

December 15, 2022

Sent via E-Mail: aretha.adams@peelregion.ca

Aretha Adams, Regional Clerk and Director of Administration
Region of Peel
10 Peel Center Drive
Brampton, ON L6T 4B9

Dear Ms. Adams,

RE: Staff Report 2022-0463: Appointment of an Alternate Member to Regional Council and Council Committees

I am writing to advise that at the Town Council meeting held on December 13, 2022, Council adopted a resolution regarding Staff Report 2022-0463: Appointment of an Alternate Member to Regional Council and Council Committees.

The resolution read as follows:

That Councillor D. Sheen be appointed as the alternate member to Region of Peel Council for the 2022-2026 Term of Council;

That the necessary by-law be brought forward to give effect thereto;

That Town Staff notify the Regional Clerk of the appointment of the alternate member to Region of Peel Council;

That the following Members of Council be appointed to the Audit Committee for the 2022-2026 Term of Council:

- 1. Councillor L. Kiernan*
- 2. Councillor T. Rosa*
- 3. Councillor C. Napoli*
- 4. Councillor N. de Boer*
- 5. Councillor D. Sheen*

That the following Members of Council be appointed to the Governance Review Committee for the 2022-2026 Term of Council:

- 1. Councillor C. Early*
- 2. Councillor D. Sheen*
- 3. Councillor D. Maskell*

That Councillor M. Russo be appointed to the Accessibility Advisory Committee as the Council representative for the 2022-2026 Term of Council; and

That Councillor L. Kiernan be appointed to the Heritage Caledon Committee as the Council representative for the 2022-2026 Term of Council.

A copy of Staff Report 2022-0463 and By-law 2022-080 has been enclosed for your reference.

For more information regarding this matter, please contact the undersigned directly by e-mail to laura.hall@caledon.ca or by phone at 905.584.2272 ext. 4288.

Thank you for your attention to this matter.

Sincerely,



Laura Hall, Director, Corporate Services / Town Clerk

c: Dave Sheen, Councillor, Ward 2; dave.sheen@caledon.ca

Staff Report 2022-0463

Meeting Date: December 6, 2022

Subject: Appointment of an Alternate Member to Regional Council and Council Committees

Submitted By: Laura Hall, Director, Corporate Services / Town Clerk

RECOMMENDATION

That _____ be appointed as the alternate member to Region of Peel Council for the 2022-2026 Term of Council;

That the necessary by-law be brought forward to give effect thereto;

That Town Staff notify the Regional Clerk of the appointment of the alternate member to Region of Peel Council;

That the following Members of Council be appointed to the Audit Committee for the 2022-2026 Term of Council:

1. _____
2. _____
3. _____
4. _____
5. _____

That the following Members of Council be appointed to the Governance Review Committee for the 2022-2026 Term of Council:

1. _____
2. _____
3. _____

That _____ be appointed to the Accessibility Advisory Committee as the Council representative for the 2022-2026 Term of Council; and

That _____ be appointed to the Heritage Caledon Committee as the Council representative for the 2022-2026 Term of Council

REPORT HIGHLIGHTS

- Appointments for the 2018 to 2022 term expired on November 14, 2022.
- The Town has Advisory Committees that require Council representation and therefore must be appointed.
- The Audit Committee is comprised of (5) Members of Council and assists in maintaining the accountability and financial integrity of the municipality.
- The Governance Review Committee, formerly the Procedural By-law Review Committee is comprised of (3) Members of Council and assists in the review of Council’s decision-making structure, procedures and by-laws, along with transparency



- and accountability policies, such as the Council Code of Conduct, Integrity Commissioner framework and other Council related governance matters.
- In 2017, the *Municipal Act, 2001*, was amended to permit local councils to appoint one (1) Member of Council to serve as an alternate member on Regional Council should a local Regional Councillor be unable to attend.

DISCUSSION

The Town of Caledon's current governance structure facilitates the legislative process and consists of Council, Committees, Advisory Committees, Boards and Task Forces. The governance structure and related processes must remain transparent and accountable to the community at large.

