

CORPORATE POLICY



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Attachments: Appendix A: Committee Terms of Reference Template
Appendix B: Active Committee List
Appendix C: Mid-term Vacancy Policy Exemptions
Appendix D: Declaration of Office Template
Related Documents/
Legislation: Municipal Act, Procedure By-Law, Code of Conduct for Members of Council, Code of Conduct for members of Advisory Committees, H-012 Recruitment Policy
Key Word(s): committee, recruitment, volunteers, engagement

POLICY STATEMENT:

The City of Waterloo acknowledges the value of committees and the advice they provide to Council. Committees are one of several public engagement mechanisms used by the City to support meaningful community participation in municipal decision-making. The creation, amendment, dissolution and administration of committees shall be conducted in a fair and equitable manner and in accordance with applicable legislation or Council-approved policies and procedures.

PURPOSE:

The purpose of the policy is to provide a consistent and transparent framework for the administration and governance of committees and to act as a guide for committee members and staff liaisons.

DEFINITIONS:

Advisory Committee means a committee established to provide advice to Council as mandated in the Terms of Reference. Advisory Committees act in an advisory capacity only and do not have decision-making authority, administrative authority, or the authority to direct City staff or commit City resources, except where otherwise noted in legislation or terms of reference. Final decisions on all matters remain with Council or delegated staff in accordance with applicable legislation, by-laws, and City policies.

Relative has the same meaning as prescribed in Corporate Policy H-012 Recruitment Policy.

Statutory/Quasi Judicial Committee means a committee established by a City by-law and/or pursuant to Provincial Legislation. They shall function according to requirements of the by-law or provincial legislation.

Special Project Committee/Task Force means a committee established from time to time to deal with a specific issue and disbanded at the completion of the project or upon final report to Council.

“Working Group” means a temporary group established by staff to support a specific project, initiative, or operational need by providing advice, technical expertise, or assistance to staff. The term “Working Group” is used in this policy as a generic term and may be substituted with another appropriate title, such as “Liaison Group,” “Reference Group,” or another designation, at the discretion of the City division establishing the group, provided the group's purpose and function remain consistent with this definition.

Inter-Agency Committees have representation appointed by a number of agencies and generally have terms of reference agreed to by all parties including an endorsement of the City of Waterloo Council.

Advisory, Quasi-Judicial and Interagency Committees, as well as Special Project Committee/Task Force are referred to as “committee” or “committees” in this policy.

SCOPE:

The policy applies to all committees created by Council, as well as working groups as defined in this policy. The provisions of this policy apply to Working Groups only where a section of this policy specifically references Working Groups. In all other respects, Working Groups shall be governed by their Terms of Reference and by applicable City policies, procedures, and guidelines relating to volunteers. Where conflict occurs between the policy and legislation, the legislation will prevail.

POLICY COMMUNICATION:

The policy is posted on the City website on the committee page, is provided to applicants as part of the recruitment process, is provided to staff liaisons and appointees and communicated through committee orientation.

POLICY:

1. CREATION, RESTRUCTURING OR DISSOLUTION

Procedure

Council may create, dissolve, or restructure a committee, or amend a committee's Terms of Reference, based on consideration of the following factors:

- a) Council approved Staff Report recommending establishment of a committee which shall include and assessment of the following:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - 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 the corporate strategic plan;
 - vi. Is this committee operating effectively;
- b) Public Interest, community support or feedback.
- c) Alignment with the City of Waterloo Strategic Plan ("Strategic Plan")

Creation

The creation of a new committee may be considered in response to one or more of the following:

- a) Significant public issues, emerging trends, or community needs;
- b) A demonstrated ongoing need for public input or community expertise;
- c) A requirement established by legislation, municipal by-law, or other regulatory authority;
- d) A recommendation from staff;
- e) A demonstrated need for ongoing advice or oversight that is expected to extend beyond a short-term project or initiative; or
- f) Adoption of a new strategic plan.

A new Committee may only be created by resolution of Council.

Prior to Council approving a new committee, the appropriate department shall prepare a staff report which shall include the following:

- a) Public and financial considerations;
- b) Impact on City departments and impacted and affected parties;
- c) Alignment with the Strategic Plan and departmental goals and objectives;
- d) Proposed Terms of Reference using the Council approved template (**Appendix A**)
- e) Recommended appointment of staff resources to support the committee.

