

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN 2015-031

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**Date:** March 24, 2015

**Time:** 2:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** All

**Subject:** Approval of Terms of Reference for the City of Kawartha Lakes Environmental Advisory Committee

**Author/Title:** Richard Holy, Manager of Policy Planning

**Signature:**



**Recommendations:**

**RESOLVED THAT** Report PLAN2015-031, Approval of Terms of Reference for the City of Kawartha Lakes Environmental Advisory Committee, be received;

**THAT** the Terms of Reference for the Environmental Advisory Committee, substantially in the form attached as Appendix "A" to Report PLAN2015-031, be approved; and

**THAT** the necessary By-law to repeal By-law 2009-204, a By-law to Establish an Environmental Advisory Committee for the City of Kawartha Lakes, be forwarded to Council for adoption.

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**Department Head:**

**Corporate Services Director / Other:**

**Chief Administrative Officer:**



## **Background:**

In 2009, a By-law was passed by Council to establish an Environmental Advisory Committee for the City of Kawartha Lakes. The purpose of the Committee is to advise Council on environmental matters and work on environmentally related projects within the City.

At the Council Meeting of March 3, 2015, Council reviewed non-legislated committees and passed the following resolution:

**RESOLVED THAT** Report CLK2015-008, **Review of Committees of Council**, be received;

**THAT** Coboconk Norland and Area Businesses Committee of Council, Aggregate Secondary Plan Steering Committee, Omeme Business Committee of Council and the OCWA Contract Efficiency Working Group be dissolved as they have completed their mandate;

**THAT** the Waste Management Committee be dissolved in its present form and the Director of Public Works report back with revised terms of reference to establish a task force to support the development of the Waste Strategy for the City as identified in Appendix A attached to this report;

**THAT** the Agricultural Development Advisory Board continue and that staff develop and forward new terms of reference to Council;

**THAT** the Trails Advisory Committee be dissolved as it has completed its mandate;

**THAT** the Joint Cemetery Board continue and that staff develop and forward new terms of reference to Council;

**THAT** the Fenelon Falls Museum Board continue and staff review alternatives to establish this Board as an independent body;

**THAT** the Wilson Estate Advisory Committee continue as it is a requirement of receiving funds from the Wilson Estate;

**THAT** the Victoria Manor Committee of Management continue as it is a legislated committee and staff bring forward any terms of reference amendments required;

**THAT** the Joint Social and Housing Services Advisory Committee continue as it is part of the approved agreement with the County of Haliburton; and

**THAT** the Environmental Advisory Committee continue and that staff develop and forward new terms of reference to Council.

The purpose of this report is to provide Council with information on the proposed Terms of Reference for the Environmental Advisory Committee.

## **Rationale:**

The current Environmental Advisory Committee was established in 2009 by By-law 2009-204. While the Committee has previously been operating under the Public Works Department, responsibility for this Committee has now been transferred to the Development Services Department.

As part of Council's review of all Committees of Council, the proposed Terms of Reference for the City of Kawartha Lakes Environmental Advisory Committee (CKLEAC) has been prepared by Staff in consultation with the Committee (See Appendix "A"). The goal is to have a standardized approach and set of expectations for all Committees of Council. The major changes in the Committee structure are as follows:

- The Terms of Reference contains a clear mission statement prepared by CKLEAC, which outlines and focusses the purpose of the Committee to provide Council with advice on environmental matters.
- The Terms of Reference provide a code of conduct and outline the City's policies and legislation that all Committee members must abide by.
- The Committee will need to prepare and submit a work plan and budget for approval by Council by September 15<sup>th</sup> of each year as part of the City's budget presentation process.
- The Committee will also have to prepare a report to Council outlining whether it achieved its work plan targets.
- The size of the Committee has been increased from 8 to 9 members of the public to ensure that there are no tie votes.
- Members of the Committee will be requested to serve a four year term concurrent with the term of Council.

At its meeting held on March 12, 2015, CKLEAC endorsed the proposed Terms of Reference.

### **Other Alternatives Considered:**

No other alternatives were considered.

### **Financial Considerations:**

There are no financial implications associated with this decision.

