legislation changed many areas of policing policy, including the role of municipal councils with respect to police service boards (formerly known under the previous statute as police “services” boards). Through Bill 68, the *Police Services Act* was repealed and replaced by the *Community Safety and Policing Act, 2019*. More than 25 regulations under the new act were published and generally came into force on April 1, 2024.

Many of these changes were discussed in a [memorandum to Council](#) from the former City Solicitor and Interim City Clerk, dated March 1, 2024. As noted in that memorandum, items Council must address within prescribed timelines are being brought forward through the 2022-2026 Mid-term Governance Review process.

Determining the size of the Ottawa Police Service Board in accordance with statutory requirements

The Ottawa Police Service Board currently includes seven members, which is the maximum size of a board under the former *Police Services Act*.

Under Subsection 31(3) of the new *Community Safety and Policing Act, 2019*, a municipality may now “determine, by resolution, that its municipal board shall be composed of five, seven or nine members.” That said, the default size of a board will be five members “unless the municipality passes a resolution to change the number of members ...” under Subsection 31(2) of the act.

Legislative timelines that apply to changing a board to the default five-member size are discussed below, but would generally provide that the Ottawa Police Service Board would be reduced from seven members to five members at the start of the 2026-2030 Term of Council if Council does not approve a resolution to determine the size of the board.

The new legislation provides that police service boards are composed of the members described below, based on size.

- **Five-member board** – Same general composition as under the former *Police Services Act*, being:
 - a. the head of the municipal council or, if the head chooses not to be or is ineligible to be a member of the board, another member of the municipal council appointed by resolution of the municipality;
 - b. one member of the municipal council appointed by resolution of the municipality;
 - c. one person appointed by resolution of the municipality, who is neither a member of the municipal council nor an employee of the municipality; and
 - d. two persons appointed by the Lieutenant Governor in Council [Subsection 31(4)].
- **Seven-member board** – Same general composition as under the former *Police Services Act*, and the current composition of the Ottawa Police Service Board, being:
 - a. the head of the municipal council or, if the head chooses not to be or is ineligible to be a member of the board, another member of the municipal council appointed by resolution of the municipality;

- b. two members of the municipal council appointed by resolution of the municipality;
 - c. one person appointed by resolution of the municipality, who is neither a member of the municipal council nor an employee of the municipality; and
 - d. three persons appointed by the Lieutenant Governor in Council [Subsection 31(5)].
- **Nine-member board** – This size was not possible under the former *Police Services Act*, and includes:
 - a. the head of the municipal council or, if the head chooses not to be or is ineligible to be a member of the board, another member of the municipal council appointed by resolution of the municipality;
 - b. three members of the municipal council appointed by resolution of the municipality;
 - c. one person appointed by resolution of the municipality, who is neither a member of the municipal council nor an employee of the municipality; and
 - d. four persons appointed by the Lieutenant Governor in Council [Subsection 31(6)].

Transition provisions within the new legislation provide that an existing board may continue to have the number of members that it had under the *Police Services Act* until the earlier of:

- the day the municipality passes a resolution to determine the board size; or
- the day that a new municipal council is organized following the first regular municipal election after the day the relevant provision comes into force [Subsection 31(13)].

If Council does not pass a resolution to determine the board size before the day that the new Council is organized, the default number of five members will apply to the board as of that day [Subsection 31(14)]. The legislation includes processes to follow if a municipality reduces or increases the size of its board.

Further to the provisions outlined above, this report recommends Council formally determine by way of resolution that the Ottawa Police Service Board shall continue to be composed of seven members. Should Council approve this recommendation, the members currently appointed to the board would continue their existing appointments in accordance with legislative provisions.

Should Council wish to reduce or increase the size of the Ottawa Police Service Board at this time, the formal determination required by statute could be accomplished by way of motion that would also provide for the applicable statutory process to be followed. If Council increased the size of the board, Subsection 31(9) of the act provides that

appointments for all current members would continue and new members would be appointed to meet the composition requirements.

Approving a mandatory diversity plan regarding Council appointments to the Ottawa Police Service Board

A new requirement under Subsection 28(1) of the *Community Safety and Policing Act, 2019* requires every municipality that maintains a municipal police service board to “prepare and, by resolution, approve a diversity plan to ensure that the members of the municipal board appointed by the council are representative of the diversity of the population in the municipality.” Under transition provisions within the legislation, the City of Ottawa must approve its first municipal diversity plan by April 1, 2025.

Once approved, the diversity plan will be among matters that Council must consider when it appoints a member to the Ottawa Police Service Board. Subsection 33(1) of the act provides that in appointing or reappointing a member of a police service board, the appointing body must consider:

- a. the need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;
- b. the need for the police service board to have members with the prescribed competencies, if any; and
- c. any applicable diversity plan.

Pursuant to Ottawa Police Service Board Policy GA-2, the Ottawa Police Service Board maintains a Competency/Skills Composite and, upon request, will communicate the competencies needed to complete its composite for the purpose of any appointment process.

In accordance with police service board composition provisions of the *Community Safety and Policing Act, 2019*, and as noted above, a municipal council currently appoints the following members to the board (note that the precise number of Members of Council appointed depends on the size of the board):

1. **One or more Members of Council** appointed by resolution of Council (one Member for a five-member board, two Members for a seven-member board, and three Members for a nine-member board);
2. If the Mayor chooses not to be or is ineligible to be a member of the board, **another Member of Council** who is appointed by resolution of Council (otherwise the Mayor is automatically appointed as an *ex officio* member); and
3. **One person** appointed by resolution of Council, who is **neither a Member of Council nor a City employee** (the “public member”).

The remainder of the board is composed of provincial appointees appointed by the Lieutenant Governor in Council (two members for a five-member board, three members for a seven-member board, and four members for a nine-member board).

Council generally appoints Members of Council to the Ottawa Police Service Board through the Nominating Committee process at the start of a term of Council, or through a circulation of interest and Council approval by way of motion if a vacancy arises during the term.

Council appoints the public member to the board in accordance with the Council-approved [Appointment Policy](#), which governs the recruitment and selection process for all Council-appointed public members to various City committees, boards, task forces, sub-committees, commissions and quasi-judicial committees, as well as external boards and commissions. The Appointment Policy generally provides for Council to establish a selection panel composed of at least two Members of Council and the Mayor to review applications and make recommendations to Council.

Recognizing the different ways in which Members of Council and public members are appointed to the board, staff developed a proposed Diversity Plan (attached as Document 14) that incorporates various approaches meant to ensure that the members of the board appointed by Council are representative of the diversity of the City's population. To ensure compliance with statutory requirements, the plan would be provided to all decision-making bodies for consideration in any process to appoint or reappoint a Member of Council or public member to the Ottawa Police Service Board, as applicable.

With respect to the appointment or reappointment of a Member of Council, the proposed plan includes measures aimed at ensuring that Members are aware of the statutory provisions related to diversity and representation, and encouraging Members who are representative of the diversity of the City's population to express interest in a position on the board so that they may be considered for an appointment in accordance with all other applicable considerations. These measures include:

- Providing the Diversity Plan to all Members of Council in orientation materials at the beginning of their term of office; and
- Ensuring that any survey, memorandum or circulation of interest provided to Members regarding an appointment opportunity, as well as any relevant reports to Nominating Committee and/or City Council, note the matters Council is required to consider in making an appointment or reappointment to the board under Subsection 33(1) of the *Community Safety and Policing Act, 2019*.

Regarding appointments of public members, the Diversity Plan notes the application of the Appointment Policy. The plan refers to various Appointment Policy provisions that

address diversity and representation, including the Purpose section, which states as follows:

“The City of Ottawa is committed to equitable and inclusive participation of the public in boards and committees and other bodies that govern and inform its work.

The City of Ottawa is committed to increasing meaningful and substantive representation by focusing on activities that will promote engagement with a diversity of communities to serve as members on City committees, boards, task forces, sub-committees, commissions and quasi-judicial committees, as well as external boards and commissions.

To encourage participation, the City will adopt proactive communications, policies and focused recruitment strategies that align with the City’s Accessibility Policy, Women and Gender Equity Strategy, and Anti-Racism Strategy. This proactive approach is adopted with the purpose of reflecting Ottawa’s diverse demography inclusive of Indigenous peoples, members of Black and other racialized communities, persons with disabilities, women, gender diverse people, members of the 2SLGBTQQIA+ communities, Francophones, as well as French speakers, and speakers of other language groups, and people from rural and urban locations.”

The proposed Diversity Plan also refers to additional measures related to diversity and representation that may be considered, consistent with those that have guided Council’s appointment of public members to the board, most recently on [March 6, 2024](#). Although the *Community Safety and Policing Act, 2019* was not in force at that time, Council on [December 7, 2022](#), had directed the selection panel to take into account the provisions of the new legislation when recommending appointments to the board.

Furthermore, the Diversity Plan notes that staff may undertake additional consultation with Gender and Race Equity, Inclusion, Indigenous Relations and Social Development Services, and Public Information and Media Relations as part of the appointment process.

Once Council approves the Diversity Plan, additional legislative provisions will apply to reviews of the plan, and to publishing the plan and related reports, as follows:

- Council must review the plan and, if appropriate, revise the plan at least once every four years [Subsection 28(3) of the *Community Safety and Policing Act, 2019*]; and
- The plan must be published on the Internet in accordance with the regulations made by the Minister, if any [Subsection 28(2) of the act]. Staff note that no regulations regarding this matter have been made at the time of writing;

- Council must publish reports on the implementation of the plan on the Internet in accordance with regulations made by the Minister, if any [Subsection 28(4) of the act]. Staff note that no regulations regarding this matter have been made at the time of writing.

In accordance with these provisions, staff note that the proposed Diversity Plan would be reviewed every two years through the City's regular governance review process. It is also recommended that Council delegate authority to the City Clerk to amend the Diversity Plan pursuant to any relevant statutory requirements or policy changes. The plan would be proactively posted to ottawa.ca, subject to any specific requirements provided by any future regulations. Reports on the implementation of the plan would also be published online in accordance with any future regulations.

Part IV – Amendments to various by-laws, policies and related matters

City Manager By-law

Part IV, Recommendation 1:

Approve amendments to the *City Manager By-law* as described in this report and in Document 15.

On December 9, 2020, Council considered the report titled, "[2018-2022 Mid-term Governance Review](#)," and approved the establishment of the *City Manager By-law* (By-law No. 2021-6). Further to recommendations from the Ontario Ombudsman, the *City Manager By-law* sets the parameters of the relationship between Council and the City Manager/Chief Administrative Officer and clarifies roles with respect to contract negotiation and approval.

Amendments to reflect legislative changes

Proposed amendments to the *City Manager By-law* reflect changes resulting from Bill 3, *the Strong Mayors, Building Homes Act, 2022*, which received Royal Assent on September 8, 2022, and came into force on November 23, 2022. This legislation and associated regulations provide the Mayor with additional powers beyond those previously set out in the *Municipal Act, 2001*.

As set out in Document 15, recommended amendments to the *City Manager By-law* would recognize these changes, including the Mayor's ability to appoint, dismiss or revoke the appointment of a person to the position of City Manager and that such power may be delegated to Council. The related powers and duties are set out under Part VI.1 of the *Municipal Act, 2001* and in Ontario Regulation 530/22.

Delegation of Authority By-law

Part IV, Recommendation 2:

Approve amendments to the *Delegation of Authority By-law* as described in this report and in Document 16.

Pursuant to Section 23.1 of the *Municipal Act, 2001*, the City's *Delegation of Authority By-law* sets out delegations to various officers of the City and their corresponding accountability and transparency mechanisms. The *Delegation of Authority By-law* contains two sections: General provisions in the main part and specific delegations in the attached schedules. The general provisions cover the authority of the City Manager and any staff member specified in the by-law to further delegate any powers, duties, functions, and authorities under their delegation to another person in writing. They also cover emergency or special circumstances, signing power, monetary thresholds for events, staff recruitment and promotion, staff dismissal and discipline, and petty cash.

