

TORONTO STAFF REPORT

June 7, 2006

To: Policy and Finance Committee

From: City Manager

Subject: Implementation of a new Council Governance model for the next term of Council.

Purpose:

To propose a Council governance model that will help to prepare the City for powers under the new *City of Toronto Act*, support Toronto as an order of government, and strengthen Council's ability to deal with the significant challenges ahead.

Financial Implications and Impact Statement:

There are no direct financial implications associated with this report. Any implementation costs will be reported out as part of the 2007 operating budget process. The City Clerk has previously been requested to report before the start of the 2007 budget process on the operational impact arising from governance changes and the new *Act*.

Recommendations:

It is recommended that:

- 1) Council implement a new governance model that enables Toronto's government to act strategically, take a City-wide perspective while balancing local needs, uses an integrated policy approach, and builds on the strengths of its people through civic participation and engagement;
- 2) Council establish the positions of Speaker and Deputy Speaker effective December 1, 2006, subject to the necessary statutory powers being in effect, and subject to the consent of the Mayor at the commencement of each term of Council, and notice of the Mayor's consent being given to the City Clerk:
 - a) *Duties* – The duty of the Speaker is to undertake the duties of the chair of City Council meetings when the Mayor vacates the chair. The duty of the Deputy Speaker is to act as chair when the Speaker cannot
 - b) *Method of Appointment* – The Speaker and Deputy Speaker shall be elected by Council from among its members by secret ballot
 - c) *Term of Office* – The Speaker and Deputy Speaker shall be elected for the Council term, unless removed from office by a two-thirds vote of Council

- d) *Relationship to Deputy Mayor(s)* – The Speaker and Deputy Speaker shall be separate and distinct offices from those of Acting or Deputy Mayor(s)
 - e) *Privileges of the Speaker as Member* – Nothing shall prevent the Speaker or Deputy Speaker from voting, speaking, questioning or moving motions, provided that he or she vacates the chair to do so. The Speaker shall sit on a standing committee but will not be permitted to chair a standing committee, community council, or major agency, board or commission. However nothing shall prevent the Deputy Speaker from chairing a standing committee, community council, or major agency, board or commission
 - f) *Mayor’s Privileges* – Since the Mayor retains the statutory power to chair meetings, the Mayor may resume the chair at his or her discretion
- 3) the Executive Committee be established with the following composition:
 - a) Mayor as chair;
 - b) Deputy Mayor as vice-chair;
 - c) the chairs of the standing committees; and
 - d) four other members of Council who are not members of any other standing committee or chair of a major agency, board or commission
 - 4) City Council delegate to the Mayor the authority to appoint the Deputy Mayor and the chairs of the standing committees to serve at the Mayor’s discretion, subject to the necessary statutory powers being in effect;
 - 5) City Council appoint the remaining four members of the Executive Committee, for half terms;
 - 6) the Budget Advisory Committee be renamed the Budget Committee;
 - 7) the Budget Committee report to the Executive Committee and be composed of six members of Council at-large plus a chair to be selected by the Executive Committee from among Executive Committee members;
 - 8) the Employee and Labour Relations Committee report to the Executive Committee and be composed of six members of Council at-large plus a chair to be selected by the Executive Committee from among Executive Committee members;
 - 9) the committee structure, mandates, and composition described in this report and set out in Tables 1 and 2 and Appendix 1 be approved, and authority be delegated to the City Manager and the City Clerk to develop the detailed committee responsibilities based on the broad mandates in Tables 1 and 2, and giving consideration to the specific committee responsibilities currently described in the procedure by-law, and include such detailed committee responsibilities in the procedure by-law;
 - 10) the name of the Nominating Committee be changed to Civic Appointments Committee;
 - 11) Council proceed with delegation of authority to community councils for some local routine matters, subject to the necessary statutory powers being in effect, and the City Manager

report early in the next term on the technical, legal and operational impacts of such delegation;

- 12) the number of community councils be increased up to eight and the City Manager and City Clerk report in the first quarter of 2007 on options for the number, boundaries and operational issues required to implement this change;
- 13) the City launch a community dialogue in the new term on reconnecting people with City government that:
 - a) considers processes and structures to improve engagement at the neighbourhood, community, ward and City-wide levels and improve public participation in the decision-making process; and
 - b) addresses the civic engagement role of Council, the Mayor, committees, community councils, and advisory bodies
- 14) Council authorize the City Clerk to incorporate the following principles when planning the legislative calendar for the next term of Council:
 - a) separate routine, administrative matters from strategic planning and policy-making, at Committees and Council
 - b) allow for staggered committee reporting cycles for different committees if necessary
 - c) allow sufficient time for the preparation and review of reports and materials prior to meetings
- 15) authority be granted to the City Solicitor to submit any bills required to enact the new governance model including amendments to the Municipal Code, Chapter 27, Procedures, generally in accordance with the report recommendations and Tables 1 and 2 and Appendix 1 of this report, subject to any necessary refinements, including stylistic, format and organization as may be identified by the City Solicitor and City Clerk; and
- 16) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Council considered the report of the Governing Toronto Advisory Panel titled 'The City We Want, the Government We Need' in December 2005 and:

- Adopted the Panel's recommendations in principle
- Referred the report to Community Councils for public comment
- Requested the City Manager to prepare an implementation plan and to consult further with the public in the preparation of the implementation plan; and
- Established a Council governance implementation working group to advise the City Manager

The Governance Implementation Working Group, chaired by Councillor Brian Ashton, met seven times to review the Panel's recommendations in detail, provide guidance on the public

consultation process, and review staff recommendations. The Working Group's advice and comments have helped significantly with the preparation of this report.

