

DECISION/DIRECTION NOTE

Title: Establish - Environment and Sustainability Experts Panel

Date Prepared: September 12, 2019

Report To: Committee of the Whole

Councillor and Role: Mayor Danny Breen – Governance & Strategic Priorities

Ward: N/A

Decision/Direction Required:

Seeking approval to dissolve the current Environmental Advisory Committee and establish an Environment and Sustainability Experts Panel.

Discussion – Background and Current Status:

The Environmental Advisory Committee was re-established in February of 2016 as a result of the City's advisory committee review. Since then, the Committee has been an active tool of engagement and has provided invaluable direction to Council on environmental issues that relate to City policies, programs and services.

Now more than ever, the City recognizes the importance of enhancing its focus on sustainability to enable economic growth, prosperity and competitiveness while protecting its natural resources and playing its part to reduce greenhouse gas emissions. As a first step toward this initiative, the City established the position of Sustainability Coordinator which will focus on the planning and implementation of municipal sustainability priorities as well as supporting the development and implementation of the Sustainability Plan.

Given Council's new direction and in consultation with the Sustainability Coordinator, it was determined that an experts panel would better serve the City moving forward. The panel will provide expertise, opinion and perspective about environmental and sustainability matters, including the City of St. John's energy intensity, greenhouse gas emissions, resilience, and environment.

Attached is a draft Terms of Reference for the proposed Environment and Sustainability Experts Panel which outlines its purpose.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A

ST. JOHN'S

2. Partners or Other Stakeholders:
 - Council
 - Residents of the City
 - Volunteers – Environmental Advisory Committee
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations:
 - Advertise for members – Environment and Sustainability Experts Panel
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

Recommendation:

It is recommended that Council approve the dissolution of the current Environmental Advisory Committee and establish an Environment and Sustainability Experts Panel.

Prepared and Approved by: Elaine Henley, City Clerk

Attachments: Environment and Sustainability – Terms of Reference

1. GENERAL INFORMATION

Experts Panel name:	Environment and Sustainability Experts Panel
Reporting to:	Committee of the Whole
Date of formation:	
Meeting frequency:	As agenda items are determined
Lead staff:	Sustainability Coordinator Department of Public Works
Other staff liaison:	Manager of Parks & Open Spaces Department of Public Works Others as deemed necessary as per Section 4.2.1
Council member:	Councillor Ian Froude Deputy Mayor Sheilagh O'Leary

2. PURPOSE

The Environment and Sustainability Experts Panel provides expertise, opinion, and perspective about environmental and sustainability matters, this includes the City of St. John's energy intensity, greenhouse gas emissions, resilience, and environment.

The Environment-and Sustainability Experts Panel is responsible for assisting in the progress of environmental and sustainability matters in the City of St. John's.

Specifically, the Committee will:

- Provide expert opinion on environment and sustainability matters to Council via the Committee of the Whole to advance the strategic direction of a sustainable City of St. John's.
- Review environmental requirements for new development or re-development within the City when referred by Council or through the development review process.
- Support the development and implementation of the City of St. John's Sustainability Plan.
- Provide recommendations and evidence on best practices enabling Evidence Based Decision Making to support the environmental and sustainability goals and objectives of the City of St. John's.

The panel's mandate is to provide analysis, opinion and recommendations.

The Environment and Sustainability Experts Panel will prepare recommendations to the Committee of the Whole. The purpose of the Environmental and Sustainability Experts Panel in relation to specific City policies, plans, and strategies is as follows:

Advisory Committee Relationship to Strategic Plan:

- A Sustainable City – A City that is sustainable today and for future generations; economically, environmentally and financially.
- A City That Moves – A City that builds a balanced transportation network to get people and goods where they want to go safely.
- A Connected City – A City where people feel connected, have a sense of belonging, and are actively engaged in community life.
- An Effective City – A City that performs effectively and delivers results.

Applicable Legislation/City Bylaws:

- The Development Regulations
- City of St. John's Act
- Any applicable City of St. John's by-laws current or future

Other City Plans, Guides or Strategies:

- St. John's Urban Forest Management Master Plan 2006
- A Watershed Management Plan, St. John's Regional Water Supply Study, 1996
- Envision St. John's (draft) Municipal Plan, 2014
- Parks and Open Spaces Master Plan, 2014
- Significant Waterways and Wetlands Study (1993)
- City of St. John's Sustainability Plan

Other Distinct Deliverables and Considerations:

1. Advising on ways to further public awareness and understanding of environmental and sustainability matters as they relate to the City of St. John's.
2. Liaising with and facilitating ongoing dialogue among stakeholders (e.g., sectoral groups, City Council, the Provincial Government, and the Federal Government) on matters relevant to the environment.
3. The Committee may be consulted on any City public engagement process where obtaining the perspective of the environmental sector is identified.
4. Review of development applications as referred to it by Council or the-development review process.