The specific delegations detailed in Schedules A through L enable the day-to-day operations and administration of each department based on the objectives approved by Council in the annual budget. Each delegation is subject to provisions that ensure it is consistent with Council-approved policies, directions and budgets. As outlined in the Council-approved Delegation of Powers Policy, every delegation is accompanied by a corresponding accountability and transparency mechanism. The schedules prescribe reporting, with most delegated authorities requiring reporting to the appropriate standing committee at least once per calendar year.

The *Delegation of Authority By-law* facilitates the effective and efficient management of the City's day-to-day operations. Staff are expected to exercise their judgement where appropriate based on their professional training, accreditation and expertise, within the confines of Council-approved policies, directions, and budgets. This follows best practices based on legislation and the outcomes of public inquiries. Staff report to Council on use of delegated authority as prescribed in the by-law.

The Office of the City Clerk, together with Legal Services and the various departments, regularly undertakes a review of the *Delegation of Authority By-law* as part of the governance review process to incorporate changes in administrative and operational practices. The last comprehensive review was completed in 2022 in line with the 2022-2026 Council Governance Review report, at which time the existing by-law was repealed and replaced. Since then, Council approved amendments to reflect organizational adjustments that were made to the by-law in January 2023 and April 2024, including to reflect the creation of a new Strategic Initiatives department. This resulted in the current By-law No. 2024-265, which was enacted at the Council meeting of May 29, 2024.

Staff recommendations for amendments to the *Delegation of Authority By-law* are summarized below and the specific reason for each requested change is provided with the description of the proposed amendment. Not all of the following recommended changes were raised with Members of Council during consultation for this report due to

timelines. In addition to what is presented below, any further recommended amendments to the *Delegation of Authority By-law* that are needed because of recommendations made elsewhere in this report will be reflected in the final by-law.

Due to the number of changes recommended in this report and to facilitate ease of navigation, it is recommended that the current By-law No. 2024-265 be repealed and replaced with a new by-law. The draft version of the proposed new by-law is provided as Document 16. The new by-law is to be enacted at the Council meeting that is held following the consideration and approval of this report.

Summaries of the staff recommendations are set out below.

Main by-law – General, Definitions and Schedules

- Most schedules include the standard authority for department heads and other identified individuals to execute service, contribution and grant agreements in accordance with specific requirements. Staff recommend adding explicit reference to appropriate HST provisions, where applicable, as a requirement of such standard agreements or other service area-specific agreements. The addition will ensure budget availability is based on accurate amounts that include the unrecoverable portion of tax when applicable. Agreements that are silent to HST are considered tax excluded, and any applicable tax would be added to the agreement amount, resulting in an additional 1.76 per cent.

Schedule “B” – Finance and Corporate Services

- Section 12 – Debt Issues – Removal of paragraph 4 requiring the Chief Financial Officer/Treasurer to provide an information report to Council upon conclusion of pricing of a debt issue, as it is deemed to be redundant and is not current practice. Instead, a report regarding pricing/terms of the debt issue and the project debt funding is provided to Debenture Committee along with the debenture by-law for immediate enactment.
- Section 34 – Adding a new section to allow for the General Manager, Chief Financial Officer/Treasurer, and the Chief Human Resources Officer to enter into agreements related to corporate recognition events, provided they are in accordance with City policies, related to approved corporate programs and objectives and are within approved budget limits. Human Resources administers corporate employee recognition events and notes that the current approach requires staff to undergo a cumbersome exemption process for each event.

Schedule “C” – Office of the City Clerk

- Section 1 – General Responsibilities – A new authority to allow the City Clerk to approve minor housekeeping, administrative and technical amendments to Council-approved policies and procedures, removing the requirement to bring

such amendments forward to Council. The authority will primarily be used following an organizational or departmental alignment, or when amendments are required to Council-approved policies and procedures that are of a minor housekeeping, administrative and technical nature and do not change the substance or policy direction.

- Section 3 – A new authority to allow the City Clerk to enter into service, contribution and grant agreements in accordance with specific requirements, provided they are in accordance with applicable City policies approved by Council, are related to approved departmental programs and objectives, and are within approved budget limits. This is a standard authority available to department heads.
- Section 9 – To expand the City Clerk’s current authority to correct minor errors of an administrative nature in by-laws by placing an amending by-law on the agenda of Council to also permit the City Clerk to correct such errors in consolidation by-laws (original by-laws that have been amended) by placing the consolidation on a Council agenda for enactment or re-enactment. This would allow the City Clerk to correct errors such as references to outdated sections in legislation, provided they do not change the substance, and to consolidate by-laws that have amending by-laws, by repealing and replacing such by-laws for ease of reference by staff and the public.

Schedule “D” – Community and Social Services

- Section 11 – Adding a new authority to allow the Director, Community Safety, Well-Being, Policy and Analytics Service, to enter into agreements with the federal or provincial government provided that such agreements are related to Community Safety, Well-Being, Policy and Analytics Service initiatives, are consistent with the department’s mandate and costs are within approved budgets. Such authority is requested as Crime Prevention Ottawa and Building Safer Communities now form part of the service area.
- Section 11(2) – Minor amendment to include the Community Safety and Well-being Plan to the list of types of agreements the General Manager and Director, Community Safety, Well-Being, Policy and Analytics Service, can enter into.

Schedule “E” – Recreation, Cultural and Facility Services

- Section 20 – Amendment regarding advertising and sponsorship to reflect the delegated authority approved by Council on April 3, 2024, as part of the report titled, “Corporate Sponsorship and Advertising Policies,” and align the by-law with the amended and new authorities set out in the Advertising Using City Assets and Programs Policy and Sponsorship Policy.

- Section 25 – Addition of this new section to reflect the delegated authority approved by Council on July 10, 2024, regarding providing the General Manager with authority to approve minor commemorative naming applications, make minor administrative amendments to the Municipal Commemoration and Commemorative Naming policies, and minor edits, such as to correct spelling, to commemorative names approved by Council or under delegated authority.

Schedule “F” – Emergency and Protective Services

- Section 5(1) – Amendment to include delivery of 9-1-1 services to the forms of agreements the General Manager and Director, Public Safety Services, have authority to enter into.
- Section 19 – Amendments to reflect the new provincial framework, which allows municipalities to approve temporary patios for up to eight months in a calendar year for liquor sales licensees. Amendments authorize the Manager, Business and Technical Support Services, and the Program Manager, Event Central, individually to issue a letter of non-objection regarding an application for temporary extension of a liquor sales license for a premise for an outdoor temporary patio in association with a special event; or a letter of municipal significance regarding a temporary extension of liquor sale services hours at a licensed premises in association with a special event, with notification to the Ward Councillor. Amendments further authorize the General Manager and the Director, By-law and Regulatory Services, individually to issue a letter of non-objection regarding an application for a temporary extension of a liquor sales license for a premise for a seasonal patio on private property, and to issue, with notification to the Ward Councillor, a letter of municipal significance respecting an application for a one-time temporary extension of indoor liquor sale service hours not beyond 5 am, in accordance with several criteria.
- Section 21 – New authority to allow the General Manager to enter into service agreements, contribution agreements, and grant agreements with federal or provincial governments or any funding organization or agency designated by these governments. This is consistent with the authority given to other General Managers.

Schedule “H” – Infrastructure and Water Services

- Sections 3, 4, 5, 6, 10 – Including the Director, Water Facilities and Treatment Services, and the Director, Water Linear and Customer Services, for each authority outlined in the sections. This change is consistent with other sections of the by-law and will ensure prompt approvals.

- Section 8 – New authority to allow the General Manager of Infrastructure and Water Services to enter into service, contribution and grant agreements. This authority is in line with that granted to other General Managers.
- Section 11 – *Ontario Water Resources Act* – Removal of the General Manager of Planning, Development and Building Services, as this matter exclusively relates to the Infrastructure and Water Services Department.
- Section 12 – Revision to replace “to make minor administrative amendments” with “to establish, implement, and amend” in relation to City Planning and Design Guidelines related to transportation infrastructure, and to replace the reference to “Regional Road Corridor Design Guidelines” with “Intersection and Corridor Design Guidelines.” This wording is consistent with language related to municipal infrastructure design guidelines elsewhere in the by-law (Schedule “I”, Section 32). A similar recommendation is made in Schedules “I” and “J”.
- Section 15 – Third-Party Infrastructure Agreements – Staff capture all costs including construction, contract admin, utility costs and the City’s 15-per-cent administration charge when entering into third party agreements. Over the past number of years, Infrastructure Services has seen an increase in construction values. By increasing the delegated authority, it will streamline Infrastructure Services’ ability to enter into agreements where the City is doing work on behalf of others. As of now, staff do not have the authority and would require a separate report to Council for their approval when the project is confirmed over time. This authority allows staff to implement Council’s direction without additional impact to timelines and reduces the administrative burden.
- Section 19 – New addition to reflect the authority approved by Council on June 28, 2023, to permit the General Managers of Infrastructure and Water Services and Public Works to enter into alternate locate agreements for low-risk work deemed to have minimal damage risk to City-owned underground infrastructure, such as water, sewer, streetlighting and traffic signal infrastructure. Also included in Schedule “J”.

Schedule “I” – Planning, Development and Building Services

- Sections 9.1 and 9.2 – A “housekeeping” amendment to move these sections to a new Section 59 of Schedule “I” for consistent numbering practices within the by-law. Sections 9.1 and 9.2 were added to the by-law in accordance with amending By-law No. 2024-502, which came into effect on January 1, 2025, after being enacted and passed by Council on November 13, 2024.
- Section 29 – New authority is requested to address a change made to the *Ontario Heritage Act* through Bill 139, the *Less Red Tape, More Common Sense*

Act, 2023. The new authority would allow staff to consent to applications to alter buildings used for religious or Indigenous spiritual practices. Additional changes are to clarify the definition of floor area and accessory structures.

- Section 32 – Revision to replace “to make minor administrative amendments” with “to establish, implement, and amend” in relation to City planning and Design Guidelines related to transportation infrastructure, and to replace the reference to “Regional Road Corridor Design Guidelines” with “Intersection and Corridor Design Guidelines.” This wording is consistent with language related to municipal infrastructure design guidelines elsewhere in the by-law (Schedule “H”, Section 12). A similar recommendation is made in Schedules “H” and “J”.
- Removal of the *Ontario Water Resources Act* section as this is exclusively an Infrastructure and Water Services Department matter. This section exists within Schedule “H”.
- Sections 34 and 35 – Amend the authority to include the Program Manager, Inspections, Right-of-Way, Heritage and Urban Design Services is responsible for the administration, processing and enforcement of by-laws; however, due to organizational changes, authority with respect to the approvals and permits associated with these delegations has transferred to the Inspections Branch.
- Section 34(3) – Revision to authorize the Managers of Development Review individually to waive the requirements of the *Use and Care of Roads By-law* (By-law 2003-498), or any successor by-law thereto, where there are technical reasons to support the waiver based on the building permit process. The current by-law only allows for such a waiver in the context of development applications. The amendment will allow staff to provide for walkways, from an entranceway to a sidewalk/curb edge, as part of a process wherein the entire site works are being evaluated, be it through the Development Application or Building Permit process.
- Section 35(2) – Removing the limitation imposed by the wording “based on the development review process” so staff can address encroachments in developments that do not require a planning application, such as those requiring a building permit. The current by-law allows waiving requirements only for technical reasons during the development review process such as where new surface encroachments are proposed as part of a development subject to Site Plan Control Approval.
- Section 39 – New authority to allow the Manager, Right-of-Way, Heritage Urban Design Services, the Program Manager, Right-of-Way, the Program Manager, Public Realm and Urban Design and the Program Manager, Inspections, to enter into non-development related funding and/or maintenance and liability

agreements. This is requested to help expedite the facilitation of public realm improvements within the right of way. Similar authorities are held within Economic Development, Public Works, and Recreation, Cultural and Facility Services to facilitate and approve non-development related funding, maintenance and liability agreements.

