

Updates to the Constituency Services and Office Budget Policy

Date: November 21, 2023

To: Executive Committee

From: City Clerk

Wards: All

SUMMARY

The purpose of this report is to recommend a revised Constituency Services and Office Budget Policy, renamed as the Members of Council Operations Policy. The revised Policy will help to address several things that have changed since the policy was adopted in 2012. These changes include updating the policy to include an ability for Members to expense home security installation and monitoring to the Council General Expense budget, making various changes to technology-related and transportation-related provisions, and improving flexibility to existing expense categories. The overall goal of creating the revised Members of Council Operations Policy is to simplify and improve the readability of the policy and increase flexibility for Members in how they operate their office.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council adopt the Members of Council Operations Policy as set out in Attachment 1 to this report replacing the existing Constituency Services and Office Budget policy.

FINANCIAL IMPACT

There are no current year financial impacts resulting from the recommendations contained within this report. Changes to reimbursement will be accommodated within the 2023 Council Approved Operating Budget for City Council.

With the adoption of the revised Members of Council Operations Policy, Members can seek reimbursement from the Council General Expense Budget for constituency

management system subscription costs of up to \$4,000 per year per Member or a total of up to \$104,000 per year for 26 Members.

Members can also seek reimbursement from the Council General Expense Budget for home security equipment and set-up expenses of up to \$2,000 per Member or a total of up to \$52,000 for 26 Members, and for home security monitoring subscription of up to \$100 per month per Member or a total of \$31,200 per year for 26 Members. Security equipment set-up expenses of up to \$52,000 per Council term will be recovered from the Council Furniture & Equipment Reserve.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting on July 15, 16 and 17, 2008, Toronto City Council adopted, as amended, EX22.7: "The Councillor Expense Policy" which replaced previous reports and policies related to councillor expenses. See: <https://secure.toronto.ca/council/agenda-item.do?item=2008.EX22.7>

At its meeting on July 11, 12 and 13, 2012, Toronto City Council adopted, as amended, EX21.9: "Policy Changes to Facilitate Councillor Office Operations" which amended the Councillor Expense Policy and renamed it the Constituency Services and Office Budget Policy. See: <https://secure.toronto.ca/council/agenda-item.do?item=2012.EX21.9>

At its meeting on January 29 and 30, 2014, Toronto City Council adopted, as amended, EX37.1 "2014 Capital and Operating Budgets" which introduced the AODA entitlement into the Constituency Services and Office Budget Policy. See: <https://secure.toronto.ca/council/agenda-item.do?item=2014.EX37.1>

At its meeting on February 19 and 20, 2014, Toronto City Council adopted, as amended, CC48.7 "Social Media Policy during an Election Year" which amended the Constituency Services and Office Budget Policy to make reference to the newly adopted Social Media Policy. See: <https://secure.toronto.ca/council/agenda-item.do?item=2014.CC48.7>

At its meeting on June 10, 11, 12 and 13, 2014, Toronto City Council adopted, as amended, EX42.2 "Amendment to Legal Fees Section in Constituency Services and Office Budget Policy and Authority to Pay a Legal Invoice" which moved Legal Fee expenses to the Council General Expense Budget. See: <https://secure.toronto.ca/council/agenda-item.do?item=2014.EX42.2>

At its meeting on March 10 and 11, 2015, Toronto City Council adopted, as amended, EX3.4 "2015 Capital and Operating Budgets" which made changes to the AODA entitlement within the Constituency Services and Office Budget Policy. See: <https://secure.toronto.ca/council/agenda-item.do?item=2015.EX3.4>

At its meeting on February 15 and 16, 2017, Toronto City Council adopted, as amended, EX22.2 "2017 Capital and Operating Budgets" which made changes to the AODA entitlement within the Constituency Services and Office Budget Policy. See: <https://secure.toronto.ca/council/agenda-item.do?item=2017.EX22.2>