3. MEMBERSHIP AND COMPOSITION

3.1 COMPOSITION

The Environment and Sustainability Experts Panel will be comprised of a minimum of 7 total members from the following stakeholder groups:

3.1.1 Public Members

Committee Chair

The Environmental and Sustainability Experts Panel will be chaired by a public expert. The Chair will be selected by Council upon recommendation of staff drawing from the Panel's membership. Additional selection criteria for Chair may be applied for experts' panels.

The public member chairing the Panel will have responsibility for ensuring the Panel completes its work as per the terms of reference.

Public Members

The Panel will be comprised of no more than 7 residents serving as public members. Public members are volunteers and will receive no compensation for participation. Preference will be given to residents of St. John's. Public members must have certification, accreditation, affiliation and/or demonstrated expertise and experience in matters of the environment and/or sustainability.

The Panel will include at least one representative with expertise, in each of the following areas:

- Climate Science & Resilience – To support the City in mitigating greenhouse gas emissions, while fostering its overall resilience.
- Natural Environment & Resources – To support the City in protecting and conserving ecosystems and natural resources now and into the future.
- Socio-cultural – To support the City in creating inclusivity and continue to improve quality of life.
- Economic – To support the City in attaining sustainable economic growth, prosperity and competitiveness while achieving its environmental and sustainability goals.
- Urban Planning – to support the City in progressing integrated and sustainable urban development.

Sought after expertise in these areas may include, but will not be limited to:

- Engineer (e.g., civil, mechanical)
- Contractor
- Ecologist
- Freshwater Biologist
- Sociologist
- Climatologist
- Planner, MCIP
- Landscape Architect
- Other – Demonstrated Relevant Experience

Subcommittees

When deemed necessary, the panel may strike a working committee or subcommittee to deal with specific issues or deliverables. Subcommittees must have at least one panel member. Composition may also include other members of the public and organizational representatives. Subcommittees shall meet as an independent group, reporting to the Panel on specified meeting dates, or as deemed necessary by the committee Chair or Lead Staff.

3.1.2 Staff and Council Members (Ex-Officio Members)**Lead Staff**

A Lead Staff will be appointed to the Environment-and Sustainability Experts Panel by the appropriate City executive or senior management. Other staff support/attendance may be requested by the Lead Staff where required.

City Clerk

The City Clerk will provide legislative and governance support to the Panel.

Council

The spokesperson is appointed by Council

3.2 LENGTH OF TERM**Public Member Experts**

Unless otherwise indicated, the Environment and Sustainability Panel term of appointment is two years. Recognizing the value of experience and the need for continuity, incumbents who are willing to seek reappointment may signify their intent to serve an additional two-year term, for a total of four years. In some cases, members may be encouraged to provide guidance, expertise and participate in a bridging capacity following the end of their term.

Cooling-off Period (Former City Staff and Council)

There will be a cooling-off period of two years for Council and Staff once they are no longer associated with the City. Setting term lengths with a cooling-off period will promote gradual turnover, ensuring a constant balance between new members and former staff or council.

Additional Considerations:

- Public members may not serve on more than one advisory committee at a given time.
- Midterm Appointments: When an appointment is made which does not coincide with the beginning of a term (i.e. to fill vacancy) the partial term (i.e. less than two years) shall not count towards the maximum length of service or number of terms on the Committee for the appointee.
- Unless otherwise expressed in this Terms of Reference, the limit on length of advisory committee membership for any public member is two two-year terms.

Exceptions to the above terms are as follows: when an insufficient number of applications have been received; if an area of expertise is indispensable and there are no other suitable replacements; if the advisory committee would suffer from a lack of continuity (i.e. more than half of all members are replaced at once); if directly related to the advisory committee's purpose as defined in its Terms of Reference.

4. ROLES, RESPONSIBILITIES AND REPORTING

4.1 ROLES AND RESPONSIBILITIES

As a municipal Experts Panel, roles include:

- Advising and making recommendations to the Committee of the Whole in a manner that will support City policy matters relevant to the panel's defined purpose.
- Providing expertise specific to the mandate of the panel.
- Working within given resources.
- Consider working with other committees and/or working groups i.e. Downtown Advisory Committee and Arts and Culture Advisory Committee
- Explore opportunities to add value to services, parks, open spaces, etc.

Shared Member Responsibilities

Conduct

Members shall strive to serve the public interest by upholding Federal, Provincial and Municipal laws and policies. Panel members are to be transparent in their duties to promote public confidence. Members are to respect the rights and opinions of other committee members.