An extensive public consultation process was conducted in March and April. Four open sessions were held across the City, attended by more than 300 people, providing an opportunity for discussion and input on the Panel's recommendations. The proceedings of the public consultation were submitted to the Community Councils, Policy and Finance Committee and the Working Group.

Discussion

The City's current governance system was designed at the time of amalgamation. Although it has been reviewed several times, there have been no substantial changes since 1999. However, with new powers and new responsibilities set out in a new *City of Toronto Act*, there is both an opportunity and a requirement to consider changes to the way Council operates.

The new *City of Toronto Act* provides the City with a broader range of powers to determine its own system. First, it restores to City Council some of the basic powers available to other Ontario municipalities that were taken away at amalgamation. These include the powers to name wards and set ward boundaries. Second, the Act increases Council's ability to delegate certain powers to other bodies, including committees, commissions or officers of Council. Although there are limits to this broad power, Council has been provided with the tools necessary to delegate routine matters. The Province has also reserved the power to prescribe various aspects of the City's governance system. For example, the Province may by regulation further set out powers of the Mayor, powers of an Executive Committee and other key features.

Governing is complex, and involves making trade-offs between competing objectives on a daily basis. Toronto's governance system must reflect that complexity and it must accommodate this wide range of decision-making requirements. The following principles provide a foundation for the proposed governance model:

Local Democracy

- People should be involved and engaged in decision-making
- Debate and decisions should take place in public
- People should know where their Councillor stands on issues
- People should have access to a variety of avenues for involvement in decision-making
- Neighbourhoods should have a say on issues that affect them

City Council

- City Council is the supreme legislative body
- City Council has a duty to come to consensus, rather than a duty to oppose
- City Council should balance its City-wide perspective with its attention to neighbourhoods and local issues

- Council's structure should provide for equitable work distribution and a meaningful role for all Members

The Mayor

- The Mayor should be able to fulfill his/her City-wide mandate and meet the expectations of the community
- The Mayor should lead Council in setting strategic and financial priorities
- The Mayor should represent the City to other governments and the world at large

In light of these beliefs and after careful review of the work of the Governing Toronto Advisory Panel, the results of public consultation, and the deliberations of the Council Working Group on governance, a six-point plan is recommended for governance changes. The six points are:

Improve how Council functions

- Establish a Speaker to chair meetings of City Council
- Authorize the City Clerk to make improvements to the legislative process and meeting cycle

Improve integrated policy-making, strategic planning and priority-setting

- Create an Executive Committee to integrate City-wide strategic plans and priorities on behalf of Council by including in its composition the Mayor, the Deputy Mayor, standing committee chairs and members from Council at-large

Improve the Mayor's ability to lead

- Delegate authority to the Mayor for some political appointments that will enhance the Mayor's ability to lead on a coordinated, City-wide platform

Improve Council's policy deliberation

- Adjust the current committee structure and legislative calendar to focus on key policy spheres

Improve local decision-making at Community Councils

- Proceed with delegation to community councils for many local, routine matters
- Increase the number of community councils to enhance access to local government

Improve the City's engagement with neighbourhoods and communities

- Launch a community dialogue on reconnecting people with City government including processes and structures to improve civic engagement and the civic engagement role of Council, the Mayor, committees, community councils and advisory bodies

Step 1 - Improve how Council functions

• Improvements to the Meeting Calendar

There is room for improvement in the legislative process. The new term of Council and a revised committee system present an opportunity to make changes to make better use of Councillors' time, as well as that of the public, staff and other participants. There are opportunities for improvement when staff prepares the proposed calendar for Council's consideration later this year. For example, separating routine matters from strategic policy matters on agendas and for committee deliberation, and allowing for different reporting cycles for different committees. The City Clerk will be reporting to the Striking Committee following the November election with scheduling options based on the decisions of Council on governance and procedural changes.

• Establishment of a Speaker

The new *City of Toronto Act* permits Council, with the consent of the Mayor, to elect a presiding officer to chair meetings of Council when the Mayor vacates the chair. The election may be conducted by secret ballot.

The basic responsibility of a Speaker is to chair meetings of City Council. There are different models of Speaker including those where the Speaker has ceremonial or administrative duties. As the Mayor and Clerk already have those duties, these models are not recommended.

Council should also elect a Deputy Speaker to chair meetings when neither the Speaker nor the Mayor is able to take the chair.