Members of Council form the membership of Standing Committees and Committees of Council, in addition to the Mayor and Regional Councillors who represent Caledon at the Region.

Members of Council appointed to Advisory Committees act in a liaison capacity. In accordance with the Procedural By-law the Mayor is an ex-officio member of all Advisory Committees and is entitled to all the rights of membership in a committee.

Role of Alternate Member to Regional Council

In 2017, the *Municipal Act, 2001*, ("the Act") was amended to permit local councils to appoint one (1) Member of Council to serve as an alternate member on Regional Council should a local Regional Councillor be unable to attend. The appointment must be one member for the Term of Council and cannot be the appointment of an alternate head of council of the upper tier municipality.

In 2018, the alternate appointment to Regional Council was made by a motion with the necessary by-law brought forward at the next Town Council meeting. The Town does not currently have a process in the Town's Procedural By-law to appoint an alternate member of Regional Council. Staff recommend that options for an appointment process be investigated through the governance review process.

To remain consistent with the approach in the previous term, regarding notification procedures, powers/duties of an alternate, indemnification, and remuneration. Staff recommend the following considerations remain in place.

Notification

- Regional Council members shall notify the Regional Clerk in writing, as soon as possible, once they know they will not be able to attend a
- Regional Council meeting.

Remuneration

- Alternate members may receive mileage compensation at the approved corporate rate from the Region of Peel for attendance at the Regional meeting's. No additional compensation for attending will be provided.

Meeting Administration

- The alternate would be appointed for the entire term of Council. Should the seat of the alternate become vacant, then the municipality may appoint another member to act as the alternate to Regional Council.
- The alternate member attendance is limited to Regional Council meetings only. Prior to, or after the meeting, the alternate cannot submit agenda items such as notices of motion. Alternate members may only substitute when a regular member of Regional Council from their local municipality is unable to attend. Substitutions for part of a meeting will not be permitted.
- The alternate member will have the same powers and duties as a regular member of Regional Council only during a Regional Council meeting (e.g. may move motions and vote).
- The alternate must adhere to all applicable policies and procedures that apply to members of Regional Council while in attendance at a meeting (e.g. Region's Procedural By-law and Council Code of Conduct).
- If a discrepancy should arise where a Regional Councillor and an alternate are both in attendance at the start of the meeting, the Regional Councillor shall assume their role at the meeting.
- Once the determination has been made that an alternate is attending on a Regional Councillor's behalf, the alternate shall remain as the Regional Councillor for the duration of the meeting, regardless of whether the Regional Councillor arrives. The alternate will be noted as the member in attendance for the entire meeting.
- The alternate will only be considered a member of Regional Council during attendance at a Regional Council meeting. The alternate would not be entitled to Indemnification from the Region for any statutory prosecution or disciplinary proceeding brought against them, unless such action is the result of an incident that occurred during the alternate acting in good faith, in the course of their duties, at a Regional Council meeting, if during such time they were acting as an alternate member of Regional Council.
- While in attendance at a Regional Council meeting, the alternate member will have all of the same powers and duties as a regular member of Regional Council e.g. may move motions and vote. The alternate must adhere to all applicable policies and procedures that apply to members of Regional Council while in attendance at a meeting e.g. the Region's Procedural By-law and Council Code of Conduct.

Staff recommend that Council appoint an alternate member, as this will ensure that the Town is duly represented at Regional Council in the event that a Regional Councillor is unable to attend.

Audit Committee

Council established an Audit Committee in 2009 to assist in maintaining the accountability and financial integrity of the municipality. The Audit Committee is comprised of five (5) members of Council who, with the assistance of Town Staff, are responsible for the following:

- ensure that the corporate financial reporting and the annual financial statements are credible, objective and meet all legislative requirements;
- ensure the best management practices and controls are developed and implemented by management and staff;

- create better communication between Council and the external auditors by enhancing the external auditor's independence;
- provide advice and recommendations with respect to the financial control framework including financial reporting, accounting policies, information systems integrity, approval processes and the safeguard of assets;
- provide advice and recommendations with respect to the appointment of the External Auditor, the scope and timing of the audit;
- provide advice and recommendations regarding the annual report and management letter of the external auditor; and
- through the Treasurer, prepare an annual report on the previous year's audit to be considered by Council.

