

# Creation, Amendment and Dissolution of Boards and Committees

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## Purpose statement

This procedure defines the process of creation, amendment and dissolution of boards and committees.

## Scope

This procedure applies to all Town of Oakville boards and committees (hereinafter referred to as committees) created by Council.

## Procedure

1. Council may decide to create a new committee or alter an existing committee. The following factors may be considered:
  - a) Staff report;
  - b) Terms of reference;
  - c) Analysis of the following:
    - i. Is the existence of this committee required by (Federal/Provincial) legislation or regulation
    - ii. Is this committee's mandate relevant;

- iii. Is this committee's mandate achievable;
- iv. Is this committee's mandate unique;
- v. Is this committee's mandate aligned with corporate goals;
- vi. Is the committee operating effectively;
- d) Public interest and feedback;
- e) Community support.

### Creation of Committees

1. The creation of a new committee may be triggered by the following factors:
  - a) Public issues or trends;
  - b) Contentious issues (i.e. requirement for stakeholder input);
  - c) Legislated requirement (municipal by-law, provincial legislation~~s~~);
  - d) Appeal/review committee for legislation;
  - ~~e) Provincial mandate;~~
  - ~~f)e) Annual review; or~~
  - ~~g)f) Staff request.~~
2. When Council deems a new committee is required, the Town Clerk or the appropriate department shall prepare a staff report in the EAMS program using the appropriate template, which includes the following:
  - a) Public and financial considerations;
  - b) Impact on other departments and users;
  - c) Considerations on corporate and departmental goals and objectives;
  - d) Staff recommendation;
  - e) Terms of reference in the standard format to include the following:
    - i. Enabling legislation
    - ii. Mandate
    - iii. Composition, Qualifications and Quorum and Format ~~Type of committee~~
    - ~~iv. Membership, roles and responsibilities, qualifications~~
    - ~~v.iv.~~ Meeting Scheduleschedule
    - ~~vi.v.~~ Reporting requirements and methods
    - ~~vii.vi.~~ Budget and Resources
    - ~~viii.vii.~~ Code of Conduct
    - ~~ix.viii.~~ Definitions, (where applicable)
    - ~~x.ix.~~ Evaluation criteria and sunset clause (where applicable)
3. The staff report shall be forwarded to the Council ~~appropriate standing committee for review and recommendation to Council.~~
4. After approval of the creation of a new committee, the Clerk's department ~~on behalf of the Administrative Services Committee (ASC)~~ will facilitate the appointment process, in accordance with the corporate policies and procedures, based on the information in the staff report, terms of reference and committee composition.

5. Notice of vacancies on committees will be posted on the town's website and social media.
6. Applications for appointment to committees shall be available on the Town's website and ~~be received prior to the deadline for application~~ the application form will be removed from the website at the noted date, unless there is reason to extend the advertisements. Late applications will not be accepted. ~~be identified accordingly and distributed the ASC for determination, when possible.~~
7. The Clerk's department will receive all applications and prepare a confidential report for ~~the ASC to~~ Council's review.
8. ~~ASC~~ Council may form a subcommittee consisting of three to five members of Council and any staff member who may be relevant, (Director, Commissioner, etc) to review applications and conduct interviews (as required), and the Clerk's department will ~~bring forward a recommendation~~ prepare a report for Council's ~~to~~ ASC for consideration. ~~As an alternate to this structure, ASC may wish to establish an expanded subcommittee of no more than five members from both ASC and the Community Services Committee to provide additional input.~~
- ~~9.~~ The ASC will consider all applications and recommend appointments to Council.  
The term of appointment will run concurrent with the term of Council, unless otherwise specified in the Terms of Reference or Rules of Procedure.
- ~~9-10.~~ Applications for membership on a committee or board to fill a vacancy are confidential. Existing citizen members on a board or committee shall not participate in the review of applications for membership on a committee or board to fill a vacancy.
- ~~10-11.~~ All applications received will be kept on file in the Clerk's department for the term of Council, and may be considered to fill any vacancies within the term.
- ~~11-12.~~ The Clerk's department will notify all applicants of the determination of Council and provide the appropriate background information and orientation to the new appointee(s).
- ~~12-13.~~ The Clerk's department will arrange meetings according to the meeting schedule for each committee, and circulate an agenda to include the following:
  - a) Call to order
  - ~~b)~~ Regrets
  - ~~b)c)~~ Declarations of pecuniary interest
  - ~~c)d)~~ Confirmation of minutes of previous meeting(s)
  - ~~d)e)~~ Discussion item(s)
  - ~~e)f)~~ Information item(s)
  - ~~f)~~ Items to be discussed at next/future meetings
  - g) Date and time of next meeting

