

Changes to Heritage Toronto Relationship Framework and Board Composition

Date: November 7, 2016
To: Executive Committee
From: City Manager
Wards: All

SUMMARY

At its meeting of January 20, 2016, the Heritage Toronto board requested a number of amendments to its Relationship Framework to reduce the number of Board meetings required each year and to broaden its mandate. Upon review, City staff proposed further changes to reduce the size of the Heritage Toronto board and amend the recruitment method for the Aboriginal member. The additional changes were supported by Heritage Toronto staff.

This report seeks authority to update the Relationship Framework between the City of Toronto and Heritage Toronto in order to affect a number of changes including:

- to reduce the size of the Board from 29 members to 19 members by reducing the number of City Councillors on the Board from four to two to reflect the community mandate of the Board, and by removing the eight Community Council appointments;
- to reduce the number of Board meetings required per year from six to four;
- to change the process for selection of the Aboriginal member from nomination by the Aboriginal Community to selection through the public appointments process; and
- to broaden the Board's mandate to include providing advice on updates to City's heritage master plan and other heritage matters.

To implement the appointments for the term that begins January 1, 2017, it is recommended that City Council establish a new Heritage Nominating Panel. This new panel of three City Council members would be responsible for appointments for boards that deal with heritage related matters.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council amend the Heritage Toronto Relationship Framework to give effect to the following:

a. Broadening the responsibilities of the Heritage Toronto Board to include assisting and advising on heritage master planning matters.

b. Reducing the number of meetings of the Heritage Toronto Board from at least six times per year to at least four times per year.

2. City Council amend the composition of the Heritage Toronto Board in two phases:

a. effective January 1, 2017

1. reducing the number of representatives who are members of City Council from four to two;
2. deleting the eight Community Council member positions; and
3. adding two public at large representative positions;

so that for the period January 1, 2017 to November 30, 2018, the structure of the Heritage Toronto Board will be 21 members composed of:

Member of Council - 1
Mayor or Mayor's Designate - 1
Public at large members - 17
Public member nominated by the Toronto Historical Association - 1
Public member from the Aboriginal community – 1; and

b. effective December 1, 2018:

1. deleting two public at large positions

so that the composition of the Board on December 1, 2018 will be 19 members composed of:

Mayor or Mayor's Designate - 1
Member of Council - 1
Public at large members - 15
Public member nominated by the Toronto Historical Association - 1
Public member from the Aboriginal community - 1

3. City Council rescind the appointments of the two Community Council representatives previously appointed for a term of office ending on November 30, 2018, effective January 1, 2017, and reappoint them as public at large members of the Board, at the

pleasure of Council, for a term of office ending on November 30, 2018, and until successors are appointed:

John Belyea
Ross Fair

4. City Council amend the Heritage Toronto Relationship Framework to change the recruitment method for the representative of the Aboriginal community from an interest based nomination to a public recruitment.
5. City Council establish a Heritage Nominating Panel, composed of three Members of Council, to interview and recommend candidates to boards that deal with heritage related matters.
6. City Council authorize the City Solicitor to introduce the necessary bill to amend Toronto Municipal Code Chapter 103, Heritage, to implement City Council's decision.

Implementation Points

The changes recommended in this report will reduce the overall size of the Board. Changes to the number of public members will be phased in over the next two rounds of appointments to ensure Board stability, support member continuity, and have an equal balance of public members for each round.

Reducing the Number of City Councillors

Given that the mandate of Heritage Toronto is to represent community heritage interests, a reduction in the number of Council Members is recommended from four to two; one of which would continue to be the Mayor's designate.

If approved, this change will be implemented by appointing one City Councillor to the Board, for the period January 1, 2017 to November 30, 2018, when the term for the three current Council Members expires at the end of this year. The other City Councillor, the Mayor's Designate, has already been appointed until November 30, 2018 and will continue to serve out the term.

Deletion of Community Council Appointments

The Heritage Toronto Board currently has 23 community members. The number of community members would gradually decline from 23 at present, to 17 for January 1, 2017 to November 30, 2018, to 15 starting December 1, 2018.