Following Council approval of a new committee, the Legislative Services division will facilitate the appointment process, in accordance with this policy and the Council-approved Committee Terms of Reference. The Committee will be added to the Active Committee list. **(Appendix B)**

Restructuring and Terms of Reference Amendments

Changes to committee's Terms of Reference shall be approved by Council and may be initiated through one or more of the following:

- a) Direction from Council, including as a result of the committee's annual report to Council;
- b) A recommendation from the committee, supported by a committee resolution; or
- c) A staff report with a recommendation to amend the Terms of Reference.

The following factors may be considered when amending a committee's terms of reference:

- a) Result of annual report, including progress toward achieving its mandate and objectives
- b) A change in the committee's ongoing purpose, function, relevance, scope, or level of public interest
- c) Emerging issues, changing community needs, or evolving Council priorities. Changes to legislation
- d) New Council term, or
- e) Addition of a committee sunset clause.

The relevant Department or Division shall prepare a staff report outlining and evaluating the proposed changes for Council's consideration. The report shall include the following:

- a) The rationale for the proposed amendment, including the factor(s) that prompted the review. An assessment of the following factors, as applicable:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - 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 the strategic plan;
 - vi. Is this committee operating effectively;
- b) Supporting analysis, including impacts, resource requirements, and financial considerations, as applicable; and
- c) Impact on terms of reference.

Dissolution

Dissolution of a Committee may be triggered by one of the following:

- a) Expiration of term or sunset provision;
- b) Completion of task or mandate;
- c) Resolution of the issues the committee was established to address;
- d) Legislative requirement for the committee no longer exists;
- e) Merger with another committee;
- f) Following the annual review process;
- g) A staff report recommending the dissolution of the committee.

The following steps will be taken following the dissolution of a committee:

- a) Committee will be removed from the active committee list;
- b) Letters of appreciation on behalf of Council will be sent to committee members in recognition of their service; and
- c) Relevant staff members shall be notified of the committee's dissolution.

2. APPOINTMENT OF COMMITTEE MEMBERS

Nominations

The nominating committee is comprised of all members of Council.

All applications received by the established deadline will be forwarded to the nominating committee which will be responsible for reviewing the applications and recommending appointments. The applicant review process will be completed in a closed Council meeting, as the process involves reviewing personal information of the applicants.

In an election year, the nominating committee shall meet to review applications and make appointment recommendations, as soon as practicable following the Inaugural Meeting of Council. Appointments will be made as soon as reasonably possible at the beginning of a Council term of office.

Committee appointments shall be approved by Council resolution in an open session and formalized through the appointment by-law.

The Legislative Services Division will notify all applicants of Council's decision and retain all applications according to By-Law #2013-071 Retention and Disposition of records of the City of Waterloo.

Term of Committee Appointments

Generally recruited community appointments

Generally recruited community members will be appointed for a two-year term and will be eligible to serve for a maximum of four terms (eight years). Committee members shall

continue to serve until their successors are appointed by Council. The term of office may be longer if required by the terms of reference or provincial legislation but shall not exceed the term of Council.

All residents, property owners, business owners, employees of businesses in the City of Waterloo or individuals enrolled in a City of Waterloo campus of a post-secondary institution shall be eligible to serve on Committees, subject to specific legislative requirements or requirements in the Council approved terms of reference.

Former Members of Council are not eligible for appointment to committees for a period of two (2) years following the end of their term of office. Former City staff are not eligible for the appointment to advisory committees of Council, as defined in this Policy, for a period of two (2) after following the end of their employment with the City. This restriction is intended to support the independence of committees, avoid potential conflicts of interest, and maintain public confidence in the committee appointment process. Former City employees are exempt from the standard ineligibility period when applying for appointment to quasi-judicial committees due to the technical nature of the committees.

In alignment with the principles of Corporate Policy H-012 Recruitment Policy relatives of sitting Member of Council may be appointed to a City advisory or quasi-judicial committee, provided the relationship is disclosed in the committee application. The related Member of Council shall not participate in the review, evaluation, discussion, recommendation, or appointment decision relating to the applicant and shall not serve as the Council representative or liaison to a committee on which their relative is appointed.

Where such an applicant is appointed to a committee, the related Member of Council shall not participate in any future Council decisions identified in this Policy that specifically relate to that committee member, including decisions regarding appointment, reappointment, attendance matters, vacancy appointments, term extensions, or termination of appointment.

If an applicant fails to disclose the relationship in their application, the related Member of Council shall disclose the relationship to the City Clerk immediately upon becoming aware of it and shall recuse themselves from all decisions and activities described above.