Establishing a Speaker requires City Council to address several implementation issues. The implementation issues and the recommended response are as follows:

- *Duties* – The duty of the Speaker is to undertake the duties of the chair of City Council meetings when the Mayor vacates the chair. The duty of the Deputy Speaker is to act as chair when the Speaker cannot.
- *Method of Appointment* – The Speaker and Deputy Speaker shall be elected by Council from among its members by secret ballot.
- *Term of Office* – The Speaker and Deputy Speaker shall be elected for the Council term, unless removed from office by a two-thirds vote of Council.
- *Relationship to Deputy Mayor(s)* – The Speaker and Deputy Speaker shall be separate and distinct offices from those of Acting or Deputy Mayor(s).
- *Privileges of the Speaker as Member* – Nothing shall prevent the Speaker or Deputy Speaker from voting, speaking, questioning or moving motions, provided that he or she vacates the chair to do so. The Speaker shall sit on a standing committee but will not be permitted to chair a standing committee, community council, or major agency, board or commission. However nothing shall prevent the Deputy Speaker from chairing a standing committee, community council, or major agency, board or commission.
- *Mayor's Privileges* – Since the Mayor retains the statutory power to chair meetings, the Mayor may resume the chair at his or her discretion.

Step 2 - Improve integrated policy-making, strategic planning and priority-setting

• **Establishment of an Executive Committee**

Executive Committee Mandate

Given Council’s complex legislative role, it is useful to have a structure which facilitates strategic planning, priority setting, budgeting, and managing the flow of Council’s policy agenda. The responsibilities of the Executive Committee as proposed are very similar to those of the current Policy and Finance Committee and will encompass that committee’s mandate. However the proposed role places greater emphasis on recommending strategic directions rather than simply approving administrative reports and clauses that fall under its purview. The Executive Committee’s responsibilities are described in Table 1.

Table 1 – Proposed Executive Committee Mandate

Mandate:	To monitor and make recommendations on the priorities, plans, international and intergovernmental relations and financial integrity of the City.
Duties:	<ul style="list-style-type: none"> • To make recommendations on the following: <ul style="list-style-type: none"> • Council’s strategic policy and priority setting agenda • Governance policy and structure • Financial planning and budgeting • Fiscal policy including revenue and tax policies • Intergovernmental and international relations • Council and its operations • Human resource and labour relations • To make recommendations or refer to another committee any matter not within the mandate of a standing committee or that crosses more than one standing committee

During the public consultation, many expressed concern that an Executive Committee would function as a cabinet. For example, people expressed concern that an Executive Committee would meet in private; make final decisions on matters thereby diminishing the powers of Council; or be required to approve all committee business before it was considered by City Council.

None of the above features are contemplated for an Executive Committee and were not proposed by the Panel. First, the open meeting provisions of the Municipal Act are continued in the new *City of Toronto Act*. There is no change to the rules prohibiting private meetings or the rules governing notice or *in camera* meetings. Second, although it is now possible under the new *Act* to delegate certain powers to committees, none is being recommended for the Executive Committee. Should Council wish to do so in the future, it would be possible, however Council would need to agree to the delegation and Council could elect to rescind the authority at any

time. Lastly, creating an Executive Committee “funnel” through which all committee business must be squeezed is neither desirable nor practical and is not being recommended.

It is proposed that the Budget Committee (renamed from Budget Advisory Committee) continue as currently mandated, reporting to the Executive Committee, with a composition of six members of Council at-large and a chair to be selected by the Executive Committee from among Executive Committee members.

It is also proposed that the Employee and Labour Relations Committee continue with its current mandate, reporting to the Executive Committee with a composition of six members of Council at-large and a chair to be selected by the Executive Committee from among Executive Committee members.

Executive Committee Composition

The Panel recommended that the City adopt a model of Executive Committee that incorporates chairs of standing committees. The underlying objective of such models is the promotion of the coordination of the overall City Council policy agenda, and the creation of a body that has a high level overview of the issues facing the City. As Executive Committee members, standing committee chairs would be expected to take a City-wide view, ensuring that items coming through the committee process are in keeping with Council’s strategies and priorities and that financial implications are clearly understood and weighed within a City-wide and cross-program context.

The Panel recommended that the TTC chair be included on the Executive Committee by virtue of office. This reflected the Panel’s view that as one of the largest programs of the City it would be beneficial to have the chair at the table when budget and strategic priorities are being developed. However, this would suggest that other large agencies should also be included and as this is not practical it is not being recommended.

The Panel recommended that the chairs of the community councils be included on the Executive Committee. However, because this report recommends an increase in the number of community councils, it is recommended that community council chairs not be formally tied to the Executive Committee composition as an increase in community councils would make the Executive Committee too large.

Given the foregoing, the following composition of the Executive Committee is recommended:

- the Mayor as chair;
- the Deputy Mayor as vice chair;
- the chairs of the standing committees; and
- four other Members of Council who are not members of any other standing committee or chair of a major agency, board or commission.

Size is a key consideration in determining the composition of the Executive Committee. An odd number is preferable to avoid tie votes. The Executive Committee proposed in this report has 13 members, contingent upon Council’s approval of the proposed standing committee structure.

The Executive Committee's size will have to be reviewed if the number of standing committees changes at any later date.

Step 3 - Improve the Mayor's ability to lead

- **Delegation of authority to the Mayor for some political appointments**

Delegating this authority to the Mayor was central to the reforms recommended by the Panel. It was proposed as a fundamental change that enhances the Mayor's ability to implement a coordinated, City-wide platform.

During the consultations, many expressed concern that delegating this power would in effect create a strong mayor system of government. While the power of appointment would represent an increase in Mayoral powers, it in no way resembles the strong Mayor models that were evaluated and rejected by the Panel during its deliberations. In US-style strong mayor models, for example, mayors enjoy by-law making powers, vetoes over City Council decisions, powers to appoint all administrative officials and requirements for supermajorities to turn back mayoral initiatives. There are no such proposals before Council.