Preparation

Meeting agenda and accompanying materials will be circulated electronically one week prior to all meetings; members are expected to review all distributed materials prior to meetings. Alternate material distribution methods to be made available upon request.

Agendas

- Agendas to require focus with clear parameters for content and alignment with terms of reference/purpose.
- Agendas will be finalized one week before meetings.
- Items and accompanying material that are received after the agenda has been prepared and distributed (but prior to the meeting) will be moved to the following meeting's agenda at the discretion of the City Clerk.
- All public members are to submit potential agenda items and related material to the Committee Chair and Lead Staff person for consideration.

Attendance and Participation

Active participation in meetings is expected of all public members. "Active participation" may refer to both meeting attendance and/or engagement. An effort should be made to attend meetings in person or remotely. If a member declines three consecutive attempts to schedule a meeting or is unable to attend three consecutive scheduled meetings without justified absence, that member may be retired from the committee at the discretion of the City Clerk.

Members who wish to request a leave of absence for an extended period of time (3+ months) may submit such a request to the City Clerk. Previously submitted applications may be used to fill temporary vacancies created by approved leaves of absence.

Quorum – a quorum for meetings is considered to be 50% + 1 members in attendance.

Voting

City Staff are ex-officio and therefore non-voting.

4.2 MEMBER ROLES AND RESPONSIBILITIES**4.2.1 City Staff****Lead Staff**

- To act as a liaison between the Environment and Sustainability Panel and the Committee of the Whole on issues relevant to Panel's work.
- Lead staff will attend the Committee of the Whole when reports of the Environment and Sustainability Panel are included in the agenda.
- Ensure the Panel is informed about City policy, procedure and available resources in reference to specific agenda items and provide procedural and/or technical advice to assist the panel where appropriate.
- Request additional staff support/attendance at meetings as needed.
- To develop agendas in cooperation with the Chair and City Clerk's Office for distribution.
- Incorporate input from the Panel into ongoing City work where appropriate (e.g. projects, staff updates, publications).

Other Staff Liaison

- The work of other Staff Liaisons intersects the purpose of the Panel and therefore they may be required to participate.

City Clerk

- To be responsible for legislative functions related to experts panel's operation, establishment, review, and term amendments. This includes leading or supporting day-to-day panel activities such as the co-ordination of meeting schedules and the external/internal distribution/posting of experts panel agendas and meeting reports
- Facilitate and support the recruitment and appointment process through assisting in the development of "Notice of Vacancy" while ensuring all relevant forms and supporting documentation are completed and received.

- In adherence with the terms of reference, the Office of City Clerk and Lead Staff oversee panel selection with input from relevant departments.
- The Office of the City Clerk will work with Lead Staff members to ensure new members receive orientation.

4.2.2 Public Members

Chair

- The presiding officer of the Environment and Sustainability Panel will be referred to as "Chair." An experts panel member shall not serve as a Chair for more than three consecutive years except in extenuating circumstances (see Term Limits).
- Uphold experts panel processes and functions in accordance with all terms presented, maintaining productivity and focus. This includes ensuring committee members' conduct themselves in a professional manner.
- If appropriate, with support from the City Clerk and Staff Lead, the Chair will help build and coordinate a work plan for the experts panel.
- Prepare and submit agenda items and accompanying materials to the City Clerk (i.e. act as a conduit for all communications between public members and the City Clerk).
- Where appropriate, support the Lead Staff and/or City Clerk in fulfilling panel requirements related to reporting processes (annual presentations, written reports, FAQ's etc.).
- Assist in the development of content for Notice of Vacancy documents.
- Review experts panel terms of reference with City Clerk and Staff Lead at the end of each term and be prepared to propose amendments as needed.

Public Members

Public members are expected to provide advice to support City decision making; applying, knowledge and experience related to the mandate of the Panel in carrying out functions commensurate with its defined purpose. Roles to include: active participation in meetings; representing professional designation to which they belong in the community and engaging with residents and experts when appropriate.

4.2.3 Council

The Environmental and Sustainability Panel reports to the Committee of the Whole.

In cases where an item on the agenda of the Environment and Sustainability Experts Panel (as detailed in a given meeting agenda) would benefit from having the Chair or other Council representative of the Committee of the Whole in attendance, it will be the responsibility of the Panel Chair and/or Lead Staff to inform the Committee of the Whole chair.

4.3 REPORTING

The Environmental and Sustainability Experts Panel shall report through the Committee of the Whole.