These requirements are intended to promote transparency, avoid real or perceived conflicts of interest, and maintain public confidence in the fairness and integrity of the committee appointment and governance process.

City of Waterloo staff are not eligible for appointment as community representatives on the City of Waterloo Committees unless specifically required by the Terms of Reference.

Where a committee member is absent from 50% or more of the committee's meetings during a calendar year, the staff liaison shall notify Council for consideration of the member's continued appointment. Before Council makes a decision, the member shall be provided an opportunity to submit written comments regarding the absences. The

committee Chair may also provide written comments for Council's consideration. Council shall make the final decision, by resolution, regarding the continuation or termination of the appointment.

A committee member may resign at any time by providing written notice to the Legislative Services Division. The resignation shall take effect on the date specified in the notice or, if no date is specified, on the date the notice is received by the Legislative Services Division. Council reserves the right to change committee membership at any point during a committee term.

Appointments of Members of Council to committees

Appointments of Members of Council to committees shall be for the duration of the Council term.

The Mayor is an ex officio member of all committees and may attend, participate in discussions, and vote at committee meetings with the same rights and privileges as any other committee member.

Mid-term Vacancies

A mid-term vacancy may occur if:

- a) a member informs the Legislative Services division in writing of their resignation
- b) a member no longer meets the eligibility requirements
- c) a member is absent from 50% or more of the meetings scheduled in a calendar year, and Council passes a resolution that the member's appointment will be terminated in accordance with this policy.

Mid-term vacancies for all City of Waterloo Committees with the exception of those listed on **Appendix C** will be filled in the last quarter of each year. Appointments will only be made for the remainder of the committee term. Members appointed part-way through a committee term may serve for a maximum of eight years, with the eight-year limit commencing at the start of their first full two-year term. Any partial term served prior to that time shall not count toward the maximum term limit.

Application Process

Generally recruited community Appointments

The Legislative Services Division will promote the commencement of a new committee term, committee appointment opportunities, and the recruitment and appointment process through appropriate communication and outreach channels.

Information provided as part of the recruitment process will include the names of the committees, approximate number of meetings per year, usual meeting date and time, and a brief description of each committee's mandate and responsibilities. This information will

be provided to promote transparency and enable applicants to make informed decisions regarding committee participation and the time commitment involved.

All applicants must complete a separate application form established by the Clerk for each committee to which they wish to apply. As part of the application process, applicants must confirm that they have reviewed the required committee governance documents.

Student Resource Positions

Each Advisory Committee to Council shall include a student resource position. Appointments to this position shall be made as part of the regular committee recruitment and appointment process. To be eligible the applicant must be registered in a post-secondary institution with a campus in the City of Waterloo.

Staff Liaisons

Administrative or technical staff required to support a committee will be assigned by the Director or Commissioner of the relevant Department or by the Chief Administrative Officer. Community representatives are not required or expected to provide administrative support.

To encourage meaningful participation by Committee members, staff attendance and participation at Committee meetings should be limited to what is necessary to support the Committee's work.

Council Appointments

Members of Council may indicate their interest in serving on one or more committees through the self-nomination process. Council appointments shall be made in a public meeting of Council.

Each committee shall have a maximum of one Member of Council appointed to it, unless additional Council representation is specifically authorized in the Council-approved Terms of Reference.

Declaration of Office

Committee members appointed by Council must sign a Declaration of Office. (**Appendix D**)

3. COMMITTEE ADMINISTRATION

Roles

Role of Generally recruited community representative members:

- To provide needed skill/knowledge areas

- To provide desired representation of interests in the community

Role of Student Resource Position

- To provide needed skill/knowledge areas from a student perspective
- To provide desired representation of interests in the community
- Student Resource Positions shall be non-voting, do not effect quorum and are not required to meet the attendance policy requirements

Role of Committee Chair:

- To facilitate and chair the committee meetings
- To bring committee decisions forward to Council as required and speak as the official representative of the committee on committee approved statements.

The Chair and Vice-Chair shall serve a one-year term and may be re-elected, provided that no member serves as Chair for more than two consecutive one-year terms unless no other member is willing to serve. The annual election of the Chair and Vice-Chair is intended to support leadership development, encourage broader participation in committee governance, and provide opportunities for a diversity of perspectives to contribute to committee leadership.

