



Corporation of the Municipality of Temagami

Memo No.
2024-M-124

Memorandum to Council

Subject:	Proposal for Adopting the Committee of the Whole Structure for a Trial Period
Agenda Date:	August 8, 2024
Attachments:	Proposed Terms of Reference for Committee of the Whole

RECOMMENDATION

BE IT RESOLVED THAT the Corporation of the Municipality of Temagami hereby approves the adoption of the Committee of the Whole structure, replacing the existing Standing Committees model, on a trial basis for [_____]. The terms of reference for the Committee of the Whole, as proposed in the appendix, will be adopted. The provision for retaining ad hoc committees as necessary under the Municipal Act remains in effect.

By adopting this resolution, the municipality will achieve:

- **Enhanced Decision-Making Efficiency:** The COW structure will streamline discussions and decisions into a single meeting format, significantly reducing delays and backlogging of issues. This will shorten the decision-making process related to recommendations that previously required multiple Standing Committee meetings.
- **Increased Transparency and Public Trust:** Facilitating open discussions among all council members promotes transparency and fosters public trust in municipal decision-making.
- **Improved Predictability and Regularity:** Regularly scheduled COW meetings will provide a more predictable and consistent decision-making process, ensuring timely attention to municipal matters.

INFORMATION

This information serves as an introduction to a brief overview of the Committee of the Whole (COW) structure versus the traditional Standing Committees model. It outlines the benefits, legal implications, and prevalence of each structure and proposes a trial period to assess the effectiveness of the COW model.

1. Overview of Governance Structures

1.1 Committee of the Whole (COW)

- **Structure:** The entire council functions as one committee.
- **Function:** Facilitates detailed and informal discussions before decisions are finalized in a council meeting.
- **Procedure:** Operates under relaxed rules, allowing freer debate. Decisions are finalized only once adopted by the full council.
- **Advantages:**
 - Enhances discussion and consensus-building among all council members.

- Streamlines decision-making, reducing the need for multiple committee meetings.
- Improves transparency and public trust through open discussions.
- **Expediting Processing Times:** Consolidates discussions and decisions into a single meeting format, reducing delays and backlogging.
- **Predictable Meeting Regularity:** Regularly scheduled COW meetings improve predictability and consistency in decision-making.

1.2 Standing Committees

- **Structure:** Permanent committees focusing on specific areas with a smaller group of council members and possibly citizen members or experts.
- **Function:** Regularly meet to review issues within their area of responsibility and make recommendations to the full council.
- **Procedure:** Follow formal procedures and specific terms of reference.
- **Advantages:**
 - Provides specialized attention and detailed analysis.
 - Streamlines council business by handling detailed work before bringing issues to the full council.
- **Potential Drawbacks:** Multiple committee meetings can delay addressing urgent matters and contribute to backlogging.

2. Key Differences

- **Participation:** COW includes all council members; Standing Committees involve a subset.
- **Formality:** COW is more informal; Standing Committees operate with a formal structure.
- **Focus:** Standing Committees specialize in specific areas; COW addresses any issue requiring broader discussion.

3. Legal Implications

3.1 Code of Conduct and Conflict of Interest

- **COW:** Uniform adherence to the Code of Conduct and Conflict of Interest Bylaw across all council members.
 - **Relevant Act:** Municipal Act, 2001 (Ontario), Sections 223.1-223.4.
- **Standing Committees:** Non-elected appointees may have varying adherence to the Code of Conduct and Conflict of Interest Bylaw.
 - **Relevant Act:** Municipal Act, 2001, Section 233.

3.2 Municipal Act, 2001

- **Section 238:** Framework for council procedures and meetings, including COW. Allows councils to set their own rules but mandates decisions be made by the full council.
- **Section 233:** Establishes requirements for Standing Committees and their terms of reference.

3.3 Accessibility for Ontarians with Disabilities Act (AODA)

- **Compliance:** Both structures must meet accessibility standards to ensure accessible meetings and decision-making processes.
 - **Relevant Act:** Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

4. Prevalence in Ontario

The COW structure is widely used among Ontario's single-tier municipalities. It is a common approach among the 173 single-tier municipalities, including cities, towns, and townships.

5. Trial Period Proposal

Implement the COW model on a trial basis for [_____] to evaluate its effectiveness compared to the Standing Committees approach.

Respectfully Submitted

Name : Laala Jahanshahloo



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Attachment

Terms of Reference for Committee of the Whole

1 Purpose

- **Objective:** Enhance collaborative decision-making and build consensus on municipal matters.
- **Scope:** Handle all council matters, including budgetary issues, strategic planning, policy development, and major projects.

2. Membership

- **Composition:** All elected council members participate.
- **Roles:** Active participation, issue presentation, and decision-making. The Mayor or Chair presides over meetings.

3. Meeting Frequency and Schedule

- **Frequency:** [Specify frequency, e.g., monthly] or as needed. Special meetings can be called for urgent matters.
- **Schedule:** Regular meetings planned in advance for consistency and predictability.

4. Decision-Making Process

- **Discussion:** Open, in-depth discussions on agenda items.
- **Recommendations:** Not final until reported to and adopted by the full council.
- **Documentation:** Minutes will be recorded and made public.

5. Rules of Procedure

- **Informality:** More relaxed procedural rules to facilitate open dialogue.
- **Governance:** Adhere to legal and procedural requirements, including Municipal Act, 2001 and AODA.
- **Code of Conduct:** All members must adhere to the municipal Code of Conduct.

6. Reporting and Follow-Up

- **Reporting:** Outcomes and recommendations will be reported to the full council for final approval.
- **Follow-Up:** Action items and follow-ups assigned as needed, with progress reported in subsequent meetings.



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7. Evaluation and Review

- **Trial Period Review:** Assess impact on decision-making efficiency, processing times, and council satisfaction.
- **Feedback:** Collect feedback from council members, staff, and the public to guide future decisions.

8. Retention of Ad Hoc Committees

Ad hoc committees may be used as necessary during the trial period to address specific issues or projects requiring specialized focus.