h) Adjournment

~~13.~~14. The first committee meeting within each term of council, upon the completion of appointments, will ~~may~~ include the following:

- a) Committee Orientation
- b) Review of committee mandate
- c) Election of Chair and Vice-chair

Changes to Committees

1. Changes to a committee's terms of reference and rules of procedure require Council approval.
2. Members of Council and staff representatives shall monitor signals which may require changes to individual committees as follows:
  - a) Lack of ability to meet, no quorum, lack of agenda items and lack of interest;
  - b) Concerns from committee members, resignations;
  - c) Conflict within meetings and other staff observations;
  - d) Chair and members acting outside of boundaries of committee mandate and terms of reference.
3. Potential changes to individual committees are to be identified and discussed by affected committees or parties each term during the review of the committees' terms of reference.
4. A staff report will be required addressing the proposed changes ~~through~~ to Council ~~the appropriate standing committee~~ and may include the following factors:
  - a) Identification or description of recommended change;
  - b) Supporting information; cause/effect, cost analysis and resources required;
  - c) Impact on terms of reference.

~~5. The standing committee will review the staff report and make recommendations to Council.~~

~~6.~~5. In reaching its final decision on changes to a committee, Council will consider the analysis of the staff report, contents of the committee's existing terms of reference, public interest, feedback and community support.

~~7.~~6. Approved changes will be implemented by the appropriate parties as stated below:

- a) Mandate or authority change  
Update committee terms of reference or rules of procedure – Clerk's department to maintain and provide updates to committee;

b) Membership change

Clerk's department to follow appointment process to recruit new members.

c) Schedule change

Managed by Clerk's department.

~~d) Change to budget or resources~~

~~Funding and resource requirements will be identified in each committee's annual work plan and will be subject to operating budget review.~~

Dissolution of Committees

1. The following issues may trigger the dissolution or completion of a committee:
  - a) Expiration of term;
  - b) Completion of mandate;
  - c) Resolution of issues;
  - d) Merger with another committee;
  - e) Annual review process.
2. A recommendation for the dissolution of a committee may be initiated by Council, committee, the public or staff. The annual review of committee accomplishments and future work plans provides additional data for evaluation or review.
3. Upon completion of its mandate a recommendation for dissolution of the committee shall be submitted to Council ~~through the appropriate standing committee~~ addressing accomplishments, evidence of completed mandate, how associated functions will be undertaken in the future, cost thereof and if required, a resource re-deployment plan.
4. In reaching its decision to dissolve a committee, Council shall take into account the analysis of the staff report, the contents of existing committee terms of reference, public interest, feedback and community support.
5. If after considering the above factors the committee sunset clause is not triggered, Council may decide to proceed under "Changes to Committees" instead of "Dissolution of Committees".
6. The following steps will be taken by staff after approval of committee dissolution or completion:
  - a) Committee will be removed from active committee list;
  - b) Thank you letters on behalf of Council will be sent to committee members;
  - c) Relevant staff members will be informed;
  - d) Committee members shall be invited to apply for membership on other committees.

## **References and related documents**

Boards, Committees, Agencies and Community Groups Policy  
Council Appointments to Internal Boards and Committees Procedure  
Council Appointments to External Boards, Committees, Agencies and Associations  
Procedure  
Citizen Appointments to Advisory Boards and Committees Procedure

## **Responsibilities**

The Town Clerk shall be responsible for the administration and maintenance of this procedure and associated policy.