- Section 43 – New authority to allow the Manager, Right-of-Way, Heritage and Urban Design Services and Program Manager, Right-of-Way, to approve applications for Municipal Consent by a third party to place infrastructure in a specific location within the right-of-way under certain conditions, pursuant to authority found in agreements with utilities. The agreements are being revised and in many cases refer to outdated staff positions and departments. This authority will enable staff to ensure consistency with the updates.
- Section 46 – Appointment of Municipal Investigators (Livestock valuers) – Minor change to remove General Manager from the list of authorized individuals.
- Section 47 – New authority to allow staff to amend Schedule “A” of the *Use and Care of Roads By-law* with respect to invasive species. Council has directed staff to review and update the by-law from time-to-time to ensure alignment with provincial direction. Staff are seeking authority to bring amendments directly to Council for enactment by way of amending by-law.
- Section 59 – As described above, a “housekeeping” amendment to move the former sections 9.1 and 9.2 to this new section for consistent numbering practices within the by-law.

Schedule “J” – Public Works

- Section 8 – New inclusion to reflect the delegated authority approved by Council on June 28, 2023, to allow the General Manager and Director of Traffic Services to install unwarranted all-way-stop-controls for safety controls within specified conditions.
- Section 16 – Revision to replace “to make minor administrative amendments” with “to establish, implement, and amend” in relation to City planning and Design Guidelines related to transportation infrastructure, and to replace the reference to “Regional Road Corridor Design Guidelines” with “Intersection and Corridor Design Guidelines.” This wording is consistent with language related to municipal infrastructure design guidelines elsewhere in the by-law (Schedule “H”, Section 12). A similar recommendation is made in Schedules “H” and “I”.
- Section 20 – New addition to reflect the authority approved by Council on June 28, 2023, to permit the General Managers of Infrastructure and Water Services and Public Works to enter into alternate locate agreements for low-risk work

deemed to have minimal damage risk to City-owned underground infrastructure, such as water, sewer, streetlighting and traffic signal infrastructure. Also included in Schedule “H”.

Schedule “K” – Legal Services

- Section 32 – New authority to allow the City Solicitor to enter into agreements with the federal or provincial government provided such agreements are consistent with the departmental mandate. This is consistent with the authority given to General Managers.
- Section 33 – A new authority authorizing the City Solicitor to enter into service, contribution and grant agreements in accordance with specific requirements, provided they are in accordance with applicable City policies approved by Council, are related to approved departmental programs and objectives, and are within approved budget limits. This is a standard authority available to department heads.

Schedule “L” – Strategic Initiatives

- Sections 8 and 9 – Disposals and Acquisitions Sections – Revise the authority related to land or property values and transactions as levels have not increased in 10 years despite the substantial increases in the real estate market in the last five years. The proposed changes reflect the increased values of the various real estate transactions entered into by staff as part of regular business activities.
- Section 15 – A new authority authorizing the General Manager, Strategic Initiatives, the Director, Housing Solutions and Investment Services, the Manager, Realty Services, and the Manager, Realty Initiatives and Development, individually to act as the property owner of City lands to undertake such activities as signing property tax appeal requests from tenants of City property and signing rezoning applications for City land. The authority does not extend to the sale, transfer or leasing of such land or property.

Procedure By-law

Part IV, Recommendation 3:

Approve the revised *Procedure By-law* as described in this report and attached in Document 17.

Subsections 238(2) and 238(2.1) of the *Municipal Act, 2001* require that every municipality “shall pass a procedure by-law for governing the calling, place and proceedings of meetings,” and that the procedure by-law “shall provide for public notice of meetings.”

Council regularly reviews the *Procedure By-law* (also known as the *Rules of Procedure*) through the governance review process. As such, the following amendments are included in the proposed revised *Procedure By-law* attached as Document 17.

- **Consideration of objections subject to timelines under the *Ontario Heritage Act*** – Staff recommend adding consideration of objections that are subject to the statutory 90-day timeline for consideration under the *Ontario Heritage Act* to the list of planning and heritage matters that may be expedited to Council from committee without the requirement for suspension of the Rules of Procedure [Subsection 35(7)].
- **Aligning petition procedures for the Transit Commission/Committee with those of other standing committees** – Removing a provision that provided for petitions within the mandate of the Transit Commission to be listed as a communication on a Transit Commission agenda, further to the proposal in this report to rename the Transit Commission (which no longer contains public members), and proposed amendments to the Petition Policy [former Subsection 39(6)].
- **Presentations by inter-municipal organizations** – Section 83 of the *Procedure By-law* sets out general provisions for committees, including Subsection 4(b) which states that, “Presentations from third-party governmental agencies and their agencies, boards and commission, shall be in order with the consent of the Committee/Commission Chair.” Staff recommend amending the provision to provide that inter-municipal organizations such as the Association of Municipalities of Ontario, International Association of Public Transport, etc. are included in this section [Subsection 83(4)(b)].
- **Procedural advice regarding local board staff appearing at standing committees** – Currently, the *Procedure By-law* is silent regarding local boards and their staff appearing at standing committees. To date, there have been a few examples where local boards have sought to attend and speak to a standing committee on matters within their mandate, and the procedure was unclear. Section 83(5)(b) of the *Procedure By-law* provides guidance for advisory committees when a matter within their mandate is being presented to a standing committee or commission that a single designate may attend on behalf of the advisory committee for up to five minutes on any one item. For clarity and alignment, staff recommend that the *Procedure By-law* be amended to clarify that local boards can delegate on matters within their mandate, allowing either the Chair, Vice-Chair, or a representative designated by the committee – but not more than one of them – to address the standing committee on behalf of the local board. Consistent with current practice, where City staff have worked jointly with a local board on a matter, a representative of that entity may be invited as part of the staff delegation [Subsection 83(5)(c)].

- **Clarification and reflection of current practices** – Staff recommend amendments to reflect current practices and clarify matters such as:
 - Reconvening an adjourned Council meeting [Subsection 8(1)(b)];
 - Procedures in the event that the Chair and Vice-Chair are absent from a committee meeting [Subsection 83(1)]; and
 - Procedures with respect to debate/discussion of Information Previously Distributed memoranda, Responses to Inquiry or other communications listed on a committee agenda [Subsection 89(4)].

Other proposed amendments are reflected throughout the revised by-law:

- **Removal of references to the Transit Commission** – References to the commission are removed throughout the draft by-law, further to the proposed renaming of the commission to a “committee,” as recommended in this report.
- **“Housekeeping” amendments** – Amendments such as changes to staff/personnel titles to reflect current position titles and related definitions; expressly stating that the City Clerk’s designate may undertake certain activities; and clarifications and correction of typos.

In addition, staff consulted Members and/or conducted reviews regarding various specific matters related to the *Procedure By-law* further to Council direction or in response to matters that arose during the term of Council. While no changes are recommended, outcomes of the reviews/consultation are discussed below:

- **Council adjournment time** – Currently, Subsection 8(1)(b) of the *Procedure By-law* provides that a regular meeting of Council shall adjourn by 7 pm. During consideration of the [2022-2026 Council Governance Review report](#), Council considered Motion No. 2022 – 03/25, which proposed amending the *Procedure By-law* to provide for an earlier adjournment time of 5 pm. Council deferred the motion to the mid-term governance review. During consultation with Members for the 2022-2026 Mid-term Governance Review, there was no consensus to adjourn Council meetings at 5 pm. As such, no change is recommended to the *Procedure By-law*.
- **Councillor statements at Council meetings** – The *Procedure By-law* does not currently include guidance related to Councillor statements at meetings through which Members would be able to recognize significant events in their community. In practice, Councillor statements have been permitted on an ad-hoc basis at the discretion of the Chair. On September 13, 2023, Council approved [Motion No. 2023 – 20/11](#), which directed the City Clerk to undertake a jurisdictional scan and consult with Members of Council on the practice of Councillor statements, consult with Members of Council and report back on findings and any associated recommendations as part of the 2022-2026 Mid-term Governance Review process.

Further to the direction, the Office of the City Clerk consulted other municipalities in Ontario and found the practice varies in the level of formality and governance models. Some municipalities formally include Member statements in their *Rules of Procedure* with prescribed timing, duration and rotation of Members. Others prefer more flexibility and simply allow the statements at the discretion of the Chair. In examining other levels of government, federally the House of Commons allows statements from members on a rotational schedule for one minute pursuant to [Standing Order 31](#). The Senate of Canada also permits Senators' Statements of up to three minutes per [Section 4-2 of the Rules of the Senate](#). Members' statements of up to 90 seconds are permitted in the Legislative Assembly of Ontario pursuant to [Standing Order 33\(a\)](#). During interviews for the 2022-2026 Mid-term Governance Review, there was no consensus to add formalized Councillor statements at Council. As such, no change is recommended to the *Procedure By-law*.

- **Use of visual aids by Members of Council** – Staff reviewed the increased use of visual aids (including but not limited to PowerPoint slides and videos) by Members of Council during their speaking time at committee or Council. With hybrid meetings, the practice has been increasing and the *Rules of Procedure* is silent on the use of visual aids. Currently, the use of visual aids has been permitted at the discretion of the Chair provided it follows similar rules to the Member's remarks, including that the visual aids must relate to the matter under discussion, and any video/audio clips subtract from the Member's five-minute speaking window, much like public delegations.

As part of the mid-term governance review, the Office of the City Clerk consulted with other municipalities in Ontario and found that most municipalities do not have explicit rules in their procedure by-laws regarding Member's use of visual aids during speaking times. A general theme emerged of allowing the visual aid as part of the Member's speaking time, at the discretion of the Chair. Federally, in the [House of Commons](#) and [Senate](#), Speakers have consistently ruled that visual aids and props are out of order. Standing Orders of the [Ontario Legislative Assembly](#) are silent to the use of visual aids, but props are listed as unacceptable. During interviews for the 2022-2026 Mid-term Governance Review, there was mixed feedback from Members regarding the practice. Some Members noted the use of visual aids does not happen frequently, but as courtesy would recommend those wanting to use the visual aid to circulate the reference material in advance to members of the committee or Council, and to continue following the same conventions used for public delegations. As a result, there are no recommendations for changes to the *Procedure By-law*. Staff will continue to monitor this evolving practice through the term.

- **Final word/“wrap-up” on motions** – During consideration of the [2022-2026 Council Governance Review report](#), Council considered Motion No. 2022 – 03/23, which addressed matters related to the ability for motion movers to speak prior to the vote (“wrap up”) regarding their motion. Council deferred the motion to the mid-term governance review. The mover of Motion No. 2022 – 03/23, Councillor Bradley, has since advised that she wishes to withdraw this motion. As such, no recommendation is made in this report.

Procurement By-law

Part IV, Recommendation 4:

Approve amendments to the *Procurement By-law* as described in this report and in Document 18.

Enacted pursuant to Section 270 of the *Municipal Act, 2001*, the City of Ottawa’s *Procurement By-law* provides guidelines in the procurement of goods, construction and services. The guiding procurement principle is that purchases be made using a competitive process that is open, transparent and fair to all suppliers.

Staff regularly review the *Procurement By-law* as part of the governance review process to incorporate changes in administrative and operational practices. The proposed amendments described in this report serve to clarify existing processes and create capacity in Supply Services, allowing staff to apply their subject matter expertise to higher-risk files. The changes are supported by an analysis of inflationary impacts on services and commodities, and benchmarking against procurement policies of peer municipalities across Ontario.

The changes, recommended by the Chief Procurement Officer, can be divided into two categories:

- Increases to monetary thresholds – Reflect inflation [consumer price index (CPI)] and consistency with other municipalities and applicable trade agreements. It should be noted that these thresholds have remained unchanged for over a decade, with some dating back to amalgamation. Due to inflationary pressures that are unaccounted for, Supply Services is seeing an increase in work volume and due diligence levels applied to files.
- Administrative changes – The administrative changes aim to streamline and clarify existing processes, enhance transparency, align more closely with the *Delegation of Authority By-law*, and reflect industry best practices.

Examples of the changes are summarized below. The proposed changes are also set out in Document 18. Should Council approve the recommended changes, an amending by-law will be placed directly on a future Council meeting agenda for enactment.

Proposed amendments relating to increases to monetary thresholds include but are not limited to:

- Proposed amendments to Subsection 5(6) – Contract award by Supply Services for competitive contracts is currently set at \$500,000 or less and would be increased to \$750,000 or less.
- Proposed amendments to Section 17 – Department-led purchasing is currently \$15,000 and would be increased to \$25,000.
- Proposed amendments to Subsection 22(1)(h) – Sole Sourcing for Professional Services is currently permitted for purchases not exceeding \$50,000 and would be increased to \$100,000.