This report recommends removing the eight Community Council positions to reflect the current practice of assigning public members to represent local interests, as well as to support optimizing the size of the Board. Public Appointments Secretariat staff will

continue to factor applicant geography into their short-list of candidates to help ensure citywide community perspectives.

Terms are four years in length, with about half the board being appointed (or re-appointed) every two years (two-year overlap between the groups):

- Round 1: January 1, 2017 to December 31, 2020,
- Overlap: January 1, 2017 to November 30, 2018, and
- Round 2: December 1, 2018 to November 30, 2022.

Round 1 Appointments - January 1, 2017 to December 31, 2020

- For the term that will end December 31, 2016, there are three community council positions and eight public member positions.
- Eleven public member appointments from this group will end on December 31, 2016 (3 Community Council positions and 8 public member positions).
- This report recommends deleting the three Community Council positions, and if approved, eight public member appointments will be required for the term that starts January 1, 2017.

Overlap - January 1, 2017 to November 30, 2018

- Effective January 1, 2017, it is recommended that two public member positions be added, bringing the total number of community members to 17 for the two year term overlap period (January 1, 2017 to November 30, 2018).
- The two positions would be temporarily added during the overlap period to ensure a balance of public members in each of the two rounds.
- The two sitting Community Council appointees whose terms end November 30, 2018 would transfer into these two new public member positions effective January 1, 2017 in order that they may serve out the remainder of their term.

Round 2 Appointments - December 1, 2018 to November 30, 2022

- For the term that will end November 30, 2018, there are nine public members (including the two positions added during the Overlap period) and five Community Council positions.
- The five Community Council positions would be deleted effective January 1, 2017 (three are vacant; two are occupied and those individuals would be transferred to the two public member positions added during the overlap period).
- The two public member positions added for the overlap period would be deleted November 30, 2018.
- For the December 1, 2018 appointments, seven public members would be appointed.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

Heritage Toronto Board Decision

At its January 20, 2016 meeting, following a review of the Relationship Framework between the City of Toronto and Heritage Toronto, the Heritage Toronto Board of Directors requested updates to the Relationship Framework.

<http://heritagetoronto.org/wp-content/uploads/2016/07/Heritage-Toronto-Board-meeting-minutes-January-20-2016.pdf> (item 3.2)

Relationship Framework

City Council approved the Relationship Framework between the City of Toronto and Heritage Toronto at its meeting of October 26 and 27, 2009.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EX35.1>

Public Appointments Policy

City Council approved a Public Appointments Policy at its meeting of September 25, 26 and 27, 2006 applicable to the appointment of members of the public to boards of City agencies and corporations, pension bodies and external bodies. City Council amended the Policy at its meeting of April 12 and 13, 2011 to require that unless membership is established by legislation or shareholder direction, City Council set the membership for all City agencies and corporations at a minimum of 11 members:

at least three of whom shall be Members of Council, appointed by City Council; and one of whom shall be the Mayor or a designate appointed by the Mayor.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX4.7>

The policy was further amended by Council at its meeting of August 25, 26, 27 and 28, 2014, to permit staggered terms for all boards not otherwise prescribed by law so that the terms of half the members expire every two years.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EX44.31>

ISSUE/BACKGROUND

Heritage Toronto is an agency established by the City in 1949. Its primary role is to represent the interests of the heritage community, distinct from the heritage advice given by City staff as part of the planning process.

The Board manages public programs to promote awareness of Toronto's heritage, including tours, the Heritage Toronto Awards, and heritage plaques and markers. It also

provides education on heritage issues, and provides advice to the general public and to the City about heritage matters, including the Heritage Master Plan.

COMMENTS

The Heritage Toronto board requested a number of amendments to their Relationship Framework related to board size and composition and number of board meetings required annually. City staff have reviewed these changes and are supportive of the Board's requests. Additional changes are also proposed to better align the Relationship Framework with the Public Appointments Policy. Heritage Toronto staff support these additional changes, and will work closely with the City's Public Appointments Secretariat to ensure a smooth transition of members through the appointments process.