Role of Council Representatives

- To act as an informal liaison between the committee and Council
- To communicate Council's perspective or provide information on Council matters where appropriate

Role of Staff Liaisons

- To provide administrative and/or technical support to committees as required including the preparation and distribution of minutes and agendas
- To communicate the Strategic Plan, committee related policies and departmental goals and objectives and other matters relevant to the committee's mandate as required
- To provide guidance regarding timelines and workplan initiatives
- To incorporate formal committee comments and resolutions into Staff Reports where appropriate or where committee advice has been sought

Staff are not formal members of committees and do not have voting privileges unless otherwise provided for in the Council-approved Terms of Reference.

Committee members are appointed to provide advice and recommendations to Council within the committee's approved mandate. Unless otherwise authorized by legislation, by-law, or the Council-approved Terms of Reference, committees do not have decision-making authority. Committee members are not employees, agents, or official representatives of the Corporation of the City of Waterloo and may not speak, advocate, lobby, act as a spokesperson, make public statements, make commitments, or otherwise communicate on behalf of the City or the committee outside of established City processes. Committees shall not provide advice and information to or correspond directly

with external organizations, agencies, governments, or individuals through letters, position statements, submissions, or other forms of formal communication without the prior approval of Council.

Committee members shall not use City of Waterloo business cards, logos, letterhead, or similar materials in connection with committee activities unless expressly authorized (e.g., using the committee report template to prepare a report to Council).

Committee Meeting Procedure

Committee meetings shall be conducted in accordance with the City's Procedure By-law, as amended from time to time.

Where procedural requirements for a committee are prescribed by legislation, regulation, or another applicable authority, in case of a conflict with the City's Procedure By-law or this policy, those requirements shall prevail.

Quasi-judicial committees exercising statutory decision-making authority may establish their own rules of procedure in accordance with the Statutory Powers Procedure Act and any other applicable legislation. Such rules shall be adopted by resolution of the committee

Frequency of Committee Meeting

Committees shall meet at least quarterly unless provided otherwise in the Council approved Terms of Reference and may meet more frequently as required to fulfill their mandate and work plan. Where a committee wishes to hold meetings more frequently than the minimum frequency requirement, the additional meetings shall be approved by a resolution of the committee and coordinated with the staff liaison to ensure sufficient administrative and staff support is available. Meeting dates and times shall be advertised during recruitment and can be changed upon unanimous vote of the Committee, during the next recruitment or upon direction of Council.

Quorum

More than half of committee members are necessary to form a quorum for all committee meetings.

Member Orientation

Legislative Services shall be responsible for coordinating and delivering orientation for all Committee members. Orientation sessions shall be scheduled as soon as reasonably practicable following members' formal appointment. The orientation program is intended to provide members with a consistent understanding of municipal governance, the role of Council and staff, committee mandates, meeting procedures, and member responsibilities. Participation in the orientation program is mandatory for all Committee

members, regardless of the length of their appointment, previous service on a Committee, or prior experience with municipal government.

First Meeting

At the first meeting of a committee term, the staff liaison shall provide an orientation on the committee's mandate, role, responsibilities, City's Strategic Plan, etc. Until a Chair and Vice Chair are elected, the meeting shall be chaired by the staff liaison.

Following the orientation, the committee shall elect a Chair and Vice-Chair from among its members. The Vice-Chair shall act in the place of the Chair when required, including during temporary absences or if the Chair resigns before the end of the term.

Unless otherwise specified in the Council-approved Terms of Reference, the Chair and Vice-Chair shall be appointed from among the community representatives serving on the committee and shall not be City staff members.

Agenda Items

Committees may meet to discuss matter pertinent to their Council approved terms of reference or as referred to the Committee by Council. The Agenda will be developed jointly by the staff liaison and the Chair of the Committee.

Committees shall not consider employee matters, but shall forward any such concerns to the relevant Director, Commissioner or the Chief Administrative Officer as appropriate.

Committee agendas and minutes shall be communicated to the committee by the staff liaison and distributed as requested in accordance with the *Municipal Act*, 2001 as amended and the City of Waterloo Procedural By-Law.

Agendas and Minutes

Agendas, minutes and relevant discussion items shall be distributed to all committee members at least 3 days in advance of the meeting. Committee agendas shall be posted on the City of Waterloo website in advance of the meeting and Minutes shall be posted within 14 days of being approved.

Reporting to Council

Advisory Committees will submit an annual report to Council at a special annual "Committee Night" to be established in the annual Council/Committee schedule.

The annual report will include:

- 1) An overview of the activities of the committee during the previous year.
- 2) Their intended direction or projects for the upcoming year.