Proposed amendments relating to administrative changes include but are not limited to:

- Proposed amendments to Subsection 17(6) – To clarify that a department has authority to enter into sole source contracts under \$25,000 without going to Procurement.
- Proposed amendments to Subsection 21(10) – To remove discounts on call-ups over \$100,000. These discounts require significant staff time to administer, do not lead to realized financial savings, and are opposed by the City’s industry partners.
- Proposed amendments to subsections 12(8) and 31(5) – To clarify that legal review is required on “significant” bid solicitations and contracts, as applicable. For bid solicitations and contracts that fall below the “significant” threshold as determined by Procurement or Legal Services, the department can proceed without legal review. This aligns with Subsection 31(1) of Schedule “K” of the *Delegation of Authority By-law* and ensures that legal resources are prioritized based on the overall risk profile of the bid solicitation or contract.

Accountability and Transparency Policy

Part IV, Recommendation 5:

Approve amendments to the Accountability and Transparency Policy, and the repeal of By-law No. 2014-442, as described in this report and in Document 19.

Under Section 270 of the *Municipal Act, 2001*, municipalities in Ontario are required to adopt and maintain certain policies, including a policy with respect to, “The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.”

The Accountability and Transparency Policy, which Council adopted in 2007, outlines how the City of Ottawa promotes accountability and transparency throughout municipal

governance and reflects the accountability and transparency practices the City has adopted since amalgamation.

Staff recommend Council approve amendments to the Accountability and Transparency Policy as follows:

- “Housekeeping” amendments; and
- Additions and updates to the listed by-laws, policies, procedures and practices to reflect current and enhanced accountability and transparency practices.

The proposed amendments are included in Document 19. In addition, staff identified an anomaly whereby Council enacted a specific by-law (By-law No. 2014-442) relating to the adoption of a revised Accountability and Transparency Policy in December 2014. As it is not normal practice for Council to enact a specific by-law relating to such a policy, it is recommended Council repeal By-law No. 2014-442 as a “housekeeping” measure.

Appointment Policy

Part IV, Recommendation 6:

Approve amendments to the Appointment Policy as described in this report and in Document 20.

The Appointment Policy governs the recruitment and selection process for all Council-appointed public members to various City committees, boards, task forces, sub-committees, commissions and quasi-judicial committees, as well as external boards and commissions. The current purpose of the policy includes, among other things, that the City is committed to equitable and inclusive participation of the public in boards and committees and other bodies that govern and inform its work.

As set out in Document 20, staff propose minor changes to the Appointment Policy that include:

- Grouping content for ease of reference and improved organization; and
- Updating legislative and policy references.

The policy will be further reviewed following the upcoming mid-term recruitment process. Any proposed changes would be recommended for approval prior to the next recruitment cycle.

Council Expense Policy

Part IV, Recommendation 7:

Approve the revised Council Expense Policy as described in this report and attached in Document 21.

Members of Council are each provided with a Constituency Services Budget with which to operate their respective offices. The Constituency Services Budget provides

Members with resources required to support their role, enabling Members to undertake activities such as communicating with constituents about the meetings and activities of City Council and the City of Ottawa, assisting with and leading activities that enhance the communities in their wards, representing the City at functions and events, and administering their offices to serve their constituents and support their legislative role.

The Council Expense Policy guides Members on how they can spend their Constituency Services Budget and works in conjunction with the Election-Related Resources Policy and the Councillors' Office Manual. Council approved the Council Expense Policy on May 8, 2013, further to consideration of the report titled, "[Council Expense Policy and Community, Fundraising and Special Events Policy](#)."

As part of the regular review of Members' Office matters undertaken through each governance review, the Office of the City Clerk has identified recommended amendments to the Council Expense Policy to:

- Provide additional clarity with respect to corporate card and travel procedures; and
- Make formatting and housekeeping revisions.

The recommended amendments are summarized below and set out in Document 21.

Additional clarity with respect to corporate card and travel procedures

Staff recommend amending the Council Expense Policy to include guidance on the use of corporate cards and in relation to requirements for business travel. The proposed amendments codify longstanding practices and do not introduce any new requirements for Members of Council, but provide clarity for staff when administering the policy and processing financial transactions.

Regarding corporate cards, the current Council Expense Policy provides that, "Members of Council can obtain a Corporate Card or a Purchasing Card, which provides more flexibility with respect to purchasing goods and services, including travel expenses. Both cards are accompanied with specific reporting and accountability requirements." That said, there are no additional guidelines in the policy with respect to Members' use of corporate cards. Similarly, while the City has a Corporate Card Policy, Council has not previously approved the application of the policy on elected officials; as such, the provisions of the Corporate Card Policy have largely served as guidelines for Members of Council. Given this, staff propose amendments to the Council Expense Policy to codify existing corporate card use requirements, including itemized receipts and public disclosure.

As it relates to business travel, policy revisions are recommended to expressly state that Council-approved travel will be funded by the Council Administration Budget. Additionally, the revised policy clarifies conditions for travel, including requirements for

itemized receipts, per diem reimbursements and that travel should be done in the most economical manner. The updated policy further clarifies that the requirements of the City's Travel Policy and Travel Procedures do not apply to Members of Council, as the Council Expense Policy provides guidance on expenditures that support the Member in fulfilling their statutory duties as an elected official.

Formatting and housekeeping revisions

Revisions to the formatting of the Council Expense Policy are recommended by the Office of the City Clerk to provide improved clarity and better organize provisions with respect to ineligible expenses, conditions on expenses and public disclosure. It is important to note that staff are not recommending any additional ineligible expenses or conditions on expenses be added to the policy. Rather, what is provided in Document 21 reflects current practices in a reformatted manner.

Council-Staff Relations Policy

Part IV, Recommendation 8:

Approve amendments to the Council-Staff Relations Policy as described in this report and in Document 22.

Section 270 of the *Municipal Act, 2001* requires City Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the corporation. Further to this requirement, the Council-Staff Relations Policy approved by Council on November 22, 2017, identifies the legislation, policies, procedures and practices that the City has established to promote a respectful relationship between Members of Council and the officers and employees of the City of Ottawa.

Bill 3, the *Strong Mayors, Building Homes Act, 2022*, received Royal Assent on September 8, 2022, and came into force on November 23, 2022. This legislation and associated regulations provide the Mayor with additional powers beyond those previously set out in the *Municipal Act, 2001*. The proposed revisions to the Council-Staff Relations Policy set out in Document 22 are intended to reflect the changes brought about by Bill 3, specifically the Mayor's authority to direct staff, in writing.

The attached Council-Staff Relations Policy is also updated to reinforce that the Code of Conduct for Members of Council applies to Members' social media activity as detailed in the [Interpretation Bulletin on the Use of Social Media](#). The Integrity Commissioner will update the bulletin to address how the Code of Conduct, and in particular obligations under Section 10 (Conduct Respecting Staff), applies to Members' social media activity.

Finally, a number of "housekeeping" amendments are included to reflect updates to various City by-laws and policies.

Delegation of Powers Policy

Part IV, Recommendation 9:

Approve amendments to the Delegation of Powers Policy as described in this report and in Document 23.

Section 23.1 of the *Municipal Act, 2001* provides a municipality with the authority to delegate its powers and duties “under this or any other Act” to a person or body, subject to certain restrictions set out in the legislation. Under Subsection 270(1)(6) of the act, a municipality is required to adopt and maintain a policy with respect to the delegation of its powers and duties.

In accordance with the act, City Council approved the Delegation of Powers Policy on November 28, 2007. The policy provides guidance regarding the scope of powers and duties that Council may delegate under its legislative and administrative authority and establishes principles governing such delegation.

Staff recommend that Council approve amendments to the Delegation of Powers Policy to reflect changes resulting from Bill 3, *the Strong Mayors, Building Homes Act, 2022*, which received Royal Assent on September 8, 2022, and came into force on November 23, 2022. As described in this report, Bill 3 and associated regulations provide the Mayor with additional powers beyond those previously set out in the *Municipal Act, 2001*. This includes powers to submit matters for Council’s consideration, or veto by-laws, if the Mayor believes it will advance a prescribed provincial priority, propose budgets, and direct City staff in writing.

Section 284.13 of the act provides that the Mayor may delegate their powers and duties under specific sections of the act with respect to the position of City Manager, the organizational structure, local boards, and committees. Section 6 of Ontario Regulation 530/22 places limits on the delegation. For example, certain powers and duties may only be delegated to City Council or to the City Manager, as applicable.

To reflect the changes brought by Bill 3, staff recommend the following amendments to the Delegation of Powers Policy:

- The addition of references to the Mayor’s special powers and duties set out under Part VI.1 of the *Municipal Act, 2001*.
- Inclusion of a new “Mayoral delegation” section to detail the special powers and duties of the Mayor with respect to the delegation of powers described in Section 284.13 under Part VI.1 of the *Municipal Act, 2001*.
- The addition of headings to delineate between Council delegations and Mayoral delegations. Additional headings are also proposed to provide clarity and separation between the various matters included within the policy.

- The inclusion of additional responsibilities for staff as it relates to Mayoral delegations and decisions. This includes ensuring that Mayoral decisions resulting from the delegation of powers or the approval of by-laws enacted under staff's Council-approved delegated authority are appropriately captured and documented.

The proposed amendments are included in Document 23.

Election-Related Resources Policy and Election-Related Blackout Period Procedures

Part IV, Recommendation 10:

Approve amendments to the Election-Related Resources Policy and Election-Related Blackout Period Procedures as described in this report and in Documents 24 and 25.

On February 12, 2003, City Council considered the report titled, "[Election-Related Resources Policy](#)," and established the Election-Related Resources Policy (ERRP). The policy provides direction to Members of Council and all City staff on the administration of corporate resources and Members' budgets with respect to election-related matters.

The ERRP now fulfills a statutory requirement under Section 88.18 of the *Municipal Elections Act, 1996* (MEA), which provides that, "[b]efore May 1 in the year of a regular election, municipalities and local boards **shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period**" [emphasis added]. The underlying purpose of the policy is that "[i]n compliance with the *Municipal Elections Act, 1996*, public funds are not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office."

A comprehensive review of the ERRP was conducted in advance of the 2022 Municipal Elections. On March 23, 2022, City Council considered the report titled, "[Update on the 2022 Municipal Elections and Amendments to Election-related By-laws and Policies](#)," and approved various amendments to the policy. In addition, Council established the Election-Related Blackout Period Procedures, which apply to Members and City staff during the 60-day "blackout period" prior to and including Voting Day in relation to the occurrence of a municipal election or by-election. These changes codified and reflected guidance and guidelines that the City Clerk provided during previous election periods. The changes to the ERRP and establishment of the new procedures assisted in clarifying various requirements and obligations for Members, Council-appointed public members, staff, and candidates in relation to election-related matters.

Proposed amendments to the ERRP and procedures

Staff reviewed the ERRP and procedures, as well as inquiries received during the 2022 Municipal Elections. Amendments to the policy and procedures are proposed in Documents 24 and 25, and include updates that reflect feedback received from Members during the governance review consultation process, advice provided to Members during the 2022 Municipal Elections, and alignment with recent updates to provincial legislation. Other proposed changes would correct minor errors of a technical nature and add additional clarification, but do not change the substance of provisions.

The following provides a high-level overview of some of the recommendations related to the ERRP (and procedures, as applicable):

- **Application sections:** Adding that the ERRP and procedures apply to public members of any quasi-judicial body established by Council that is not considered to be a “local board” of the City for the purposes of Section 88.18 of the MEA. This includes, for example, the Election Compliance Audit Committee and the Property Standards and License Appeals Committee, which are established by Council but not considered to be “local boards” for legislative purposes.

By way of background, local boards of the City as defined in the MEA and through case law are required under the MEA to establish their own rules and procedures with respect to the use of board resources. Document 13 of the [2022-2026 Council Governance Review](#) report provides information regarding a Divisional Court ruling that determined the City of Hamilton’s Property Standards Committee and Election Compliance Audit Committee were not “local boards” under the *Municipal Act, 2001*.