One particular concern that was expressed was that the Mayor should not choose the chairs of the community councils. This is a reasonable concern, and should Council decide to delegate to the Mayor appointment powers, it makes sense to balance that by retaining the current practice of community councils electing their chairs and vice chairs.

The following compromise is proposed with respect to Mayoral appointments to be made by amendment to Council procedures:

- Mayor to appoint the standing committee chairs to serve at the Mayor's discretion;
- Mayor to appoint the Deputy Mayor to serve at the Mayor's discretion
- City Council to appoint the four at-large members of the Executive Committee, for half terms
- Community councils to continue to elect their own chairs and vice chairs, for half terms
- Standing committee chairs to continue to elect their own vice chairs, for half terms

This proposal supports the Panel's recommendation to provide the Mayor with some additional tools to lead the policy agenda but balances those tools by reserving Council's authority to make other key appointments.

Step 4 - Improve Council's policy deliberation

- **Adjust the current committee structure to focus on key policy spheres**

The Panel's recommendations to create both an Executive Committee and a standing committee focused on economic development and competitiveness create a domino affect across mandates and workloads of all the standing committees. It makes sense to take the opportunity of a new structure and term to review the standing committee structure.

The Panel recommended that a committee be established to lead on economic development and competitiveness. At present, these matters are part of the mandate of the Economic Development and Parks Committee. Simply splitting this committee in two would create an imbalance of membership and mandates across the standing committee structure.

Accordingly, a revised standing committee structure is proposed in Table 2 that is based on the following principles:

- A flatter committee structure composed of seven committees instead of five to more evenly distribute the work
- A division of work based on major policy areas
- Allow for more substantial policy debate
- Allow for the creation of an economic development standing committee as recommended by the Panel
- Allow for additional opportunities for Members to serve in leadership positions of chairs and vice chairs

Table 2 – Proposed Standing Committee Structure

Committee*	Primary Focus	Mandate
Economic Development	The economy	To monitor and make recommendations to strengthen Toronto’s economy and investment climate.
Community Development and Recreation	Social cohesion	To monitor and make recommendations to strengthen services to communities and neighbourhoods.
Public Works & Infrastructure	Infrastructure	To monitor and make recommendations on Toronto’s infrastructure needs and services
Planning & Growth Management	Urban form	To monitor and make recommendations on the planning, growth and development of the City.
Licensing & Standards	Consumer safety & protection	To monitor and make recommendations on the licensing of businesses and enforcement of property standards.
Parks and Environment Committee	The natural environment	To monitor and make recommendations on the sustainable use of Toronto’s natural environment.
General Government	Government assets and resources	To monitor and make recommendations on the administrative operations of the City.

* Each committee to report to Council and to be composed of six members of Council, plus the Mayor by right of office

Upon Council approval of the structure and mandates, the City Manager and City Clerk will develop detailed committee responsibilities to guide the administration in reporting to committees and to ensure Council’s procedures are appropriately adjusted.

Other Committees:

No change is recommended to the mandates of the other Council committees as follows:

- The Affordable Housing Committee will continue with its current mandate, pending review as previously directed by Council when the committee was established.
- The Striking Committee's mandate to recommend Members' appointments should continue, but its duties require amendment if Council approves authority for the Mayor to make certain appointments.
- A change to the name of the Nominating Committee to 'Civic Appointments Committee' is recommended as a clearer title and more meaningful to the public; however no change in mandate is proposed at this time. A separate report dealing with the workings of the appointments process will be before Council later this year.
- The Audit Committee will continue with its current mandate and composition.

Step 5 - Improve local decision-making at Community Councils

- **Proceed with delegation to community councils for many local, routine matters and report in the next term on the technical and legal requirements**

Until now it has not been possible to delegate any final decision-making powers to community councils. Under the new *City of Toronto Act* however, Council may delegate powers under the *Act*, the *Planning Act* or any other Act that the Minister prescribes, subject to certain rules.

Under section 22 of the new *City of Toronto Act*, there are some things that Council cannot delegate to community councils or any other body. These include:

- The power to appoint or remove staff
- The power to impose a tax or set a tax rate or ratio
- The power to incorporate corporations
- The power to adopt or amend the Official Plan
- The power to pass a zoning by-law
- The power to adopt or amend the City budget
- The power to cancel or defer taxes in support of rehabilitation of a property (tax increment financing)

In addition, there are some community council matters that cannot be delegated at this time because they involve powers that are provided in an Act other than the *City of Toronto Act* or the *Planning Act*. These include:

- Installation of stop signs
- Designation of fire routes on private land
- Powers under the Ontario Heritage Act

Delegation of these matters requires the Minister to prescribe them as matters eligible for delegation, and a request has already been filed with the Minister to do so.

The fact that approximately 90% of community council matters are adopted by Council on consent suggests that there is room for delegation of the more routine matters. Preliminary research has been conducted on delegation to community councils. Table 3 lists routine matters that typically comprise community council agendas, and that should be evaluated for possible delegation. There are technical and legal matters to work out and the new *Act* must be in force to implement this change to delegated decision-making authority.

It is noted that delegating decision-making on Official Plan amendments and zoning by-laws is not recommended as it is not permitted under the new *City of Toronto Act*. As well, Council deferred consideration of the Panel’s recommendation regarding the planning process, pending *Planning Act* reforms.