Recommendations from the Audit Committee are brought forward to Council for consideration. The term of the Audit Committee runs concurrent with the Term of Council. The Audit Committee will meet approximately two (2) times per year, with additional meeting as required.

Governance Review Committee

The former Procedural By-law Review Committee was established in 2018, to assist staff with development and implementation of a proposed Procedural By-law for Council's consideration. As it is best practice to review committee structures at the beginning of each term, staff recently proposed to replace the Procedural By-law Review Committee with a Governance Review Committee. The purpose of the Governance Review Committee is to review procedures and regulatory tools and to provide recommendations to Council regarding transparency and accountability, effective and efficient decision-making structures and methods or tools to build on current practices. The contract with the Town's Integrity Commissioner is set to expire at the end of 2023. This Committee will work to develop a framework to establish a process to appoint an Integrity Commissioner.

Although the Committee itself does not have any delegated authority to direct staff, recommendations requiring implementation must be considered by Council through a staff report. The Committee is comprised of three (3) members of Council. The Committee has approximately 9 scheduled meetings in 2023, this is subject to change based on agenda items.

Accessibility Advisory Committee

Under the *Accessibility for Ontarians with Disabilities Act (AODO)*, 2005 the municipality is required to establish an accessibility advisory committee. Under the AODA the committee shall;

- a) advise the council about the requirements and implementation of accessibility standards and the preparation of accessibility reports and such other matters for which the council may seek its advice under subsection (5);
- b) review in a timely manner the site plans and drawings described in section 41 of the Planning Act that the committee selects; and
- c) perform all other functions that are specified in the regulations.

The Committee's Terms of Reference expand on their role to advise and assist with matters pertaining to accessibility including development of education programs, activities in the community, possible funding opportunities, development of working relationships and partnerships, and in the creation and annual review of the Multi-Year Accessibility Plan. Recommendations from the Accessibility Advisory Committee are brought forward to Council for consideration. The Committee consists of five (5) citizen members and one (1) member of Council in a liaison capacity. The Committee meets every other month, typically on Monday evenings.

Heritage Caledon Committee

The Heritage Caledon Committee provides recommendations and advice to Council in accordance with the *Ontario Heritage Act*, R.S.O. 1990 c. O. 18 on matters relating to Part IV and Part V of the Act. The Committee also works to promote and educate the community on heritage topics such as planning, stewardship and conservation, establish effective partnerships, and recognize excellence in the heritage community across Caledon.

Recommendations from the Heritage Caledon Committee are brought forward to Council for consideration. The Heritage Caledon Committee is composed of nine (9) citizen members and one (1) member of Council in a liaison capacity. The Committee meets monthly with the exception of July and August. The requirement for additional meetings can be determined by the Town Clerk and the Chair.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report.

COUNCIL WORK PLAN

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

None.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2022-080

A by-law to appoint an Alternate Member of Regional Council, in the event of an absence of a Caledon Regional Councillor at a meeting of Regional Council

WHEREAS the Section 268 (1) of the Municipal Act, 2011, S.O. 2001 c. 25 as amended, ("the Act") provides that the council of a local municipality may appoint one of its members as an alternate member of the upper-tier council. To act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it expedient to appoint an alternate member to Regional Council in the event of an absence of a Caledon Regional Councillor at a meeting of Regional Council;

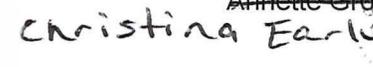
NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

1. That Councillor D. Sheen be appointed as the alternate member of Regional Council for the 2022-2026 term of Council, ending November 14, 2026.

Enactment

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 13th day of December, 2022.


Annette Groves, Mayor

Christina Early, Acting Mayor

Laura Hall, Town Clerk