Following from the court ruling, including the public members of these quasi-judicial bodies in the scope of the ERRP and procedures would ensure that these public members are subject to policy provisions regarding the use of City resources for election purposes when acting in their official capacity. This is consistent with the approach used for other public members of City bodies established by Council, such as the Built Heritage Committee.

- **Section 2 – City events:**
 - Adding reference to community-organized events for clarity and consistency with the procedures, which address Member attendance at City and external (community) events during the blackout period [Subsection 2(1)].
 - For clarity and consistency with guidance provided during the last municipal elections, noting that the City Clerk would review exemptions for Member-organized events in the year of a municipal election against all exemption criteria outlined in Section 5 of the procedures [Subsection 2(5)].

- **Section 3 – City facilities:** Noting that the Council-approved Advertising Using City Assets and Programs Policy regulates advocacy advertisements, including advertisements for political parties or candidates [Subsection 3(3)(g)].
- **Section 4 – City resources:**
 - Adding clarification with respect to branding. During consultation for this report, there was general consensus among Members regarding the ability for candidates, if elected, to use their campaign branding (symbols, logos, graphics) as their elected official branding and vice versa, provided that City resources are not used in the creation or production of the branding. As such, staff recommend this section be updated to include branding within the definition of communications materials and specify that branding created by an election campaign may be used by a Member once in office and in subsequent election campaigns provided City resources have not been used to modify or produce the branding [Subsection 4(3)].
 - Minor amendments to align the section regarding Members’ ward accounts relating to City programs with recent legislative changes, specifically those related to Section 37 community benefits. These changes are consistent with the intent of the ERRP and procedures concerning Members’ roles in the community benefits charge process [Subsection 4(23) of the ERRP; this change is also recommended for Subsection 2(4) of the procedures].

With respect to proposed changes made only to the procedures, it is recommended that:

- **Section 3 – Communications and related matters** be updated to clarify that any official ward-based social media account operated by a Member’s City-funded office (for example, the “Ward ____” account, the “____ Ward” account) shall not be maintained or updated during the blackout period [Subsection 3(3)]. This would reflect guidance previously provided to Members, as posting through official ward-based accounts would reasonably be expected to use City resources (staff time, corporate devices, etc.). This provision is similar to the treatment of other communications with ward constituents such as newsletters, flyers and websites. The City Clerk may approve an exemption to blackout period prohibitions and restrictions under certain circumstances in accordance with Section 5 of the procedures.

It is also recommended throughout both the ERRP and procedures that the term “citizen member” be replaced with “public member” to provide language consistent with other policies. Through the 2022-2026 Council Governance Review report, Council approved a similar amendment to the Appointment Policy as the updated language may be more inclusive and because citizenship is not an eligibility requirement.

Petition Policy

Part IV, Recommendation 11:**Approve amendments to the Petition Policy as described in this report and in Document 26.**

The Petition Policy was adopted by City Council on [December 8, 2010](#), as part of the [2010-2014 Council Governance Review](#). This policy was established to provide another tool for the public to communicate with Council on matters within its authority. On February 13, 2013, the policy was amended to allow the Transit Commission to accept petitions on matters solely within its decision-making authority.

The Petition Policy outlines the correct format for petitions and the procedures for their submission and disposition. It provides that petitions must be filed with the City Clerk, either directly or through a Member of Council, and are presented to City Council or the Transit Commission, as applicable. If the petition pertains to an agenda item, it is listed on the same agenda; otherwise, it is listed on the agenda of the next regular meeting. Petitions are not formally received at standing committee. Where a petition relates to a matter before a standing committee, it is listed on a Council agenda when the item rises to Council.

Non-compliant petitions are held on file with the Clerk and listed as “other correspondence” on the relevant standing committee, Transit Commission or Council agenda where appropriate. Such petitions are not formally accepted by Council. Compliant petitions are not posted to ottawa.ca as part of an agenda; rather, they are held on file with the City Clerk, and available for public viewing upon request.

Council accepts both paper and electronic petitions. The City provides [information and a template](#) for paper petitions that can help the public meet the requirements of the Petition Policy. Electronic petitions, as described in the 2010-2014 Council Governance Review report, are a popular method for public input. The City, like many municipalities, does not have its own online petition platform for use by the public. As such, petitions are often completed using an external web platform. External platforms often have varying requirements with respect to the petitioner data they collect and do not always conform to the requirements of the City’s Petition Policy. As such, these petitions are often listed as other correspondence and are not received as a petition by Council.

Proposed amendments to the Petition Policy

Staff note that the City Clerk often receives petitions that comply with most, but not all, requirements of the policy. To enable more petitions to be recognized and received by City Council, staff propose amendments to:

- Clarify language
- Remove barriers
- Recognize the unique format and challenges of electronic petitions

- Reflect current administrative practices and provide consistency

Amendments to the policy are proposed in Document 26. The following provides a high-level overview of some of the recommendations related to the Petition Policy. Other proposed changes would correct minor errors of a technical nature and add additional clarification.

General changes proposed to the Petition Policy include:

- Clarifying that petitions serve as a way for the public to bring matters to the attention of Council provided those matters are within Council's authority. The current policy requires that a petition must request an action within the authority of Council; however, emphasizing it in the policy statement and throughout the policy highlights this requirement for petition organizers.
- Replacing the term "citizen" with "public," as citizenship is not a requirement to submit petitions. This change aligns with other policies and may be more inclusive.
- Specifying that the policy does not apply to petitions that are administered under another City policy or by-law and as such would not be listed on an agenda of Council. Petitions governed by other legislation, policy or by-law would follow respective requirements.
- Aligning petition procedures for the Transit Commission/Committee with those of other standing committees.
- Clarifying that a petition is listed as a communication when included on a Council agenda.

Proposed changes to the "Petition requirements" and "Submission of petitions" sections include:

- Clarifying that "text of the petition" refers to the petitioners' cause or position and removing the requirement for this text to appear at the top of each page; but rather, that it be included on each page where possible. It is difficult for petitions to adhere to the current format, particularly electronic petitions, where the submission often consists of a running list of petitioner information spanning multiple pages.
- Removing the page numbering requirement. It is often overlooked by petition organizers and not available on many electronic petition platforms.
- Amending requirements for paper and electronic petitions to state that each "should" contain the address (including postal code) and signature or valid email address, in place of "must." This change would remove barriers and make it easier for electronic petitions from external platforms to meet the requirements of

the policy. Some platforms, for example, allow for a postal code but not a full address to be included.

- Requiring contact information for the submitter of the petition, to assist in following up and verifying the petition.
- Removing the requirement for the disclosure (public record) statement to be positioned on every page. Instead, staff recommend that it must be visible to each petitioner during the signing process and included on each page where possible. It is often difficult for electronic petitions to adhere to the current strict format. Electronic petition platforms often display the petition text and related details on the main page, where petitioners provide their information, and this proposed policy change would better align with this practice.
- Including a provision to note that where petitions are created using an external petition website, the petition will only be received once the petition organizer formally submits the list of signatories to the Office of the City Clerk.
- Including a provision to state that electronic petitions should be submitted in PDF format where possible to ensure software compatibility.

Should Council approve the revisions to the Petition Policy, staff will update the guidance available to petition organizers on ottawa.ca, including the petition template.

Public Conduct Policy and Corporate Trespass to Property Procedures

Part IV, Recommendation 12:

Approve amendments to the Public Conduct Policy, and the revised Trespass to Property Procedures, as described in this report and in Documents 27 and 28.

Council established the Public Conduct Policy and Corporate Trespass to Property Procedures through its approval of the [2018-2022 Council Governance Review](#) report on December 5, 2018. The report noted that the Ontario Ombudsman recommended municipalities adopt such policies and procedures in order to set out expectations and to ensure that any response to unreasonable behaviour or frivolous and/or vexatious requests from members of the public occurs in a fair, consistent and reasonable manner.

The policy contributes to the City's objective of dealing with all residents in ways that are consistent and fair while acknowledging that there may be a need to protect staff, Members of Council and residents of the City of Ottawa from unreasonable behaviour and frivolous and/or vexatious actions. As further noted in the Purpose section of the policy:

- Some situations arising from unreasonable behaviour may cause concern for the reasonable safety of other individuals on City premises. Other situations may compromise the enjoyment of City facilities for all users. Vexatious, frivolous and/or unreasonably persistent requests may consume a disproportionate amount of Member and/or staff time and resources and can compromise their ability to provide assistance or deliver good customer service efficiently and effectively. Such requests may also impede staff from attending to other essential issues. These situations and requests may require the City to put restrictions on the contact that some individuals have with the City.
- The policy is not intended to deal with generally difficult clients and individuals. It applies to members of the public whose behaviours and actions are unreasonable, frivolous and/or vexatious. Determining whether particular behaviours or actions are unreasonable, frivolous or vexatious can be a flexible balancing exercise that requires all circumstances of a particular case to be taken into account. In many cases, the key question is whether the behaviours or actions are likely to cause distress, disruption or irritation, without proper or justified cause.
- The decision to classify someone's behaviour as unreasonable, or to classify a request as vexatious or frivolous, could have serious consequences for the individual, including restricting their access to Members, City staff, services and/or property. As such, the policy provides clear examples of behaviours and actions, as well as clear steps for staff to follow. Any restrictions made under the policy and the related Corporate Trespass to Property Procedures are dependent on particular circumstances, and there is an opportunity for the affected individual to have any restrictions reviewed and/or appealed.

The City Clerk is responsible for reviewing the policy every two years as part of the regular governance review process. As such, the Office of the City Clerk, in consultation with the Integrity Commissioner and operational staff, has identified recommended amendments to the Public Conduct Policy to provide for the following, as set out in Document 27:

- Additional clarity with respect to the process to be followed when a Member of Council invokes provisions of the policy;
- Additional flexibility such that General Managers may delegate their authority to operational staff to issue restrictions on services; and
- Formatting and "housekeeping" revisions.

In addition, the Corporate Trespass to Property Procedures were created to support the implementation of the policy and provide City staff with clear direction and requirements

regarding the issuance of Trespass to Property Notices. The following proposed amendments are incorporated in the revised procedures attached as Document 28:

- Clarification regarding the role of the Corporate Security Branch;
- Inclusion of Ottawa Public Library properties as facilities exempt from the procedures, as they are governed by the Ottawa Public Library's Trespass to Property and Restriction of Service Policy;
- Addition of the new Corporate Security Framework to the References section;
- Amendments to Appendix A (Guidelines for issuing a Trespass to Property Notice) to clarify the positions authorized to issue notices;
- For privacy and staff security, the removal of the staff member's name on the Trespass to Property Notice itself (Appendix B). Staff issuing the notice would only be required to identify their position and department;
- Changing the procedures' title from "Corporate Trespass to Property Procedures" to "Trespass to Property Procedures"; and
- Formatting and "housekeeping" revisions.

Routine Disclosure and Active Dissemination Policy

Part IV, Recommendation 13:

Approve amendments to the Routine Disclosure and Active Dissemination Policy as described in this report and in Document 29.

On [July 17, 2013](#), Council approved the Routine Disclosure and Active Dissemination Policy, which establishes guidelines for the disclosure and dissemination of records that can and should be released to the public directly by the department holding the record, with no need for residents to be referred to the Access to Information and Privacy (ATIP) Office.

Staff recommend Council approve amendments to the Routine Disclosure and Active Dissemination Policy as follows:

- Additional language to emphasize that formal access to information requests pursuant to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) are only required in instances where records are subject to the disclosure provisions of MFIPPA. Requests of a general nature, or where minimal exemptions may be applied, are to be dealt with by the department holding the records. The ATIP Office will support operational staff in fulfilling this requirement;
- Additional language stating that any fees associated with a routine and proactive disclosure plan must be legislated or approved by Council; and

- Minor amendments to reflect current practices and other general “housekeeping” matters.

The proposed amendments are included in Document 29.