Table 3 – Matters to be Evaluated for Possible Delegation to the Community Councils

<p>1. Parking Issues</p> <ul style="list-style-type: none"> a) On-street parking b) On-street permit parking c) Rescinding permit and meter parking d) Disabled parking – installation and removal e) Boulevard parking (appeal) f) Front yard parking (appeal) g) Driveway widening (appeal) h) Payment in lieu of parking i) Loading zones j) Removal of taxi cab stands k) Student drop-off and pick-up zones l) Side and time restrictions <p>2. Property Matters</p> <ul style="list-style-type: none"> a) Tree removal and injury b) Fence/wall/balcony maintenance on City property c) Fence by-law exemptions d) Noise exemptions e) Natural gardens exemptions f) Installation of glycol heating g) Land issues (acquire/sell) h) Encroachment agreements i) Encroachment on boulevard j) Sign by-law exemptions k) Use of City space for special events l) Naming of public street m) Naming of private street n) Naming of private lanes o) Naming of parks p) Streetscape improvements – BIA q) Art in public spaces r) Boulevard café applications, commercial and residential flankage (appeal) s) Vending and marketing applications t) Endorsement of events for liquor license purposes (appeal) 	<p>3. Traffic Control and Road Work</p> <ul style="list-style-type: none"> a) Speed changes/restrictions* b) Turn lane restrictions and entry prohibitions c) Proposed road narrowing (traffic calming, islands) d) Installation of speed humps and bumps e) Pick-up and drop-off zones f) Installation of stop signs* g) Traffic signal installations h) Sensor cable installation i) Pedestrian crossover installation/relocation j) Bicycle lanes k) Road closures (temporary for construction) l) Heavy truck prohibitions m) Designation of fire routes* n) Sidewalk installation o) Road alternations and intersection re-alignment p) Paint lines <p>4. Heritage matters</p> <ul style="list-style-type: none"> a) Listing on City’s inventory b) Intention to designate* c) Amendment of designating by-law* d) Repeal of designating by-law* e) Establishment of heritage conservation study area* f) Establishment of heritage conservation district* g) Alteration to designated building* h) Demolition/removal of designated building* i) Demolition/removal/alteration to building in HCD* j) Heritage easement agreement* <p>5. Other</p> <ul style="list-style-type: none"> a) Appointments to Boards of Management of Community Centres & Arenas b) Local awards c) Applications for Mausoleums under the Cemeteries Act*
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* indicates matters that may be affected by limits to delegation in Bill 53 s.21(2), delegation requires the Minister to prescribe them as matters eligible for delegation (a request has been filed with the Minister to do so).

- **Increase the number of community councils up to eight, to enhance access to local government, and report in the first quarter of 2007 on options for the number, boundaries and operational issues**

Many people raised issues about the number and boundaries of community councils during debate and discussion of the Panel's report. Some felt there should be more community councils and others felt that the current boundaries should be revised. Some felt that structures such as neighbourhood advisory bodies could improve involvement of neighbourhoods in developing local action plans and a local perspective on city-wide matters.

More community councils could improve access to local government and input to the legislative decision-making process. If Council decides to increase the number of community councils, further work will be required to propose options for the ultimate number and boundaries and to discuss operational issues.

Step 6 - Improve the City's engagement with neighbourhoods and communities

- **Launch a community dialogue on reconnecting people with City government including processes and structures to improve engagement, the civic engagement role of Council, the Mayor, committees, community councils, and advisory bodies.**

People feel disconnected from City government and some say this is the greatest casualty of amalgamation. Many possible solutions have been raised to address this concern: creating advisory or decision making structures at the ward or neighbourhood level, new or different leadership roles for ward Councillors, new and different roles for community councils, bringing neighbourhood leaders together to advise Councillors and staff on emerging issues, promoting collaboration and consultation among service divisions at the ward and neighbourhood level.

There are improvements that can be made to the City's current civic engagement practices. Many city services engage in ongoing community consultation and support Members in ward and neighbourhood meetings. The Listening to Toronto process has engaged people on Council's term priorities, the City's budget and governance issues and there has been a good deal of learning about engagement techniques that can be applied to Council's strategic planning processes next term. The public consultation process on governance identified opportunities for improvement in the focus on neighbourhoods, youth and multilingual, low income and new Canadians.

These observations point to the need for a major community dialogue on reconnecting people with City government, a dialogue that will look at processes and structures that can improve engagement at the neighbourhood, community, ward and City-wide levels, and will address the civic engagement role of Council, the Mayor, committees, community councils and advisory bodies.

Matters Not Recommended

There were several suggestions made by the Governing Toronto Panel that raised concern during Council's debate and public consultation and are not recommended:

- Higher salaries for Executive Committee members
- Mayor to appoint and dismiss the City Manager
- Mayor to appoint community council chairs and vice chairs
- Mayor to appoint standing committee vice chairs
- A new and separate office to support the Executive Committee

Conclusions

Implementation of the recommendations in this report will help to prepare the City for powers under the new *City of Toronto Act*. The recommendations set a path for a more easily understood and accessible decision-making structure and improvements to civic engagement and neighbourhood involvement in City government. The proposed governance model improves accountability mechanisms and strengthens Council's ability to act strategically and take a City-wide perspective while balancing local needs. Some of the recommendations are contingent on the new *City of Toronto Act* coming into effect. This does not prevent Council from making decisions at this time; it simply means that the decisions will be effective when the *Act* comes into force. Some of the recommendations require changes to Council's procedures.