The proposed changes with respect to A. Mandate and Number of Meetings, B. Board Size and Composition, and C. Establishment of a Nominating Panel are outlined below and summarized in Attachment 1 to this report.

A. Mandate and Number of Meetings

Heritage Toronto's mandate has nine specific responsibilities. One of these, is to "assist and advise in the development of the Heritage Master Plan". This report recommends that the mandate be broadened to "assist and advise on heritage master planning matters." This change is intended to encourage ongoing coordination between divisions involved with heritage matters. It will ensure Heritage Toronto is included in ongoing updates of the City's heritage master plan.

This report also recommends that the minimum number of Board meetings per year be reduced from six to four, as requested by the Board. This change is intended to recognize the Agency's robust committee structure, and the many meetings required as a result of that structure. If additional meetings are needed, they may be held at the request of a majority of the members of the board, or at the call of the chair.

B. Board Size and Composition

This report recommends reducing the size of the Heritage Toronto board from 29 members to 19 members, starting with the December 1, 2018 term, to reflect board composition changes that have been in place for some time due to logistical challenges with accessing members as set out in the Relationship Framework, and to optimize the overall size of the Board. The reduction in members will be phased in over two rounds of appointments, as discussed in the implementation section of this report.

Even with a reduction from 29 members to 19 members, Heritage Toronto will continue to be the largest board of all City service agencies (the next largest is 16 members; the median is 12). The recommended size is sufficient to maintain organizational and geographic representation, support the board's committee structure, and maintain the

community perspective while bringing the board closer to an optimal size to support decision-making, engagement and multiple perspectives.

Reducing the number of City Councillors on the Heritage Board

As noted earlier, one role of Heritage Toronto is to provide a community perspective on heritage matters. Traditionally the Heritage Toronto Board has had two members of City Council on its board. This was increased to four members in 2011 (three members of City Council and the Mayor's designate) because of an amendment to the Public Appointments Policy. Given that the mandate of Heritage Toronto is to represent community heritage interests, a reduction in the number of City Councillors is recommended from four to two; one of which would continue to be the Mayor's designate.

Deletion of Community Council Appointments

According to the Relationship Framework, two members are to be nominated by each of the four Community Councils, for a total of eight members. These members are in addition to the existing 15 public-at-large members, for a total of 23 community representatives. In consultation with the Public Appointments Secretariat, Heritage Toronto has assigned members who are residents of each of the four areas to represent local interests.

This report recommends that the eight Community Council seats be removed to reflect the current practice of assigning public members to represent local interests, as well as support optimizing the size of the Board. Public Appointments Secretariat staff will continue to factor applicant geography into their short-list of candidates to help ensure city-wide community perspectives.

Change in Recruitment of Aboriginal Member

In order to reflect current practice, a change to the recruitment approach for the Aboriginal member is also recommended. Currently, the Relationship Framework requires the Aboriginal member be nominated by the Aboriginal community. As no structure was identified for making the nomination, the public recruitment process has been used to select the Aboriginal member.

It is recommended that the Relationship Framework be amended to reflect the current practice: members of the public who are Aboriginal would apply directly through the Public Appointments Secretariat's advertised recruitment process.

C. Establishment of a Heritage Nominating Panel

Consistent with the Public Appointments Policy, it is recommended that City Council appoint three Members of City Council to establish a Heritage Nominating Panel, responsible for interviewing and recommending candidates for boards that deal with heritage related matters.

CONTACT

Fiona Murray, Director, Corporate Intergovernmental & Agency Relations, Strategic & Corporate Policy, Fiona.Murray@toronto.ca, 416-392-8066

Katherine Chislett, Senior Corporate Management & Policy Consultant, Corporate Intergovernmental & Agency Relations, Strategic & Corporate Policy
Katherine.Chislett@toronto.ca, 416-338-6625

John Elvidge, Deputy City Clerk, Secretariat, City Clerk's Office,
John.Elvidge@toronto.ca, 416-392-8641

SIGNATURE

Peter Wallace
City Manager

ATTACHMENTS

Attachment 1 - Summary of Recommendations