At its meeting on June 26, 2018, Toronto City Council adopted EX35.20 "Council Member Administrative Matters, Policies and Procedures" adopted by City Council at its meeting on June 26, 2018 which amended the Constituency Services and Office Budget Policy related to office budgets in a year when ward boundary changes take effect. See: <https://secure.toronto.ca/council/agenda-item.do?item=2018.EX35.20>

At its meeting on July 23, 2018, Toronto City Council adopted, as amended, MM44.128 "Urgent Consideration of the Provincial Government's Plan to Reduce the Size of City Council" which altered the communication cutoff for Councillors in the 2018 election. See: <https://secure.toronto.ca/council/agenda-item.do?item=2018.MM44.128>

At its meeting on December 4, 5 and 13, 2018, Toronto City Council adopted, as amended, CC1.1 "Recalibrating City Council's Governance System for 26 Members" which amended the Councillor newsletter funds to include both postage and production. See: <https://secure.toronto.ca/council/agenda-item.do?item=2019.CC1.1>

At its meeting on March 29, 30 and 31, 2023, Toronto City Council adopted, as amended, CC5.2 "Amendments to Existing Policies Related to Services to Members During an Election Period" which amended the Constituency Services and Office Budget Policy to include restrictions on Members who ran in the Mayoral By-election. See: <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC5.2>

COMMENTS

City Council should update the Constituency Services and Office Budget Policy to reflect changes since the Policy was adopted in 2012

The Constituency Services and Office Budget Policy (referred to below as the CSOB Policy) was adopted in 2012, amending the Councillor Expense Policy that was adopted in 2008. Over the last ten years, City Council has made amendments to parts of the policy, however, the policy has not been reviewed in its entirety. Since 2012 there have been changes which has left the policy out of date, including the reduction of the size of Council, the rise of hybrid work and the increased use of technology. The recommended changes assist in addressing those changes.

The City Clerk's Office review of the Constituency Services and Office Budget Policy

This review of the Constituency Services and Office Budget Policy included:

- A scan of comparable jurisdictions for best practices;

- Interviews with Members of Council, including former Members of Council from the 2018-2022 term; and
- Interviews with the City Clerk's Office, Member Services and Program Support staff, as well as the Integrity Commissioner.

In our consultations with Members of Council, the overall message was that the policy itself was good, allowed Members to operate their offices effectively and they felt supported by the Council and Support Services team to work through questions about the Constituency Services and Office Budget Policy. A few Councillors mentioned items such as:

- Limitations and uncertainty around the \$500 Business Meal Allowance.
- The need to use an effective constituency management system and the associated cost for such a system.
- Limitations around the number of websites that can be expensed.
- Uncertainty about technology allotment in a hybrid work environment.
- Concerns about travel including the paperwork involved and how airlines and trains have changed their fee structure creating limitations.

The revised policy responds to many of these items. In addition, City Clerk's Office staff are working with the Integrity Commissioner to revisit the forms required for travel and will look at other forms for further simplification.

City Council should amend the policy in several key areas

Overall, the changes to the policy provide additional support to Members of Council in how they operate their offices, provide increased flexibility in certain expense categories, and simplify language in the policy to improve readability and accessibility. The following sections highlight some of the changes and the reasons why. Attachment 2 lists all the changes from the current Constituency Services and Office Budget Policy to the revised Members of Council Operations Policy.

Provide for home security expenses

There has been an increase in reported direct and indirect threats to elected officials across Canada in recent years. The cities of Calgary, Hamilton, Waterloo, and Ottawa have recently adopted policies to reimburse Council members for the cost of installation and monitoring of home security systems.

City Council should amend the policy to provide as follows:

- A one-time allowance of up to \$2,000, including taxes for a home security assessment and purchase of home security equipment such as a home alarm system, doorbell camera/intercom and security cameras.
- A monthly allowance of up to \$100, including taxes for home security monitoring and video storage fees.
- These allowances to be paid from the Council General Expense Budget.
- Members who move residence while holding office will be entitled to a new home security assessment and set-up.

- Members may retain the equipment on leaving office but are responsible for assuming the monitoring costs personally.