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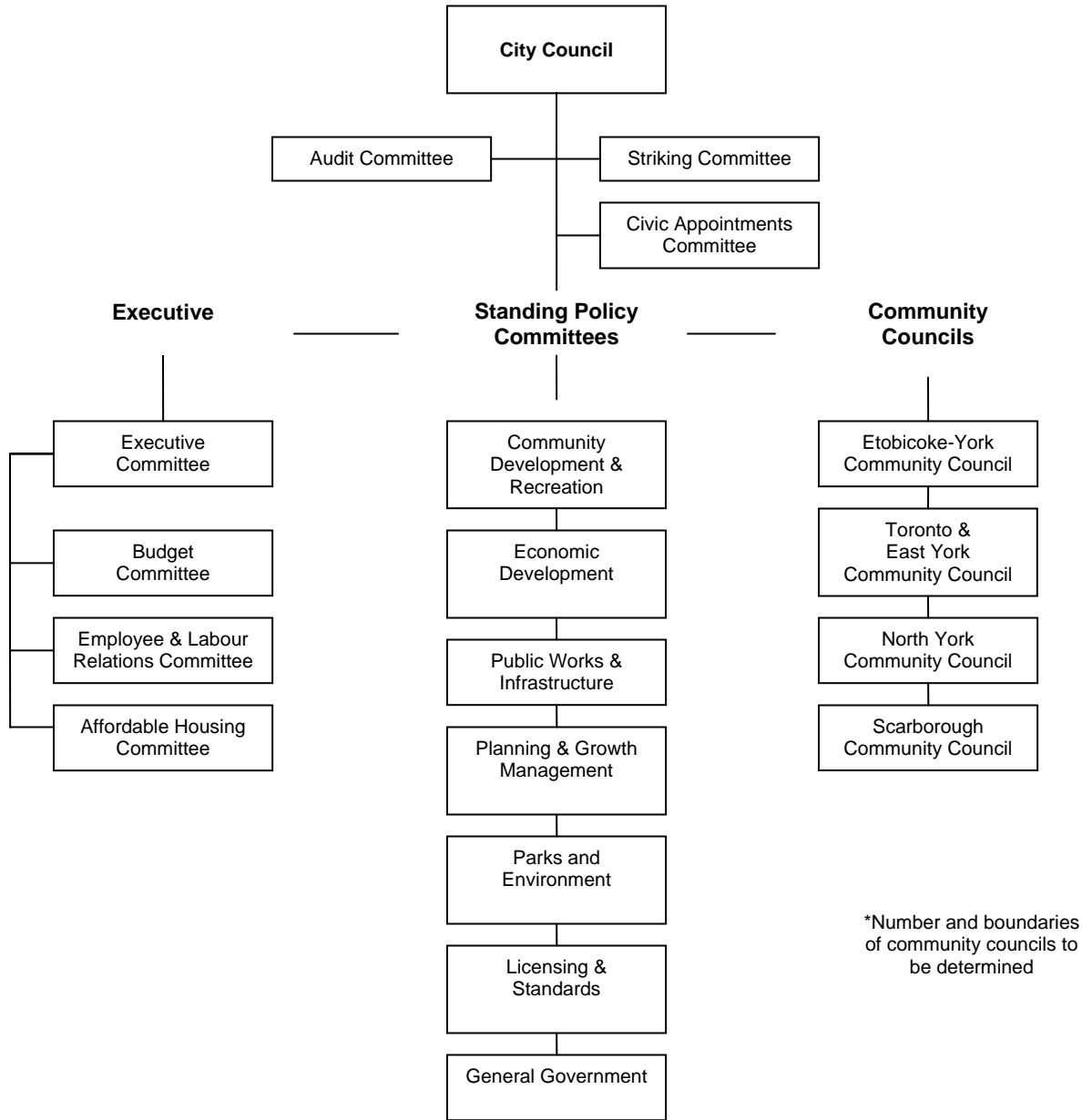
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City Manager

Attachments:

- Appendix 1: Chart – Recommended Committee Structure
- Appendix 2: Analysis - Recommendations of the Governing Toronto Advisory Panel

Appendix 1: Recommended Committee Structure



Appendix 2

Analysis—Recommendations of the Governing Toronto Advisory Panel in its report “The City We Want - The Government We Need”

PANEL RECOMMENDATIONS	DISPOSITION
Recommendation One: Strengthen Council’s ability to focus on strategic, City-wide priorities	
(a) Increase City Council’s term of office from three years to four years	On May 18, 2006 Royal Assent was given to a bill amending the Ontario Municipal Elections Act to increase the term of office to four years from three effective with the coming term. City Council does not have the power to set the term of office under current or pending legislation or to opt out of the province-wide term of office.
(b) Delegate transactional decision-making to staff, committees of Council and other administrative bodies with appropriate checks and balances	Under the new <i>Act</i> there is a broader governmental power to delegate subject to various conditions that impose checks, balances and rights of appeal. Delegation requires careful and deliberate thought to ensure there are no unintended, adverse consequences and that checks and balances are considered within a policy framework. As first steps, delegation of some routine matters to community councils and a delegation of authority to the Mayor for some political appointments are proposed under Recommendation No. (4) and No. (11).
(c) Enforce procedures rules related to agenda deadlines and notice requirements	These subjects are being examined by Council’s Procedure By-law Reference Group and will be the subject of an upcoming report. No separate action is required.
(d) Adjust the legislative meeting calendar to separate transactional business from strategic planning and policy-making work	Addressed by Recommendation No. (14).
(e) Appoint a full-time Speaker and a Deputy Speaker to preside over City Council meetings and protect the dignity of City Council’s deliberations through the enforcement of procedural and behavioural rules	Addressed by Recommendation No. (2)

