

# **CDAC – Orientation and Mandate Overview**

# Agenda

- County of Frontenac Procedural By-law
- CDAC Mandate and Terms of Reference
- Code of Conduct for Members of County Council and Committees

# Procedural By-law

- Municipal Act requires that all municipalities have a procedural by-law
- Municipal Act and Procedural By-law requires that all meetings are open to the public except under certain circumstances
- The purpose of procedures is to seek to achieve consensus in an orderly and principled manner.
- County Procedural By-law governs Council and Committees of Council.

# Committee Mandate

- Advisory Committees are created by Council.
- Advisory Committees can only do what they are authorized to do by Council (Committee Mandate)
- Advisory Committees are only mandated to advise Council and any recommendations must be approved by Council prior to any action being taken.

# Role of Committees

- make recommendations to Council on matters which are in their jurisdiction;
- guide and request staff to provide reports on the direction and nature of policy development, fact finding, analysis and generation of public policy matters;
- receive public deputations and establish mechanisms to receive further public input on vital public policy matters.

# Mandate of the CDAC

1. Set priorities for sustainability in the Frontenacs, implementing the visions outlined in Directions for Our Future, the Economic Development Charter & Implementation Plan, and the Trails Master Plan.
2. Key Activities
  - Create short-term project teams for focused development within priorities
  - Evaluate project team recommendations through a sustainability lens
  - Proactively advise and inform Council to ensure decisions account for regional and long-term implications
  - Improve community engagement in the activities that will lead to a sustainable future for the Frontenacs
  - To report periodically to County Council and to produce an annual work plan for adoption by Council.

# How CDAC has guided Council

- CDAC was established in July 2015
- Since its establishment, CDAC has made 32 recommendations to Council
- Council has approved 31 recommendations made by the Committee
- Council has supported 1 staff report that did not align with the Committees recommendations.

# CDAC Recommendations to Council

CDAC was established in July 2015

Year	# of Recommendations made to Council	# Approved by Council	# declined by Council
2015	1	1	0
2016	8	8	0
2017	6	6	0
2018	7	7	0
2019	6	5	1*
2020	1	1	0
2021	3	3	0**

\* Committee motion was made but no seconder received. Staff reports that do not receive support from Committees still go to Council as an unsupported motion

\*\* Staff were directed to report back to Council on the pilot project of motorized vehicles permitted on the trail through Verona.

# Definition of a Meeting

A quorum of the Members of Council or Committee that are present and discuss issues in a way that materially advances the business or decision making of Council or Committee

It is not appropriate to discuss Committee business via email

It is not appropriate to meet at a local coffee shop or restaurant to discuss Committee business

# Public Notice Requirements

Section 270 of the Municipal Act requires that municipalities have policy in place

- on how they will be transparent and accountable
- How we provide notice to the public

# Adherence to the Agenda

- The agenda is how we provide notice of what will be discussed at a meeting
- Items should not be added to an agenda at the meeting as this provides no public notice that the Committee will be speaking about that item
- “Other Business” Section 24.2
  - Statement by Members
  - Matters of Urgency
- Agenda items should fall within the Committees mandate

# Committee Minutes

- Discussion at meetings should be centered around the agenda and agenda items
- Minutes of meetings are not verbatim, but are a neutral reflection of what transpired at the meeting
- Minutes are prepared by the recording secretary and are only subject to change by the entire Committee

# Declaration of Pecuniary Interest

Where a Member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*:

- a) Prior to any consideration of the matter at the Meeting, disclose the Member's interest and the general nature thereof; and
- b) Not take part in the discussion of, or vote on any question in respect of the matter, and
- c) Not attempt in any way whether before, during or after the Meeting to influence the voting on the matter.

# Declaration of Indirect Pecuniary Interest

## Indirect pecuniary interest

**2** For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
  - i. is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - ii. Has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - iii. Is is a member of a body,

that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

## Interest of certain persons deemed that of member

**3** For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

# What is Pecuniary Interest



# Code of Conduct for Members of County Council and Committees

- Was adopted by County Council on February 20, 2019
- Covers Councillors and Committee Members (including Advisory Committee members)
- All those bound by the Code of Conduct are required to acknowledge that they have read, understood and accept this Code of Conduct.

# Committees and Members of Committees

- Applies to all Members of the Council as well as (with necessary modifications) all County committees, agencies, boards and commissions, which are defined as local boards in subsection 1(1) and section 223.1 of the *Municipal Act, 2001*.
- Its purpose is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with.
- Is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the County by its Members as duly elected public representatives to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy

# Integrity Commissioner

Bill 68 broadened the role of the Integrity Commissioners, including:

- Investigating alleged contraventions of the code of conduct and key sections of the *Municipal Conflict of Interest Act* (MCIA).
- Providing advice to Members of Council and local boards respecting their obligations:
  1. the local code of conduct applicable to the members;
  2. the local ethical behaviour procedures, rules or policies governing the members; and,
  3. the MCIA.
- All requests from Members of Council or of a local board to the Integrity Commissioner for advice will now need to be in writing.

# Gifts and Benefits

## **Section 7 of the Code of Conduct outlines Gifts and Benefits**

Any gift to a Member risks the appearance of improper influence. Gifts may improperly induce influence or create an incentive for a Member to make decisions on the basis of relationships rather than in the best interests of the County.

**Section 7.2** outlines when a Member is entitled to accept a gift or benefit other than in the following circumstances

**If you accept a gift** you must file a disclosure with the Clerk of the gift or benefit indicating the person, body or entity from which it was received together with the estimated value of the gift or benefit in accordance with the Disclosure Statement set out in Appendix “A”.

# Questions

