

The Corporation of the City of Kawartha Lakes

Council Report

Report Number CS2018-013

Date: August 14, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Lindsay

Title: Revised Terms of Reference for the Lindsay Legacy C.H.E.S.T. Fund Grant Committee

Author and Title: Lisa Peimann, Executive Assistant, Community Services

Recommendation(s):

That Report CS2018-013, **Revised Terms of Reference for the Lindsay Legacy C.H.E.S.T. Fund Grant Committee**, be received; and,

That the Lindsay Legacy C.H.E.S.T. Fund Grant Committee Terms of Reference as appended to the Report be approved and replace any predecessor Terms of Reference for the Lindsay Legacy C.H.E.S.T. Fund Grant Committee.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Lindsay Legacy C.H.E.S.T. Fund Grant Committee met on May 17, 2018, to discuss a number of items, most notable a review of the Terms of Reference and operational procedures for the Committee.

This report has been prepared to seek Councils approval in the Committees recommendations.

Rationale:

The Committee felt a review of the Terms of Reference was in order to determine if any changes were required. Each section was reviewed and discussed (attached as Appendix A with track changes, as well as a few other minor housekeeping items), resulting in the following motions being made for Council's consideration:

Name:

Add "Grant" to the Committee name (housekeeping item)

Roles and Responsibilities:

Format title to Heading 1; add the word "fund" to bullet 3 (housekeeping item)

Composition:

The current composition was discussed as a result of the restructuring of Council. Questions rose in regards to keeping the composition the same size by increasing the public members or reduce the composition by the decrease in Council representatives.

RECOMMEND THAT the composition remain at a maximum of nine (9) members by increasing the public members to seven (7) and decreasing the Council representatives by two (2). **CARRIED LEG18-03**

Term of Appointment:

Dialogue ensured with respect to the terms of appointment, in regards to maintaining status quo or change to the public appointments to the term of Council.

RECOMMEND THAT the public members varying appointments to a maximum of a three (3) year term, be changed to a term concurrent with the term of Council, and;

THAT the initial appointment will be three (3) members for a two (2) year term, and four (4) members for a four (4) year term, and successive appointments thereafter will be for a four (4) year term. **CARRIED LEG18-04**

RECOMMEND THAT the term of appointment be further updated to include "Members/Successors are eligible for re-appointment/appointment to the Committee to a maximum of two (2) consecutive four (4) year terms". **CARRIED LEG18-05**

Administration:

Add "Grant" to the Committee name (housekeeping item)

Appointment of Officers:

A brief discussion took place regarding the appointment of officers. The word "Grant" has been added to the Committee name (housekeeping item).

RECOMMEND THAT "at its first meeting in each year" be changed to "at its first meeting every second year", and that the last sentence in the paragraph be removed. **CARRIED LEG18-06**

Meetings:

The Committee requested specific timeframes for the two (2) meetings each year

RECOMMEND THAT the first sentence be changed to include: The Committee shall hold a minimum of two (2) meetings in the Spring and Fall in each calendar year. **CARRIED LEG18-07**

Agendas And Minutes:

Add "Grant" to the Committee name (housekeeping item)

Reports:

Add "Grant" to the Committee name (housekeeping item)

Meeting Attendance:

Previously identified in the Meetings section it notes the Committee shall hold at a minimum two (2) meeting in each calendar year. Therefore it is being recommended to change the meeting attendance from three (3) to two (2)

RECOMMEND THAT "Any member of the Committee who misses three (3) consecutive meetings", be changed to "Any member of the Committee who misses two (2) consecutive meetings". **CARRIED LEG18-08.**

Other Alternatives Considered:

Council could choose not to make the recommended changes to the Terms of Reference; however, this is not recommended as the changes are positive for the future of the Committee.

The recommended changes are in keeping with those endorsed by Council in July of 2018 respecting Council representation on this Committee.

Financial/Operation Impacts:

There are no financial considerations.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This Terms of Reference report does not directly impact or align with a specific Strategic Priority.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications associated with this report.

Servicing Implications:

Not applicable.

Consultations:

Lindsay Legacy C.H.E.S.T. Fund Grant Committee

Attachments:

Appendix A – Revised Terms of Reference for the Lindsay Legacy C.H.E.S.T. Fund Grant Committee



Proposed ToR
Legacy CHEST.docx

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks, Director of Community Services

Terms of Reference

Name:

Lindsay Legacy Community Hydro-Electric Systems Transfers (C.H.E.S.T.) Fund
Grant Committee

Mission:

To make recommendations concerning financial assistance through the Lindsay Legacy C.H.E.S.T. Fund to non-profit, community based organizations and single organizations that provide programs, projects, services, or activities that enhance the quality of life for Lindsay residents in the areas of health, arts, culture, heritage, education and the environment.

Objectives:

To make recommendations to Council on the expenditure and/or investment of the C.H.E.S.T. Funds within Lindsay and within the Grant Policy approved by Council.

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.