- 3) Recommended revisions, as necessary, to their terms of reference.

Council upon receiving the annual reports may provide direction to the committee, determine if amendments to the Terms of Reference are required or determine the advisability of the committee continuing.

Upon approval by committee resolution, the Committee Chair may address Council as a delegation or submit correspondence to Council on behalf of the committee at any time during the year.

Committees of Council shall report to Council using the committee report template provided by the Legislative Services division. Report Numbers will be assigned by the Legislative Services Division and a copy of the Report shall be maintained in the Legislative Services Division subject to applicable By-Laws.

Budget

Funding for Committees will be established as part of the City of Waterloo budget process.

4. COUNCILLOR LIAISON TO DEPARTMENTS/DIVISIONS

The purpose of the Council Liaison role is to support the exchange of information between Council and City administration. The role provides an additional channel for Commissioners and departments to share information regarding emerging issues, key initiatives, major projects, and departmental activities with Members of Council. Council Liaisons help facilitate awareness and understanding of departmental work and may share relevant information with Council as appropriate.

The Council Liaison role is intended to support communication and relationship-building between Council and administration. Council Liaisons do not act as advocates for a department or staff and do not provide direction to staff. Their role is to facilitate the flow of information between Council, as the municipality's governing body, and the administration.

Council shall appoint Council Liaisons to City divisions as follows::

Community Services:	2 Councillors
Corporate Services (excluding Finance):	1 Councillor
Finance	1 Councillor
Office of the Chief Administrative Officer:	1 Councillor
Integrated Planning & Public Works:	2 Councillors

Appointment

Council Liaison appointments shall be made by Council by by-law and shall be for the duration of the Council term.

Responsibilities of Council Liaison

The Council Liaison shall:

- foster and maintain a collaborative working relationship with the Commissioner based on mutual trust, respect, and open communication;
- meet regularly with the Commissioner, generally on a monthly basis, or more frequently as requested by either the Council Liaison or the Commissioner; consult with the Commissioner or appropriate Director regarding constituent inquiries, concerns, or emerging issues relevant to the division;
- provide feedback and Council perspectives on matters relevant to the department's work and priorities; and
- provide political and strategic input on key initiatives, projects, and staff reports, while recognizing that professional, technical, legal, and legislated advice remains the responsibility of staff.

5. EXTERNAL BOARDS AND COMMITTEE APPOINTMENTS

From time to time, Council may appoint Members of Council or staff to serve on external boards, committees, advisory bodies, working groups, task forces, or other organizations. All such appointments, including appointments to provincial and national organizations, shall be approved by Council resolution.

To the extent practicable, Members of Council and staff serving on external bodies shall conduct themselves in a manner consistent with the principles and intent of this policy and any other applicable City policies.

Individuals appointed by Council to external bodies shall recognize that they represent the City of Waterloo. When carrying out their duties, they shall act in a manner that reflects their role as appointees of the City while respecting the governance requirements and obligations of the external organization.

6. WORKING GROUPS MODEL

Working Groups may be formed for a defined purpose and duration and may be established to address emerging issues, undertake focused work, or support public engagement and collaboration efforts.

Working Groups provide advice and recommendations to the responsible City division or project team and do not report directly to Council. Where appropriate, staff may incorporate the input, findings, or recommendations of a Working Group into staff reports, presentations, or other communications to Council.

A non-voting Council liaison may be appointed to a working group if requested by the working group and by resolution of Council. The liaison will attend meetings, receive updates, and help communicate emerging issues to Council, without creating the governance and procedural requirements.

Working Groups are not Committees of Council and are therefore not governed by the governing documents applicable to Committees of Council. However, individuals participating in Working Groups are considered City volunteers and are subject to all applicable corporate policies, procedures, and requirements related to volunteers, including any applicable codes of conduct, confidentiality requirements, and workplace policies.

Recruitment and selection processes for Working Group participants shall be administered in accordance with the City's corporate volunteer recruitment and onboarding practices, as applicable to the nature and purpose of the Working Group.

The City division establishing a Working Group is responsible for the recruitment, administration, coordination, payment of any approved honoraria, and overall oversight of the group. This includes establishing the Working Group's Terms of Reference, scope, objectives, timelines, work plan, deliverables, and any additional procedures or requirements necessary to support the effective administration and coordination of the group's work.

COMPLIANCE:

In cases of policy violation, the City may investigate and determine appropriate corrective action.