PANEL RECOMMENDATIONS	DISPOSITION
Recommendation Two: Create an executive committee with responsibility for furthering the City's agenda	
(a) Appointed and chaired by the Mayor with membership comprising the chairs of Standing Committees, Community Councils (to ensure geographic representation), the Toronto Transit Commission, and the Deputy Mayor	Addressed by Recommendation No. (4) recommending Mayoral powers.
(b) Responsible for: <ul style="list-style-type: none"> i. integrating City-wide strategic planning and setting priorities; ii. linking City-wide priorities to financial resources through the budget process; iii. co-ordinating City Council's agenda management and managing the flow of policy issues to City Council; iv. ensuring that Standing Committees develop work plans consistent with the City's strategic direction. 	Addressed by Recommendation No. (3) recommending establishment of the Executive Committee and Table No. (1) setting out a proposed mandate.
(c) Salaries of Councillors serving on the Executive Committee should be raised to recognize their increased responsibilities. The amount of this increase should be determined following a review of practices used in other cities and orders of government	Not recommended. There is little support for this recommendation among members of the public and Council alike. Since Council has decided to review compensation for Members under a separate review proposed by the Policy and Finance Committee that review should prevail. No other action is required.
(d) Receive advice and analytical support from a dedicated office consisting of professional, non-partisan staff, free of obligations to individual programs	The establishment of a dedicated office is not recommended. There is no need to establish a separate office to provide support to the Executive Committee. This support can be provided by existing City staff from the appropriate divisions under the direction of the City Manager.
Recommendation Three: Broaden the Mayor's scope of responsibility to reflect the public's expectations of the position and enable the Mayor to lead effectively	
(a) With the Executive Committee, at the beginning of each term, set a multi-year, city-wide vision and strategic directions for City Council's approval	Addressed in the proposed mandate of the Executive Committee contained in Recommendation No. (3) and No. (9). As the chair of the Executive Committee, the Mayor is thereby provided with appropriate authority and direction on this matter. No further action required.
(b) Hold four annual meetings with members of the public (Mayor's days) in different parts of the City to receive public feedback and input on the City's directions	The new <i>City of Toronto Act</i> gives the Mayor the power to promote public involvement in civic affairs. No further action is required to authorize the Mayor to carry out these types of activities.

PANEL RECOMMENDATIONS	DISPOSITION
(c) Deliver an annual state-of-the city address reporting on the achievements of the strategic directions	Already within the Mayor's power to act on at his discretion. No formal action is required to authorize the Mayor to do this.
(d) Appoint and remove the Chairs and Vice Chairs of Standing Committees, Community Councils, the TTC, and the Deputy Mayor	<p>Recommendation No. (4) recommends delegating authority to the Mayor to appoint the Deputy Mayor and standing committee chairs.</p> <p>Not recommended is the delegation of authority to appoint vice chairs, community council chairs of the chair of the TTC. These should continue to be appointed by City Council.</p>
(e) Make recommendations to City Council through the Executive Committee on major City-wide policy issues	Already within the Mayor's power to act on. No formal action is required to authorize the Mayor to initiate these things.
(f) Lead a budget process supporting strategic directions, sponsor the budget in City Council	<p>Addressed in the proposed mandate of the Executive Committee in Table No. (1).</p> <p>The Mayor will have the duty to lead the budget and strategic planning processes by virtue of being chair of the Executive Committee.</p>
(g) Speak for Toronto nationally and internationally	The new <i>City of Toronto Act</i> gives the Mayor a role in representing the City within and outside the City. No formal action is required to authorize the Mayor to undertake this role.
(h) Negotiate with other orders of government, within broad policy parameters established by City Council	The new <i>City of Toronto Act</i> gives the Mayor a role in representing the City within and outside the City. No formal action is required to authorize the Mayor to undertake this role.
(i) Serve as a signing officer on intergovernmental agreements (but with no unfettered right to bind the City)	The new <i>City of Toronto Act</i> gives the Mayor a role in representing the City within and outside the City. No formal action is required to authorize the Mayor to undertake this role.
(j) Direct, appoint and dismiss the City Manager	Not recommended. During the public consultation, many expressed concern that the Mayor's ability to directly appoint the City Manager would politicize the position and by extension, the public service as a whole. At present, the appointment and removal of the City Manager is made by City Council on the recommendations of the Mayor. As such, the Mayor already has an appropriate level of influence over the tenure of the City Manager, and therefore no change to the existing practice is recommended.
Recommendation Four: Ensure standing committees move the city-wide agenda forward	
(a) Establish work plans that demonstrate how they will advance the strategic priorities	Addressed in Recommendation No. (9) regarding committee mandates.