Statutory Officer Recruitment, Appointment and Contract Administration Policy and Procedures

Part IV, Recommendation 14:

Approve amendments to the Statutory Officer Recruitment, Appointment and Contract Administration Policy and Procedures as described in this report and in Documents 30 and 31.

On April 8, 2020, Council considered the staff report titled, “[Recruitment, Appointment and Contract Administration for Statutory Officers who report directly to City Council](#),” and approved the Statutory Officer Recruitment, Appointment and Contract Administration Policy and Procedures.

The policy and procedures provide for a consistent approach as well as improved accountability and transparency by setting out specific requirements and administrative measures respecting the recruitment, hiring and contract administration for statutory officers who report directly to Council: The Auditor General, City Manager and Integrity Commissioner. The policy and procedures also incorporate recommendations from an Ontario Ombudsman’s report in November 2019.

Staff recommend the following amendments to the policy and procedures, as set out in Documents 30 and 31:

- Changing the names of the policy and procedures to the “Statutory Officers Policy” and “Statutory Officers Procedures,” respectively. The proposed changes would retain the key information about the policy and procedures, while making the names more concise to allow for greater ease of reference;
- To clarify existing processes, stating in the procedures that performance reviews and salary progression for the Auditor General and City Manager will be conducted in keeping with the Management and Professional Exempt (MPE) Terms and Conditions of Employment, and that management leave will be granted to the Auditor General and City Manager in keeping with the MPE Terms and Conditions of Employment;
- Clarifying roles in the procedures for the City Clerk and Human Resources personnel with respect to filing and retention of completed performance reviews and processing associated salary adjustments for the Auditor General and City Manager; and

- Adding brief references to the policy and procedures to clarify meaning (for example, where the policy and procedures state that an employee's failure to comply with the policy/procedures may result in discipline, staff recommend clarifying that such disciplinary action will be conducted in accordance with Human Resources' processes and in alignment with collective agreements and terms and conditions of employment).

Part V – Other matters

Third-party review of the funding allocation for Constituency Services Budgets of Members of Council, the pay scales and job descriptions for Members' staff, and Members' remuneration

Part V, Recommendation 1:

Direct the City Clerk and City Treasurer to bring forward for committee and Council consideration no later than June 30, 2025, options to address the recommendations from the independent third-party reviewer (MNP Business Consulting and Advisory Services LLP) regarding the funding allocation for Members' Constituency Services Budgets, as described in this report.

During consideration of the [2022-2026 Council Governance Review](#) report on December 7, 2022, City Council approved Motion No. 2022-03/29, as follows:

WHEREAS each Member of Council is provided with a Constituency Services Budget with which to operate their respective office, in accordance with the requirements of the Council Expense Policy and the Councillors' Office Manual; and

WHEREAS the Constituency Services Budget is a global budget that covers Members' staff compensation and non-compensation items such as community events, communications, donations and sponsorships, hospitality, and office supplies; and

WHEREAS the only increase to Members' global Constituency Services Budgets is the annual cost of living adjustment (applied to the compensation portion of the budget only); and

WHEREAS the Councillors' Office Manual was recently reviewed and updated for the first time since 2005 to incorporate updated policies and guidelines, enhanced office management processes and procedures, and improvements to the recruitment and hiring processes for Councillors' Assistants approved by Council in July 2020; and

WHEREAS recent reviews have not included an examination of Members' remuneration and budget allocation to ensure that Members have the support required to meet the demands placed on their offices and that compensation for Members and their staff is keeping pace relative to the organization and other peer groups;

THEREFORE BE IT RESOLVED that Council direct the Office of the City Clerk to retain an independent third-party, funded from the Council Administration Services Budget, to conduct a review of the funding allocation for Members' Constituency Services Budgets, the pay scales and job descriptions for Councillors' Assistants, and remuneration for Members of Council; and

BE IT FURTHER RESOLVED that recommendations further to that independent third-party review be included as part of the 2022-2026 Mid-term Governance Review.

Further to Council's direction, the Office of the City Clerk retained the services of MNP Business Consulting and Advisory Services LLP (MNP) as the independent third party to complete a review of the following matters:

1. The funding allocation for the Constituency Services Budgets of Members of Council;
2. Pay scales and job descriptions for Councillors' Assistants and Members' staff; and
3. Remuneration for Members of Council.

As described in Document 32, MNP conducted a comprehensive review that included:

- A review of relevant documentation relating to Constituency Services Budgets and Councillors' Assistants, including budgets, salary schedules, contracts, hiring kit documents, and job descriptions;
- Interviews with Members of Council and City staff;
- A confidential work environment survey for Councillors' Assistants that received feedback from 84 Councillors' Assistants (94 per cent);
- A survey of comparator cities including Calgary, Edmonton, Hamilton, Mississauga, Toronto and Vaughan; and
- An external market review that compared the salary ranges of Members' staff to the marketplace.

MNP's findings and recommendations regarding each topic of review are summarized below, with comment from staff regarding the related recommendations in this report, or

the intended approaches that will be used to address the matters raised. MNP's report to Council is provided in Document 32.

1. Funding allocation for Members' Constituency Services Budgets

Each Member of Council receives a Constituency Services Budget for the calendar year (January 1 to December 31). The Constituency Services Budget is intended to provide the Member with the resources to:

- Administer their offices at City Hall and in their wards to support their role;
- Conduct meetings and communicate with their constituents and other stakeholders;
- Support and promote activities or community groups within their ward and in the community at large; and
- Represent the City at functions, events or conferences.

The Constituency Services Budget provides funding for Members' staff salaries and other expenses such as office supplies and services, community event expenses, special event tickets, donations, sponsorships and travel-related expenses. While the Constituency Services Budget is a global budget, the recommendation is that Members spend approximately 87 per cent of their total budget for compensation.

Currently, each Councillor's Constituency Services Budget is \$287,698 per year.

MNP observations

As set out in Document 32, MNP made the following observations following interviews and surveys with stakeholders:

- All respondents agree that the staffing portion of the Members' Constituency Services Budget should be increased to attract and retain competent staff and maintain high service levels. Ottawa's budget practices are below the market median.
- Elected officials desire improved budget tracking processes and advanced technology to support accurate budget management and provide detailed line-item options. The City uses SAP for real-time budget data, which should also be accessible for Members. Finance staff can adjust budget lines and are available to provide advice as required.
- Opinions differ on whether staffing costs should be part of a global budget or allocated separately. Additionally, many respondents suggest reconsidering budget distribution by population or geography to address perceived inequities between wards. In contrast, others claim that size does not necessarily mean a need for increased budget. Both methods of budget distribution are observed within the comparator municipalities.

Additionally, the survey of comparator municipalities found that the individual size of Constituency Services Budgets at the City of Ottawa is below the median budget of the municipalities surveyed, being \$415,168.

MNP recommendations

MNP recommended the City consider the following matters with respect to the funding allocation for Members' Constituency Services Budgets, in accordance with the comments below:

- **Consider increasing Constituency Services Budgets** – MNP recommended the City consider an increase to the total budget that would bring Members' Constituency Services Budgets closer to the median budget of comparator municipalities (\$415,168). The MNP report to Council noted that, "The City will not be leading or lagging the market by funding a budget at the median of its comparator group," and that, "The increase would allow Councillors to offer more competitive salaries while maintaining the current allocation of 87 per cent of the budget for staff compensation." MNP further advised that any changes be clearly documented and communicated.
- **Implement a formal review process** – MNP recommended the City consider implementing a consistent budget review cycle for Constituency Services Budgets, using a broader range of economic measures. The report states: "For instance, adopting a formula-based approach that considers inflation, changes in housing, transportation, healthcare, and other essential costs, wage growth in comparable sectors, and the City's shifting needs (housing issues, social issues, weather/environmental events, etc.) could provide a more accurate reflection of necessary budget adjustments in line with real-world economic pressures." MNP recommended that a standardized review of the total Constituency Services Budget should be conducted at the end of year two or three of Council's term in office to evaluate budget allocations and recommend any future adjustments. The report also noted that, "Establishing a regular review cadence mandated in policy or through a governance process creates a transparent and consistent approach to ensuring the budget remains on pace with market and economic conditions and is free from political interference (real or perceived)." The report advised that the effects of any budget adjustments should be monitored and evaluated.
- **Maintain consistent budget amounts across all Councillors to ensure parity and equity** – MNP noted: "Councillors have mixed opinions on whether a Members' Constituency Services Budget should be standardized or adjusted based on the ward's population size, geography size, citizen demand, caseload, or other criteria. While some comparator municipalities have adopted variable ward budgets, the majority of voices interviewed indicated that Ottawa should

keep the current practice of maintaining a consistent budget for all wards. As this was noted several times through our engagement process, Council may wish to engage in further discussion to determine the best collective path forward. In our findings, it was noted that equal budgeting ensures that each ward is treated fairly, providing Councillors with the same financial resources regardless of differences in population or geographic size, etc., upholds the principle of equity, and preserves the flexibility for each Councillor to allocate their budget in ways that best address the unique needs and priorities of their constituents.”

Staff comments

Staff recommend Council direct the City Clerk and City Treasurer to bring forward a report that includes options for Council’s consideration to address the MNP report recommendations with respect to the funding allocation for Members’ Constituency Services Budgets. It is recommended that staff bring forward a report to the Finance and Corporate Services Committee by the end of Q2 2025.

Staff note that increasing each Constituency Services Budget to reach the median cited in the MNP report would result in a significant budgetary pressure. As such, it may be prudent for Council to consider implementation options such as a phased-in approach. Providing for staff to bring forward an options report no later than the end of Q2 2025 would allow time for staff to assess the status of the 2025 budget and determine whether any funds may be reallocated to Constituency Services Budgets in 2025. Staff could also develop a proposed approach for the 2026 budget allocation.

Should Council approve this recommendation, staff would bring forward a report that provides options for Council to consider with respect to the matters set out in the MNP report, including:

- Any increase to Constituency Services Budgets and any proposed approach to implement such an increase, as well as consideration of a corresponding increase to the Mayor’s Office budget; and
- Any regular standardized review and adjustment process for Constituency Services Budgets as part of the annual budget review cycle.

In addition, staff noted MNP’s observations with respect to Members’ desire for improved budget tracking processes. Staff can advise that in addition to quarterly financial status reports provided to assist Members in managing their budgets, Members and their staff may access up-to-date financial reports (including financial status and financial transaction reports) at any time by contacting the Program Manager of Mayor Support Services or Council Support Services, as appropriate.

2. Pay scales and job descriptions for Members’ staff

The Mayor and Councillors have authority to hire employees to work in their offices, which occurs through the following employment arrangements:

- Staff in the Mayor's Office are employed on a temporary contract basis as Management and Professional Exempt (MPE) employees.
- Staff in Councillors' offices (Councillors' Assistants) are employed on a temporary (full-time or part-time) contract basis and are non-unionized.

The employment term for a Member's staff is tied to the Member's term of office, and work is based on the Member's political and constituency needs. The contractual relationship for Members' staff is with the City of Ottawa, and they are eligible to receive compensation and participate in benefit and pension programs like other employee groups in the City.

Members assume the responsibility for all employment aspects of their staff, including hirings and terminations, determining hours of work and establishing employee duties. That said, the Office of the City Clerk (the Mayor Support Services Branch and the Council Support Services Branch) assists Members with employee relations, recruitment and hiring, training and other administrative matters.

As noted above, salaries for a Member's staff are paid from the Member's Constituency Services Budget. Currently, the starting pay and any adjustments to a Member's staff pay rate are at the discretion of the Member. Mayor Support Services and Council Support Services have developed recommended salary guidelines in conjunction with Human Resources Services to support Members in establishing their office structures and rates of pay.

MNP observations

As set out in Document 32, MNP made the following observations following interviews and surveys with stakeholders:

- Analysis shows that the City's Councillors' Assistants are underpaid compared to other municipalities.
- Wards face retention challenges for Councillors' Assistants due to remuneration levels being below market and reduced job security, as elected officials may turn over every four years. Many Councillors' Assistants leave their role before the elected official's term is over for new roles, including City roles, that provide better pay, increased job security, and work-life balance.
- Most interviewees found the existing hiring process for Councillors' Assistants sufficient and appreciated the flexibility of the overall recruitment process.
- Some Councillors' Assistants expressed uncertainty about Councillors' work expectations for their roles. City stakeholders believe Councillors' Assistant roles are unique and cannot be easily compared to other city jobs. Councillors'

Assistants' titles do not reflect their varied roles, and job descriptions are only sometimes accurate.