### **Relationship of Recommendations to Strategic Priorities:**

Approval of the Terms of Reference for the Environmental Advisory Committee does not directly align with any of Council's strategic priorities.

The City's Vision Statement is "A Community Pursuing Prosperity, Quality of Life and a Healthy Environment". The Committee Mission outlined in the proposed Terms of Reference aligns with Council's "Healthy Environment" objectives, namely:

- Sustainable Resource Consumption
- Balanced & Healthy Natural Systems
- Protecting & Enhancing Water Quality
- Requiring "Green" Development Standards and Practices

## **Review of Accessibility Requirements of and Development / Policy:**

Approval of the Terms of Reference for the Environmental Advisory Committee does not have any impact on accessibility requirements of the Ontario Building Code.

## **Servicing Comments:**

There are no servicing considerations associated with this issue.

## **Consultations:**

Environmental Advisory Committee  
Clerk's Department  
Insurance Risk Management Coordinator.

## **Attachments:**

Appendix "A" – Terms of Reference for the City of Kawartha Lakes  
Environmental Advisory Committee



PLAN2015-031  
Appendix A - CKLEAC

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**Department Head:** Ron Taylor, Director of Development Services

**Department File:** C06

## TERMS OF REFERENCE

**NAME:** Environmental Advisory Committee

Date Established by Council:

Regular Review Timeframe:

Date Committee Ends (if applicable):

### **MISSION:**

The Environmental Advisory Committee for the City of Kawartha Lakes is established to support and advise Council in implementing the environmental goals and policies of the City of Kawartha Lakes.

The mission for this Committee includes:

- the maintenance, and where necessary, improvement of water quality and quantity;
- the maintenance, and where necessary, improvement of air quality;
- the reduction in the amount of waste and its impact on the environment; and,
- the protection, conservation, and enhancement of natural systems.

The mission will be achieved by this Committee through:

- the implementation of the Integrated Community Sustainability Plan, including;
  - public education initiatives;
  - environmental projects;
  - monitoring outcomes; and,
- the involvement with other environmental issues or initiatives.

### **ROLES AND RESPONSIBILITIES:**

It is the role and responsibility of all appointed members to comply with the:

- City's Code of Conduct;
- City Accountability and Transparency Policy;
- City Procedural By-law;
- Other applicable City by-laws and policies;
- Municipal Act
- Municipal Freedom of Information and Protection of Privacy Act
- Municipal Conflict of Interest Act

No individual member or the Committee as a whole has the authority to make direct representations of the City to Federal or Provincial Governments

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by the City's Council, CAO, Clerk, Solicitor, Auditor and/or Insurer for any activities relating to Committee business.

### **ACTIVITIES:**

The following are the activities and responsibilities of the Committee:

- (a) To make recommendations to Council on various issues related to the Committee's mandate;
- (b) To advise and make recommendations to Council on strategy, policies and procedures to achieve Council's goals relating to the Committee's mandate;
- (c) To develop and recommend to Council the promotion of public education programs on local related issues and related to the Committee's mandate;
- (d) To review other governmental reports/programs and advise/make recommendations to Council of any impacts of those reports for the City and any action that should be considered by Council;
- (e) To prepare, by September 15<sup>th</sup> of each year, a projected budget and work program for the succeeding year, for presentation to, and adoption by, Council during the budget presentation process; and,
- (f) Other initiatives as recommended and approved by Council.

### **COMPOSITION:**

The Committee shall be comprised of a maximum of eleven 11 members consisting of nine (9) members of the public, one (1) member from Sir Sandford Fleming College, and one (1) Council representative. Committee members will be appointed by Council in accordance with established policy. The Committee shall at its first meeting in each term, elect from its membership a Chair and Vice-Chair. It is acknowledge that there are no per diems for any Committee positions and it is acknowledge that none of the above positions shall be paid for their services. All committee members are considered volunteer positions. Mileage costs and other minor expenses related to committee activities may be eligible for reimbursement subject to budget approvals by Council. No attendance at conferences or workshops shall be allowed by a volunteer member unless clearly identified in the work plan/budget and approved by Council.