PANEL RECOMMENDATIONS	DISPOSITION
(b) Committee chairs would be expected to champion the recommendations of their Standing Committees at City Council	Being reviewed as part of meeting management and procedure by-law improvements.
(c) Review the process and approach to deputations, ensuring a respectful environment is created, and that the public has broadened access	Being reviewed as part of meeting management and procedure by-law improvements.
(d) Form a new Standing Committee focusing on economic development and competitiveness	Addressed by Recommendation No. (9)
Recommendation Five: Empower community councils	
(a) Exercise delegated local transactional decision-making authority, governed by Council approved policy	Addressed by Recommendation No. (11)
(b) Conduct a minimum of four public engagement sessions annually within their areas, to provide community input into key issues, such as setting of strategic directions and budget	Addressed by Recommendation No. (13) recommending further development of a civic and neighbourhood engagement strategy.
(c) Determine a more effective method of ensuring neighbourhood input using the City's 140 identified neighbourhoods, to feed into local priority setting and service planning	Addressed by Recommendation No. (13) recommending further development of a civic and neighbourhood engagement strategy.
(d) Meet in the evening, when more community members are able to attend	Community Councils currently schedule evening meetings when required; this practice should be encouraged and more opportunities sought for evening meetings when necessary.
Recommendation Six: Enhance civic engagement and community involvement	
(a) In consultation with the community, the City develop a shared, common civic engagement strategy that integrates and builds upon activities currently undertaken	Addressed by Recommendation No. (13) recommending further development of a civic and neighbourhood engagement strategy.

PANEL RECOMMENDATIONS	DISPOSITION
(b) In particular, use this engagement strategy in the 13 neighbourhoods identified as having priority for infrastructure investment under the Toronto Strong Neighbourhood Strategy	Addressed by Recommendation No. (13) recommending further development of a civic and neighbourhood engagement strategy.
Recommendation Seven: Retain ward-based representation	
(a) City Council maintain wards and reject at-large election of Councillors to help ensure that marginalized communities are not further disadvantaged	No further action required as this represents the status quo.
Recommendation Eight: A better planning process	
<p>(a) Mayor to champion the completion and adoption by City Council of the comprehensive zoning by-law to implement the new Official Plan, and City Council commit the necessary resources to complete the process</p> <p>(b) Require a 2/3 majority whenever City Council wishes to make an amendment to the new comprehensive zoning by-law, which professional planning staff determines is contrary to the new Official Plan</p> <p>(c) In anticipation of Ontario Municipal Board reform, establish a Toronto Appeal Board for Committee of Adjustment decisions; and</p> <p>(d) Establish a professional design review panel to review and amend select development plans from a design perspective, working within Council-approved guidelines.</p>	Council referred this recommendation and sub-recommendations for separate review vis a vis <i>Planning Act</i> reforms.
Recommendation Nine: Budgeting tied to strategic priorities	
<p>(a) The Executive Committee must set out an overall vision for the budget (operating and capital) and realign resources and/or reduce costs as necessary, based on overall vision;</p> <p>(b) The budget process and outcomes must be tied to and</p>	Addressed in the Executive Committee’s mandate. It is important for budget-making to be part of an integrated strategic planning, priority-setting and budgeting process. Some adjustments will be required to the current budget process to achieve this integration and to reflect the creation of the Executive Committee. Deputy City Manager/Chief Financial Officer will

PANEL RECOMMENDATIONS	DISPOSITION
<p>implement City Council's strategic priorities</p> <p>(c) Move towards a budget process that placed more emphasis on the upfront work of priority setting and committee review, and where the final step of the budget process involved City Council voting 'yes' or 'no' to adopt the budget as a whole</p>	<p>include this matter as part of upcoming report on the proposed 2007 budget process.</p>
<p>Recommendation Ten: Strengthen the commitment to economic development and competitiveness</p>	
<p>(a) City Council must act immediately to create a new Standing Committee, the Economic Development and Competitiveness Committee</p> <p>(b) The Mayor must provide the leadership on this policy matter</p>	<p>Addressed by Recommendation No. (9) recommending a new committee structure.</p>
<p>Recommendation Eleven: Engender trust, respect, and civility at City Hall</p>	
<p>(a) City Council institute sanctions for breaches of confidentiality by deeming breaches to be offences under the POA</p>	<p>A number of related activities are underway to address breaches in confidentiality:</p> <ol style="list-style-type: none"> 1. Amendments to the Members' Code of Conduct are being prepared for consideration before the next election, for review by the Bellamy Recommendations Steering Committee, and confidentially sections will be part of the review. 2. The new <i>City of Toronto Act</i> provides some limited sanctions for breaches of the Members' Code of Conduct. Under s.159(3), City Council may, on the recommendation of the Integrity Commissioner, censure a member or suspend a Member's pay for up to 90 days. 3. An ethics training program for staff is under development and will be complemented by increased training in managers' obligations under MFIPPA being conducted by the City Clerk. Similarly, staff is working with the Bellamy Recommendations Implementation Steering Committee to develop a training and orientation program for Councillors and staff on the Members Code of Conduct and MFIPPA for delivery following the November election. 4. The new City of Toronto Act does not permit the deeming of confidentiality breaches to be Provincial Offences, and as a result this option is not open to Council at this time. <p>No further action is recommended.</p>