

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 10-2020

Council Meeting Date: June 2, 2020

TO: Mayor Weber and Members of Council
FROM: Stephanie Troyer-Boyd, Clerk
RE: Council Composition and Ward Boundary Review RFP

RECOMMENDATION:

THAT staff be directed to proceed with the evaluation and award of the Council Composition and Ward Boundary Review project in accordance with the terms of reference in the Request for Proposal.

SUMMARY

This report provides Council with an update of the Council Composition and Ward Boundary Review process to date.

BACKGROUND

At the February 11, 2020 meeting, Council received a report that provided a recommendation for a ward boundary review. The report summarized the procedure for a review that would be completed in time to be in effect for the 2022 Municipal Elections.

At that meeting, the following resolution was passed:

THAT staff undertake a Request for Proposal process to retain an independent consultant to conduct a ward boundary and Council composition review and present a follow up report to Council.

In addition, Council will recall that the 2019-2022 Strategic Priorities adopted by Council includes a review of the current ward structure and size of Council.

Staff prepared a Request for Proposal (RFP) and advertised it on the Tenders and RFP page of the municipal website. In order to reach as many potential bidders as possible, known bidders on similar projects for other municipalities were provided the link to the RFP. Bidders were asked to register in advance of submitting and three (3) registrations were received. The proposal closed on May 27, 2020 at 2:00 pm with three (3) proposals received.

The terms of reference for the Council Composition and Ward Boundary Review were outlined in the RFP as follows:

The Municipality of Lambton Shores is seeking to engage a consultant to conduct a Council composition and ward boundary review in accordance with the following parameters:

- Use the experience gained through other municipal ward boundary reviews and the outcome of OMB/LPAT hearings and Supreme Court of Canada decisions in those cases where a review has been appealed.
- Provide options for changes to Council composition and options for how Council representatives are elected, if deemed appropriate.
- Provide options for re-alignment of the existing wards and/or for a change in the number of wards, if deemed appropriate, through the application of the following principles:
 - Representation by Population - Considering representation by population for every Councillor generally representing an equal number of constituents within their respective wards. Given the geography and varying population densities, and characteristics of the Municipality, a degree of variation is acceptable.
 - Municipal Growth Trends and Projections - Accommodating for and balancing future increases or decreases in population growth/decline to maintain a general equilibrium in the representation by population.
 - Geographic and Topographic Boundaries - Utilizing geographical and topographical features to provide boundaries for wards.
 - Communities of Interest – Consider traditional neighbourhoods and settlement patterns, and community groupings in specific geographic locations. Where possible, ward boundaries should not fragment a community.
 - Equal Representation and Voter Parity - Consider an overriding principle of effective representation as described by the Supreme Court of Canada in its decision on the Carter case.
- Develop a ward structure that will accommodate growth and population shifts for a minimum of three (3) Municipal elections (2022, 2026, and 2030) and beyond, if feasible.
- Conduct all research, consultations (public and otherwise, as deemed appropriate), and the provision of a final report and recommendations to Lambton Shores Council.

The selection committee has not had an opportunity to fully review the three (3) submissions but can confirm all bidders have indicated that they can complete both components of the project by the anticipated deadline of January 2021. The project requires the consultant to evaluate the current Council structure and develop appropriate alternatives. The ward boundaries, if still considered appropriate, will be analyzed and possible changes will be presented to Council for consideration.

With respect to the composition of Council, The Municipal Act, 2001 (Municipal Act) gives municipalities the authority to determine the composition (including size) of Council, subject to certain parameters. Any decision regarding the size of municipal Council is entirely at the discretion of Council based on what is the appropriate composition to serve the needs of the residents. Once this governance structure is known, the appropriate framework for electing members will need to be determined. The authority is given to municipalities in Section 222(1) of the Municipal Act which authorizes municipalities to pass by-laws to create, redivide or abolish wards.

ALTERNATIVES TO CONSIDER

In February 2020, Council asked for a follow up report after the RFP was completed. Staff is looking for Council direction to move forward. Council can choose to abandon the project, modify the terms of the project or proceed under the terms of the RFP.

RECOMMENDED ACTIONS

It is recommended that staff be directed to award the project to the appropriate bidder once evaluations are completed.

FINANCIAL IMPACT

There were no funds specifically allocated to the operating budget in 2020 for a governance review. Staff have identified that funds could be allocated from the Working Fund Reserve. The proposed costs of the project range between \$ 25,000 - \$ 53,000.

CONSULTATION

Kevin Williams, CAO
Janet Ferguson, Treasurer