- Councillors' Assistants have noted a need for more support from Councillors, the broader Councillors' Assistants group, and the City of Ottawa.

MNP recommendations

MNP recommended the City consider the following matters with respect to Members' staff remuneration, roles and retention, in accordance with the comments below:

- **Introduce a well-defined pay scale for staff that considers experience, responsibilities and performance** – MNP recommended the City consider an updated and more structured pay scale to ensure fair compensation and provide clear career progression by introducing distinct salary scales for junior, intermediate, and experienced assistants. It was also recommended that all relevant policies and documentation be updated to reflect the new salary scales and career progression paths.
- **Update and standardize job descriptions to accurately reflect their roles and responsibilities** – MNP noted: “The current job documentation for [staff] is inconsistent, resulting in unclear requirements of the incumbent and difficulties in salary alignment. Clarifying job documentation will help ensure that all [staff] are fully aware of their duties and that their job titles correspond appropriately to their functions. The organization can enhance accountability and performance by providing clear and consistent job descriptions. This approach will also facilitate better communication and understanding among team members. Standardized job descriptions can also aid in the recruitment and onboarding process, ensuring that new hires clearly understand their roles from the outset. Ultimately, this initiative will contribute to a more organized and efficient workplace.”
MNP recommended the City consider developing consistent and detailed job descriptions for each position, involving Members and staff in the review process, and communicating the changes to ensure understanding. The report stated that the descriptions “should be integrated into HR practices to support recruitment, performance management, and career development. The City should strike a balance between the opportunities to provide consistency in format and language across job descriptions and the principle of maintaining flexibility in customizing job descriptions should be maintained.”
- **Regularly review compensation to ensure alignment with the market, helping to maintain and attract qualified candidates** – MNP recommended the City consider regularly reviewing compensation on a regular basis to stay competitive and ensure fair pay. The report further noted that, “A clear compensation philosophy, performance-based rewards, and transparent communication could help retain talent and support future budgeting.”

Staff comments

Staff intend to undertake various initiatives at the administrative level to consider and address the recommendations. This will include:

- Reviewing the defined pay scale to consider experience, responsibilities and performance, consistent with processes used for other staff positions.
- Updating and standardizing job descriptions.
- Considering any other changes noted by MNP that may help to attract and retain staff.

Staff will consult Members of Council in developing the updated pay scale and job descriptions. Given that current Members' staff remain under existing contracts and terms of employment until the end of each Member's term, and to give staff the time required to review, develop, implement and communicate changes, staff intend for the new and updated measures to be in place for the beginning of the 2026-2030 Term of Council. This will provide for the changes and updated documentation to be rolled out at the start of the next term of Council, and for new staff contracts to be signed in accordance with the updated job descriptions, pay scales and any other related matters.

In addition, staff noted MNP's observations with respect to additional support for Members' staff, and can advise that the Office of the City Clerk has been working on improved communications materials and resources to assist in ensuring staff are further supported in their day-to-day work as well as their professional and personal development.

3. *Remuneration for Members of Council*

As is the case throughout Ontario, Council has authority to establish salaries and adjustments for the Mayor and Councillors. At the City of Ottawa, Members' salaries have been established and adjusted through third-party reviews (including the Ottawa Transition Board at amalgamation and the Citizen's Task Force on Council Remuneration in 2004), by way of motion, and through amendments during the regular governance review process.

Most recently, as part of the [2010-2024 Mid-term Governance Review](#) report that Council considered on February 13, 2013, staff recommended that increments to remuneration for elected officials be set at the yearly percentage economic adjustments received by Management and Professional Exempt employees, beginning January 1, 2013. Council approved the report recommendation, "That an annual cost-of-living increase for Members of Council be established at the same rate as for Management and Professional Exempt staff."

Salaries of Members of Council are paid by the City of Ottawa through the Council Administration Budget. The Mayor's 2024 salary was \$208,760 and the Councillors'

2024 salary was \$116,735. Members of Council are also enrolled in the City's pension plan with OMERS, and may elect to receive benefits, a transportation allowance, a parking pass and a transit pass.

MNP observations

As set out in Document 32, MNP made the following observations following interviews and surveys with stakeholders:

- Most Councillors perceive that their current remuneration needs to be revised to meet the demands of their roles. They are also conscious of the potential negative repercussions of public opinion if their wages were to be increased. The City of Ottawa's remuneration practices align closely with market standards. The pay for its Mayor and Councillors is on par with what is typically offered in other cities. Ottawa also follows similar practices for providing remuneration increases.

Based on the survey of comparator municipalities, the MNP report observed as follows:

- The remuneration of Ottawa's elected officials aligns with the median remuneration of the market.
- The City follows common practices for adjusting the salaries of elected officials in response to economic changes.
- The procedures for evaluating and potentially adjusting the pay of the Mayor and Councillors are consistent with the standards and practices observed in other surveyed cities.

While not a formal topic of the review, the MNP report also included the following observations regarding:

- Gender-based inequities: Council has made significant progress in ensuring equal committee representation. However, the disproportionate number of female Councillors has resulted in a perceived imbalance of workload and participation on Committees.
- Committee Chairs: Additional credits for committee chairs are inconsistent and have not increased in a decade; however, this practice is unique and has not been observed in other municipalities.

MNP recommendations

MNP recommended the City consider the following matters with respect to Members' remuneration, in accordance with the comments below:

- **Maintain current Members' remuneration and implement an automatic formal market review process** – MNP's report noted: "Based on the custom remuneration analysis of Elected Officials that collected data from comparable

municipalities, we have found that the current remuneration for Elected Officials in Ottawa aligns with the median market rate. Therefore, data-driven results across comparators' research do not indicate that a salary increase is needed presently. To support ongoing market-aligned remuneration, consider implementing an automatic formal market review process at the end of year two or year three of the Elected Officials' term, with any approved adjustments taking effect at the start of the new Elected Officials' term."

MNP recommended the City consider the following:

- Conducting a standardized review of elected officials' remuneration at the end of year two or year three of the term of Council. The report stated: "The review should provide recommendations for future adjustments, ensuring continuity and forward planning in remuneration and budget management."
- Determining which economic indicators will be used to guide annual adjustments that accurately reflect changes in the cost of living and economic conditions. MNP suggested using the Conference Board of Canada's average salary increases and the Consumer Price Index as the data sources.
- Formalizing processes with respect to policy regarding Member remuneration, such as developing a clear formula for calculating the annual adjustment based on the chosen economic indicators, and ensuring the formula is transparent, easy to understand, and consistently applied; and updating the Councillors' Office Manual and creating procedures for implementing the annual adjustments, including timelines, calculation methods, and documentation requirements.

Staff comments

As the MNP report did not recommend increasing Members' remuneration at this time, no such recommendation is made in this report. That said, staff will consider the MNP recommendations regarding the implementation of regular review process and will ensure benchmarking with comparator municipalities is brought forward to Council on a regular basis through the governance review process.

It is also noted that Toronto City Council at its meeting of November 13, 2024, approved a motion, as amended, requesting staff to report to Council in March 2025 regarding an updated comparative review of Councillor compensation; recommendations to adjust Councillor compensation to an appropriate level in line with counterparts; and an approach to regularly review Councillor compensation. Toronto City Council also requested the City Clerk report to Council by Q4 2025 regarding options to modernize

the job descriptions, salary bands, and compensation envelope for staff in Members' offices. Staff will continue to monitor these matters.

Councillors' Office Manual and office-related matters

Part V, Recommendation 2:

Approve the revised Councillors' Office Manual attached as Document 33.

On July 15, 2020, as part of its consideration of the staff report titled, "[Review of Recruitment and Hiring Processes for Councillors' Assistants](#)," Council directed staff to bring forward for Council consideration as part of the 2018-2022 Mid-term Governance Review a revised Councillors' Office Manual that reflects current policies and procedures. The City Clerk was also directed to incorporate a review of Members' office-related matters, including employment matters, as part of each governance review. As a result, the office manual and other office-related matters are reviewed twice per term as part of the regular governance review cycle, with any substantive changes brought forward to Council for consideration and approval.

Updated Councillors' Office Manual

The Councillors' Office Manual was first approved by the former Member Services Committee in June 2002. The manual was designed to set out in one document the relevant policies and procedures related to the administration of Members' offices and their staff.

Further to Council's direction, the Office of the City Clerk undertook a significant update of the Councillors' Office Manual in 2020 to incorporate updated policies and guidelines, as well as to reflect feedback received from Members of Council and Councillors' Assistants. The updated manual was approved by Council on December 9, 2020, as part of the 2018-2022 Mid-term Governance Review. Council approved minor updates to the manual through the 2022-2026 Council Governance Review.

For the 2022-2026 Mid-term Governance Review, staff recommend the following minor updates to the Councillors' Office Manual:

- Removing reference to the Employment of Family Members Policy if Council approves the Ethical Framework for Members' Staff, as described in Part II, Recommendation 2 of this report. All employment-related matters, including hiring, promotions, performance appraisals and discipline are undertaken in accordance with the Code of Conduct for Members of Council, and in an objective and impartial manner, free from improper influence and/or conflict of interest based on familial or personal relationships. As such, should Council approve the Ethical Framework for Members' Staff, a corresponding amendment will be made to the office manual to incorporate the responsibilities set out under

the “Employment of Family Members” section of the proposed Ethical Framework.

- Updating the manual to reflect current corporate policies, procedures and internal resources implemented since the last update to the manual.
- Updating the mandatory and legislative training required for Members of Council and their staff to reflect revisions to mandatory workplace violence and harassment training.
- Providing an overview of facility rental procedures for the use of community event credits and waived rental fees.
- Changes related to formatting and style.

The updated Councillors’ Office Manual is attached as Document 33.

Should Council approve the revised office manual, the updated manual will be provided to the offices of all Members of Council and saved to the Council Administration SharePoint site, along with the most current version of forms, documents, policies and procedures relevant to City Councillors and Councillors’ Assistants. Additionally, the manual will be revised to include any relevant policies and procedures that Council adopts through the approval of the 2022-2026 Mid-term Governance Review, such as the proposed amendments to the Council Expense Policy described in this report.

Pursuant to the City Clerk’s delegated authority, the City Clerk may approve administrative changes to the office manual between governance reviews, such as minor changes to update terminology and references, title or organizational structure changes, changes to technology, and correction of errors or omissions. This would also include updating the manual to reference new legislative requirements including those approved by Council. Should any such administrative changes be made, the City Clerk will provide a memorandum to Council advising of the nature of the amendments, along with a copy of the updated Councillors’ Office Manual.

Members’ office-related matters

As described above, each Member of Council assumes the responsibility for all employment aspects of their office including directing recruitment and hiring, and the supervision of staff. Council Support Services within the Office of the City Clerk provides administrative support for all aspects of Members’ human resources needs, from recruitment and hiring to ongoing personnel matters such as the management of time and leave and performance management, and voluntary or involuntary termination.

The 2020 staff report titled, “[Review of Recruitment and Hiring Processes for Councillors’ Assistants](#),” included recommendations aimed at increasing protections for job candidates during the recruitment process for Councillors’ Assistant positions, as

well as providing enhanced training and support for Councillors' Assistants throughout the tenure of their position, as follows:

- Mandatory Office of the City Clerk or Human Resources representative in all interviews;
- Interviews to take place virtually or in a City facility;
- Mandatory individualized onboarding orientation with Council Support Services for all new hires;
- Voluntary exit interviews with Council Support Services for departing Councillors' staff; and
- Implementing a designated point of contact in Human Resources for Councillors' Assistants (and those participating in the interview process).

Having monitored the increased workload and increased focus on support for Councillors' Assistants, the Office of the City Clerk identified the need for an additional resource in Council Support Services as part of the 2023 Budget review. As part of the 2022-2026 Council Governance Review report, Council approved one additional Full-time Equivalent (FTE) position funded from the elimination of a temporary FTE in Council Support Services assigned to Deputy Mayor Scheduling Support. The 2022-2026 Council Governance Review report noted that this FTE position would be reviewed at mid-term. Staff can advise that during consultations for this report, Members were supportive of maintaining the position.