Roles and Responsibilities:

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The following are the roles and responsibilities of the Committee:

- Provide guidance in the intake process
- Review and collate project submissions
- Advisory Board to provide C.H.E.S.T. fund grant recommendations to Council

Activities:

The following are the activities and responsibilities of the Committee:

- (a) To make recommendations to Council on various issues which may arise concerning the Lindsay Legacy C.H.E.S.T. Fund.
- (b) To meet as required to prioritize projects and respond to requests for funding.
- (c) To make funding recommendations to Council for approval based upon the approved Grant Policy for the Lindsay Legacy C.H.E.S.T. Fund.
- (d) To monitor and review projects funded with the Lindsay Legacy C.H.E.S.T. Fund, where a request for change has been made by the applicant.

- (e) Staff will provide the Committee the applicant's completed reconciliation of actual expenditures for each grant. A final report on grant dispositions will be provided to Council after the Committees approval.
- (f) To review and make recommendations concerning changes to the Grant Policy/Application for the Lindsay Legacy C.H.E.S.T. Fund.

Composition:

The Committee shall be comprised of a maximum of nine (9) members consisting five ~~seven~~ (5 ~~7~~) members of the Lindsay Community and four ~~two~~ (4 ~~2~~) Council representative(s) from Wards 9, 10, 11, ~~5~~ and 12 ~~7~~. Committee members will be appointed by Council in accordance with established policy. The Committee shall appoint such executive positions as it deems necessary to ensure its operations but shall include ~~at~~ a minimum, a Chair, Vice-Chair and Secretary. It is acknowledged that there are no per diems for any Committee positions and it is acknowledged that none of the above positions shall be paid for their services.

Term of Appointment:

Unless exempted by legislation, members shall hold office for a term concurrent with the term of Council and shall continue to hold office until their successors are appointed. Members/Successors are eligible for re- appointment/appointment to the Committee to a maximum of two (2) consecutive four (4) year terms. ~~will be appointed to varying terms to a maximum of a three year term. Public members shall be appointed as follows: two (2) members for a three (3) year term, two (2) members for two (2) year term and one (1) member for a one (1) year term. Successive appointments will be for a three (3) year term to ensure knowledge succession and that there be no complete turnover of membership in any given year. Council members shall sit for the term of office.~~

Resources:

The City Council, CAO, Clerk, and staff of the Community Services and Finance Departments will be available to assist the Committee and attend meetings of the Committee upon request. Other Departments or other resources (i.e. auditors, Community Services) may be requested to review particular projects. Notwithstanding the general involvement of City resources as needed, it is understood that arrangements may be made by the Committee with any City Department for ongoing project administration and co-ordination.

Staff Assigned:

Staff from the Community Services Department will be available to assist the Committee, to attend meetings, prepare agenda's, minutes, reports and correspondence. Staff will also be responsible for the project administration and co-ordination.

Timing of Meetings:

It is anticipated the Committee will meet as required to address matters concerning the Lindsay Legacy C.H.E.S.T. Fund. A meeting for programs, projects requesting to be funded by the Fund will be required annually and/or as necessitated based upon current issues/projects relating to the Fund. Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

Administration:

The final approval of the recommendations of the Committee rests with the City of Kawartha Lakes Council. The Council, in consultation with the Lindsay Legacy C.H.E.S.T. Fund Grant Committee, may change the Terms of Reference for this Committee at any time. Any changes to these Terms of Reference by the Committee shall be recommended to Council via the Director or staff of the Community Services Department through a report to Council.

Appointment of Officers:

The Lindsay Legacy C.H.E.S.T. Fund Grant Committee shall, at its first meeting in ~~each~~every second year, elect from its membership a chairperson and a vice-chairperson. In the event that there is a staff liaison appointed pursuant to Staff Appointment, that person shall serve as the Secretary. ~~In the event that there is no staff liaison, the Committee shall, at its first meeting in each year, elect from its membership a Secretary.~~

Meetings:

The Committee shall hold a minimum of two (2) meetings in the Spring and Fall in each calendar year. Staff from the Community Services Department 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. A copy of the Agenda shall be provided to the Clerk's office. Agenda and Minutes of these meetings will also be circulated to Council for information/communication purposes.

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.

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.

Minutes of all meetings of the Lindsay Legacy C.H.E.S.T. Fund Grant Committee shall be forwarded to the 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 Community Services Department at that time. The Clerk's Office will electronically circulate the minutes to all members of Council for their information. The Clerk's Office will maintain a set of printed minutes on file for public review.

Reports:

All recommendations of the Lindsay Legacy C.H.E.S.T. Fund Grant Committee 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 Community Services Department for final preparation of the report.

Conflicts Of Interest:

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.

Errors/Omissions:

The accidental omission to give notice of any meeting of the Committee to its members, or the non-receipt of any notice by any member, or any error in any notice that does not affect its substance, does not invalidate any resolution passed or any proceedings taken at the meeting. Any member of the Committee may at any time waive notice of any meeting.

Meeting Attendance:

Any member of the Committee who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member in accordance with adopted policy.

Location Of Meetings:

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

Purchasing Policy:

This Committee has no purchasing or procurement responsibilities.

Budget:

Committees will not be responsible for a budget unless Council approves their budget and delegation of responsibility to the Committee through the Committee's Terms of Reference. The budget for this Committee will be funded through the Lindsay Legacy C.H.E.S.T. Fund Reserve.

Volunteer Positions:

Unless approved by Council, as part of the Terms of Reference or establishing by-law, 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.

Insurance:

This Committee does not require insurance.

Dissolution:

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

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.