Standardized Reporting Process:

- The Environment-and Sustainability Experts Panel Lead Staff, Chair and City Clerk will work to complete a report for referral to the Committee of the Whole.
- Following reporting to the Committee of the Whole, the report will be posted to the City of St. John's website.
- Public expert representatives will be encouraged to report to (i.e. maintain open communication with) their respective affiliated professional organizations regarding the Panel's work.

5. COMMITTEE RECRUITMENT AND SELECTION

5.1 RECRUITMENT, VACANCIES, AND APPLICATIONS

Recruitment practices will be consistent for all experts panels. When new members are required a "Notice of Vacancy" will be prepared by the City Clerk and distributed through City communication channels by the Office of Strategy and Engagement. Additional communications opportunities may be identified by relevant departments/panel members. This document will include general information regarding panel purpose, the terms of reference and a link to the Application Form.

A vacancy on a panel occurs when a member resigns, vacates a position, or when their resignation is requested by the Chair. Vacancies may occur at: the date of resignation; the date the member ceases to be qualified; the date the Chair declares the position vacant due to lack of attendance or incapacitation.

All applicants must complete an Application Form which may be downloaded from the City website, or obtained by visiting/calling Access 311. Applications will be made available in large print format upon request and may be submitted electronically, via mail, by phone, or in person to the attention of the City Clerk's Office.

5.2 ELIGIBILITY AND SELECTION

Eligibility

Appointments to City of St. John's Environment and Sustainability Experts Panel will follow Section 3. Membership and Composition.

Selection Criteria

In addition to eligibility requirements, an applicant's specific skills and experience will be important factors in panel selection. While all who meet the Eligibility Requirements outlined are encouraged to apply, applicants with demonstrated participation in groups or initiatives with goals relevant to an expert panel's purpose will be preferred. Some other considerations pertaining to general selection criteria include: past professional and volunteer experience, ability to perform required tasks, and complementary skills, or competencies possessed. Those who are selected to serve on City experts' panel will be notified by email. A handbook and other relevant information will also be provided to successful applicants.

6 PUBLIC ENGAGEMENT

The City of St. John's recognizes that engagement between the City and its citizens is an essential component of an effective municipal government. The City views public engagement as a process – one that facilitates dialogue with the right people, using the right tools, at the right time, on subject areas of mutual interest.

In accordance with the City of St. John's Engage! Policy, the role of the Experts Panel in the spectrum of engagement will fall within the realm of "consultation." As such, City of St. John's experts panels will be based on the principles of commitment, accountability, clear and timely information, and inclusiveness.

Experts' panels are only one of the ways to engage with the City. Where applicable the City will consider the use of other tools to gather perspectives and input. For more information on public engagement in the City of St. John's or to find out how to get involved or learn about what's coming up, check out the engagement page on the City's website. You can also check out the City's Engage! St. John's online engagement platform and connect with us on Twitter and Facebook.

7 OTHER GOVERNANCE

7.1 REVIEW OF TERMS

Taking into account recommendations from the Environment and Sustainability Experts Panel Chair, Committee of the Whole Chair, the City Clerk and Lead Staff, the Panel will, at the first meeting of each year, review Environmental and Sustainability Experts Panel Terms of Reference documents. The purpose of this review will be to ensure that the operations and function of each panel are still aligned with its defined purpose.

7.2 MEETING AND SCHEDULES

Environment and Sustainability Experts Panel will meet as agenda items are determined. The exact frequency of the Environmental and Sustainability Experts Panel meetings will be determined by the Chair, Lead Staff, and City Clerk.

To meet the committee meeting quorum, 50% + 1 voting members must be present.

Unless otherwise specified (generally one week prior to a meeting) Environment and Sustainability Experts Panel meetings shall be held at City Hall and shall be closed to the public.

Meetings may be recorded.

7.3 CONFLICTS OF INTEREST AND CONFIDENTIALITY

Conflicts of Interest

A conflict of interest refers to situations in which personal, occupational or financial considerations may affect or appear to affect the objectivity or fairness of decisions related to the panel's activities. A conflict of interest may be real, potential or perceived in nature. Conflict of Interest may occur when a

panel member participates in discussion or decision-making about a matter which may financially benefit that Member or a member of his/her family, or someone with whom the panel member has a close personal relationship, directly or indirectly, regardless of the size of the benefit.

In cases where the panel agenda or discussions present a conflict of interest for a member, that member is required to declare such conflict; to abstain from discussion; and remove himself/herself from the meeting room until the agenda item has been dealt with by the Panel.

Confidentiality:

All Panel members are required to refrain from the use or transmission of any confidential or privileged information while serving with the Environment and Sustainability Expert Panel.

Staff Liaison Name:

Signature: _____

Date: _____

Chair Name:

Signature: _____

Date: _____

City Clerk Name:

Signature: _____

Date: _____