Further to MNP's third-party review of the funding allocation for Members' Constituency Services Budgets, the pay scales and job descriptions for Members' staff, and Members' remuneration (as described in Part V, Recommendation 1), Council Support Services will be responsible for responding to a number of recommendations relating to Councillors' Assistants, including updating and standardizing job descriptions and reviewing the defined pay scale.

Additionally, Council Support Services intends to develop a toolkit to support Members of Council in fulfilling their supervisory functions, including matters related to health and wellness, leaves of absence and performance development, consistent with the resources available to support managers within the administration.

Establishing an Elected Officials Records Management Policy

Part V, Recommendation 3:

Approve the Elected Officials Records Management Policy attached as Document 34.

The City Clerk noted in the [2022-2026 Council Governance Review](#) report an intention to bring forward an Elected Officials Records Management Policy in an effort to

establish guidelines for recordkeeping requirements. As described below, the proposed Elected Officials Records Management Policy attached as Document 34 would incorporate, formalize and centralize past guidance and information provided to Members of Council.

For example, during the transition between the 2018-2022 and 2022-2026 terms of Council, staff developed guidance documents regarding the retention or disposal of records held by outgoing Members. Staff also provided incoming Members with orientation that set out the application of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) on Members of Council. Such guidance and information is included in the proposed Elected Officials Records Management Policy, which:

- Does **not** introduce any new requirements for Members of Council;
- Identifies the process for the appropriate management of records held by Members, in keeping with MFIPPA, orders and guidelines issued by the Information and Privacy Commissioner of Ontario (IPC), the Code of Conduct for Members of Council, and the Election-Related Resources Policy; and
- Codifies past practice and guidance with respect to the management of records during the term of Council and at the end of an elected official's term/time in office.

It is anticipated the establishment of the Elected Officials Records Management Policy would particularly assist Members in the event of an access to information request under MFIPPA, and in times of Member and staff transition. The draft policy includes sections relating to:

- **The application of MFIPPA**
 - The Mayor, as the statutory Head of Council and Chief Executive Officer of the City of Ottawa, is considered an officer of the City and, as such, is generally subject to MFIPPA. The Mayor's Office may hold records related to the duties of the Mayor, constituency matters, personal matters, political matters, and City business. Provisions describe the applicability of MFIPPA to various types of records that may be held by the Mayor, in keeping with orders and guidance from the IPC.
 - Councillors are generally not considered to be officers or employees of the City unless undertaking certain roles and activities. Typically, Councillors' Offices may hold records related to constituency matters, personal matters, political matters, and City business (including records related to assigned Council-related roles and policy requirements). Provisions

describe the application of MFIPPA in keeping with IPC orders and guidance.

- Members' Office staff are City employees. However, such staff are selected and instructed by the Member to assist in their role as an elected official. For the purposes of custody or control of records, the IPC has found that a Member's Office may be considered as a whole, and that Member's Office staff are more properly considered to be an extension of the Member than employees of the municipality.

- **Managing records during the term of Council**

- Requirements related to protecting privacy and confidentiality, and guidance for Members when collecting personal information.
- Record management requirements related to Members' Office staff who leave employment during the term of Council, including requirements if those staff remain employed by the City in a different capacity.
- Recognition that the City's Auditor General and Integrity Commissioner shall have access to Members' records as may be required in accordance with relevant statutory and policy authorities.
- Matters during an election year: Noting the requirement that Members and their office staff shall ensure any records of personal information that they possess (for example, records of constituent information) are used only for the purpose for which they were collected. In accordance with the City's Election-Related Resources Policy, constituent information (for example, telephone numbers, email addresses and mailing addresses) that is collected, stored, accessed, maintained or updated using City resources shall not be used for election-related purposes.

- **Managing records at the end of a Member's time in office**

- General provisions to indicate the type of records that may not need to be retained or provided to the City, but may be subject to other potential actions or requirements (for example, outgoing Members should ensure that all personal information and all constituency matters, lists, files, correspondence, service requests, personal notes, etc. are removed from their office).
- Information and requirements related to personal information collected by the Member, outstanding service requests still in the process of being acted upon by a City department, and archival records.
- Information regarding an opportunity for Members to purchase and retain their City-issued technology when they leave office, and processes that

will be followed to wipe the data contained on such devices if an outgoing Member does not choose to purchase and retain their City-issued technology. A Data Destruction Plan outlines the action staff will take for each type of technology used by Members who are not returning, and outgoing Members must sign a Data Destruction Authorization Form prior to the end of the term of Council.

- Requirements that apply to Members' Office staff who leave their employment with the City or who are to remain employed by the City in a different capacity.

Delegated authority for the City Clerk to make necessary changes further to Council's decisions

Part V, Recommendation 4:

Approve that the City Clerk be delegated the authority to implement changes to all related processes, procedures, policies and Terms of Reference, and to bring forward by-laws as required to implement Council's decisions further to the approval of this report and to reflect the current organizational alignment.

This recommendation would provide the City Clerk with the delegated authority to implement changes approved by Council through this report and to bring forward any required by-laws, while ensuring the current organizational alignment is reflected.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

ADVISORY COMMITTEE(S) COMMENTS

The City Clerk met with the Chairs and Vice-Chairs of advisory committees to discuss the current governance structure and to receive feedback and experiences, as set out in the report.

CONSULTATION

As part of the preparation for the report, the City Clerk consulted with Members of Council, members of the Senior Leadership Team and operational staff, as well as staff in the Office of the City Clerk, Legal Services and the City Manager's Office who work

most closely with the legislative process. As noted in the report, a Council sponsors group provided advice regarding procedural guidance for department-led working groups that is incorporated in the proposed Department-led Working Groups Policy (Part I, Recommendation 7).

ACCESSIBILITY IMPACTS

Accessibility impacts have been assessed throughout this report. The City of Ottawa follows a legislative accessibility framework and, as such, adheres to the *Integrated Accessibility Standards Regulation of the Accessibility for Ontarians with Disabilities Act, 2005*, as well as the City's Accessibility Policy and other accessibility-related procedures and guidelines. Additionally, as a regulated entity, OC Transpo is now required to adhere to the requirements as outlined in the *Accessible Canada Act*. All appropriate legislative accessibility obligations of the City, both at the provincial and federal levels, have been considered and met, which will have a positive impact on people with disabilities in the City of Ottawa.

Under Subsection 29(1) of the *Accessibility for Ontarians with Disabilities Act, 2005*, the council of every municipality having a population of not less than 10,000 is required to establish and maintain an accessibility advisory committee. This report contains recommendations to Council that are meant to provide added clarity to advisory committee procedural requirements and simplify or remove certain provisions that may be barriers to engagement. Staff have also indicated they will address other matters raised by advisory committee Chairs and Vice Chairs.

In addition, elected Members of Council complete the City's mandatory accessibility training with respect to the *Accessibility for Ontarians with Disabilities Act, 2005*. This training provides Councillors with a framework for the City's obligations towards creating accessible built environments, information and communication, procurement, employment practices, customer service, and transportation to ensure residents, visitors and employees with disabilities receive accessible services as they live, work and play in the city. Furthermore, additional accessibility training is provided to members of the accessibility advisory committee. Members not only take the mandatory accessibility training with respect to the *Accessibility for Ontarians with Disabilities Act, 2005* as well as providing accessible customer service, but also receive additional training to support their legislated functions, including how to view site plans with an accessibility lens.

DELEGATION OF AUTHORITY IMPLICATIONS

Updates to the *Delegation of Authority By-law* (Part IV, Recommendation 2) and Delegation of Powers Policy (Part IV, Recommendation 9) are proposed in this report, and the routing to committee of certain reports regarding the exercise of delegated authority is addressed in Part I of this report. In addition, it is recommended that the City Clerk be provided with the delegated authority to implement changes approved by

Council through this report and to bring forward any required by-laws, while ensuring the current organizational alignment is reflected (Part V, Recommendation 4).

INDIGENOUS, GENDER AND EQUITY IMPLICATIONS

The purpose of the City of Ottawa's equity strategies and plans is to enable the City to be more deliberate and impactful in making sustainable progress to further advance its commitment to reconciliation with Indigenous Peoples, and achieving equity both within the organization and through the City's service delivery. The integration of equity and reconciliation principles into planning, operations, practices and policies affects every aspect of the work done by the City and applies to all City of Ottawa residents. This report includes proposed changes aimed at making the language of certain City policies more inclusive. The report also recommends Council approve a Diversity Plan to ensure that the members of the Ottawa Police Service Board appointed by Council are representative of the diversity of the population in the municipality, in accordance with the *Community Safety and Policing Act, 2019* [Part III, Recommendation 4(b)].

RURAL IMPLICATIONS

Rural governance matters and issues that arose through the Rural Summit 2024 are addressed in Part I of this report in discussion relating to the mandate of the Agriculture and Rural Affairs Committee. As noted, staff will bring forward proposed amendments to the Agriculture and Rural Affairs Committee's Terms of Reference to strengthen the committee's mandate and ensure that reports with significant rural implications should be considered by this committee, further to the consultations for the Rural Summit and this report. It should also be noted that on November 7, 2024, the Agriculture and Rural Affairs Committee approved a motion directing staff to report back to the committee on Q4 2025 "with an update on implementation of identified recommendations during the 2024 Rural Summit, including work that has been completed to date and any outstanding works that need to be completed, as well as the outcomes that any changes made as part of the 2024 Rural Summit have had on rural Ottawa."

SUPPORTING DOCUMENTATION

Document 1 – Mayor's delegation of certain assigned statutory powers under the *Municipal Act, 2001*

Document 2 – Standing committee meeting frequency

Document 3 – Revised procedure by-law minimum provisions for advisory committees

Document 4 – Department-led Working Groups Policy

Document 5 – Inventory of department-led working groups

Document 6 – Community Safety and Well-Being Advisory Committee membership

Document 7 – 2024 Annual Report of the Integrity Commissioner

Document 8 – Ethical Framework for Members' Staff

Document 9 – Recommended amendments to the Code of Conduct for Members of Council

Document 10 – Updates on the City of Ottawa's local boards

Document 11 – Committee of Adjustment update on KPMG recommendations

Document 12 – Committee of Adjustment Terms of Reference

Document 13 – Responses to FCA Committee of Adjustment recommendations

Document 14 – Diversity Plan for Council appointments to the Ottawa Police Service Board

Document 15 – Recommended amendments to the *City Manager By-law*

Document 16 – Recommended amendments to the *Delegation of Authority By-law*

Document 17 – Revised *Procedure By-law*

Document 18 – Recommended amendments to the *Procurement By-law*

Document 19 – Recommended amendments to the Accountability and Transparency Policy

Document 20 – Recommended amendments to the Appointment Policy

Document 21 – Revised Council Expense Policy

Document 22 – Recommended amendments to the Council-Staff Relations Policy

Document 23 – Recommended amendments to the Delegation of Powers Policy

Document 24 – Recommended amendments to the Election-Related Resources Policy

Document 25 – Recommended amendments to the Election-Related Blackout Period Procedures

Document 26 – Recommended amendments to the Petition Policy

Document 27 – Recommended amendments to the Public Conduct Policy

Document 28 – Revised Trespass to Property Procedures

Document 29 – Recommended amendments to the Routine Disclosure and Active Dissemination Policy

Document 30 – Recommended amendments to the Statutory Officer Recruitment, Appointment and Contract Administration Policy

Document 31 – Recommended amendments to the Statutory Officer Recruitment, Appointment and Contract Administration Procedures

Document 32 – Members' Constituency Services Budget and Elected Officials Remuneration Review: Report of Findings and Considerations for Council

Document 33 – Revised Councillors' Office Manual

Document 34 – Draft Elected Officials Records Management Policy

DISPOSITION

Upon approval of the report by City Council, staff in the applicable departments, in particular the Office of the City Clerk, will implement changes to all related processes, procedures and by-laws that are required to carry out the report as approved.