**TERM OF APPOINTMENT:**

Unless exempted by legislation, Committee members shall be appointed for the term of Council and shall continue to serve beyond the termination of their appointments until the appointments of their successors have been confirmed by Council.

**RESOURCES:**

The Development Services Department and a representative from the Kawartha Region Conservation Authority will provide support in the form of advice, day-to-day liaison with the City, updates on program and promotional ideas and initial assistance in their implementation to the degree resources are available. The Department will also assist in the preparation and submission of budget requests/grant submissions, if needed and attend meetings of the committee upon request.

**TIMING OF MEETINGS:**

Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

**MEETINGS:**

The Committee shall hold a minimum of four (4) meetings in each calendar year. The Chair shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Committee a minimum of three (3) business days prior to the date of each meeting. Quorum for meetings shall consist of a majority of the members of the Committee. No meeting shall proceed without quorum.

The Committee shall hold a minimum of two (2) formal business meetings in each calendar year to discuss the budget/work plan and the annual report. Any member of the Committee who misses three consecutive formal business meetings, without being excused by the Committee, may be removed from the Committee in accordance with adopted policy.

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

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**PROCEDURES:**

Procedures for the meetings of the Committee shall be governed by Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

**CLOSED MEETINGS:**

The Committee may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed session in order to discuss sensitive personal issues or legal matters. If the Committee elects to hold a closed session, all persons not entitled to vote (with the exception of the staff liaison and visiting members of Council, if any, and all persons excepted by the members) shall vacate the premises where the meeting is taking place. Closed meetings can only be held in accordance with Section 239 of the Municipal Act. Prior to the commencement of closed session, a resolution shall be passed stating the general nature of the matter to be discussed and what section of the Municipal Act applies. The Committee shall maintain a record of the meeting which will be stored in the lead department. Formal minutes are not required for working meetings.

**AGENDAS AND MINUTES:**

A copy of the Agenda shall be provided to the Clerk's office at the same time it is provided to Committee Members. The City Clerk's office will distribute the agenda to Council members as per established policy and have it posted on the website. At the first meeting of each year, an Orientation Session shall be held for new members.

Minutes of all formal business meetings of the Committee shall be forwarded to the Development Services Department and to the City Clerk's Office not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Development Services Department at that time. The City Clerk's Office will electronically circulate the formal business meeting minutes to all members of Council for their information. The City Clerk's Office will maintain a set of printed minutes on file for public review.

**REPORTS:**

Two written reports are required per year from the Committee, being the work plan/budget and the annual report. If there are recommendations of the Environmental Advisory Committee that fall outside of these two reports, they are to be forwarded to Council in a formal written report on the City report template. It will be the responsibility of the Committee to identify those recommendations to the Development Services Department for final preparation of the report.



**LOCATION OF MEETINGS:**

The location of the meetings will be set by the Committee.

**PURCHASING POLICY:**

This Committee has no purchasing or procurement responsibilities.

**INSURANCE:**

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to the Committee and its members provided that the Committee is under the control of, answerable to, or the responsibility of the City of Kawartha Lakes and Council. The applicable insurance policies extend to Committee members while in the performance of his/her duties and to those activities authorized by the City of Kawartha Lakes and Council. Members must adhere to the policies and procedures of the City of Kawartha Lakes and Council, including the Terms of Reference.

The Committee must provide an annual updated listing of all members, including member positions, to the City of Kawartha Lakes to ensure the applicable insurance coverage remains in force.

Committee members are not entitled to any benefits normally provided by the Corporation of the City of Kawartha Lakes, including those provided by the Workplace Safety and Insurance Board of Ontario ("WSIB") and are responsible for their own medical, disability or health insurance coverage.

**EXPULSION OF MEMBER:**

The Committee may recommend to Council the expulsion of a member or Council may remove a member for reasons as listed, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; disrupting the work of the Committee or other legal issues. The process for expulsion of a member is outlined with Policy Number 028 CAO 002.

**TERMS OF REFERENCE:**

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the Director through a report to the appropriate Committee of Council.

At the discretion or upon the mandate of the Committee being fulfilled, the Committee may be dissolved by resolution of Council.