Modernize technology-related provisions

Update a few technology-related provisions to reflect how Member offices are operating. These include:

- Revising the standard number of computers paid for from the Council General Expense Budget for Member offices. The current version of the CSOB Policy set a limit per Council office which was adjusted accordingly upon the reduction in wards. With the rise of hybrid work, it is important to be clearer about what is available from the Council General Expense Budget to allow for staff in Members offices to work either in the City Hall office, a constituency office or at home. To that end, we are recommending that the number of computers be based on the number of employees that a Member hires, the number of monitors be set at 4 per individual and the number of docking stations to be set at 3 per individual. This allows flexibility in how staff function in a Member's office. If additional equipment is desired, the Member can charge it to their office budget.
- Allowing Members to expense a Constituency Management System to the Council General Expense Budget. There is still a handful of Members who are using a Constituency Management System that was developed by the City Clerk's Office many years ago. That system is rudimentary, and the solution is at the end of life. Since then, cloud-based solutions have been developed by third party providers that are better suited to meet the needs of Members than the City creating its own in-house solution. Most Councillors have migrated to use a third-party provider over the years. To assist the remaining Members who are using the old system, and to help the other Members address the expense of a third-party tool, Members will be able to expense up to \$4000 annually for a Constituency Management System.
- Allowing Members, when they leave office, to be able to purchase their City provided smartphones. The current policy is silent on this, but the current practice allows leaving Members to purchase their smartphone. To properly account for this, we are recommending incorporating this into the MCOP and to be clear how the value of the smartphone will be determined.
- Allowing Members to expense more than one website domain to communicate with their constituents about issues. The rules concerning elections and websites will continue to apply.

Modernize the various transportation and travel provisions

City Council should amend the provisions for transportation-related expenses to better reflect changes in the sector. This includes:

- amending the rental car expense category to include reimbursement for electric charging.

- amending the kilometrage expense category to exclude electric charging of personal vehicles.
- expanding the taxi expense category to include ride-share services, including bike-share services.
- reflecting new fare media for TTC and GO transit including Presto and debit and credit card payments in the public transportation expense category.
- amending the conference and business travel policies to include reimbursement for checked luggage and seat selection, allowing short-term rental in addition to hotel accommodation and removing the reference to lowest economy class and replacing it with economy class.

Update other general provisions

To provide more flexibility to Members, the following additional changes are recommended:

- removing the Business Meal Allowance cap of \$500 and combine the Business Meeting Expense Category with the Business Meal Allowance expense category to allow Members to expense meals for themselves or business meetings with staff or with external parties.
- deleting the condition on external photography services that limit reimbursement to occasions when the City Photographers are not available.

Adopt other housekeeping changes

Overall, several housekeeping changes are included throughout the document. These changes include:

- changing the name of the overall policy from Constituency Services and Office Budget Policy to Members of Council Operations Policy.
- adding under Future Policy Updates, the ability for the City Clerk to make routine changes to the policy such as updating organizational names, titles, and hyperlinks.
- removing the use of tables throughout the document to improve accessibility.
- removing the glossary.
- removing appendices that were excerpts from other documents and provide the link to those documents instead.
- removing the specific forms noted in each Eligible Expense category. and
- combining expense categories that overlap with each other.

Updating additional related policies

During the review, we noted additional policies that are related to the MCOP that should be reviewed to determine if they need to be updated to ensure they are meeting the needs of Council, reflect current practice and reflect emerging trends. In particular:

- the Indemnification Policy for Members of Council and the various legal fees that may be eligible for reimbursement as set out in the MCOP;
- the Council Travel Policy; and

- the Parameters for Councillor Constituency Offices Policy and Furniture, Configuration and Equipment Standard policy.

The City Clerk's Office will work with the appropriate stakeholders to review these policies and to report back by Q3, 2024 on any updates to modernize and improve these policies.

CONTACT

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SIGNATURE

John Elvidge
City Clerk

ATTACHMENTS

Attachment 1 - The Members of Council Operations Policy
Attachment 2 - Summary of changes between the Members of Council Operations Policy and the existing Constituency Services and Office Budget Policy