

Terms of Reference

Name: Development Charges Task Force

Date Established by Council: January 15th, 2019

Task Force Completion/Reporting Date: As per term of appointment

Mission:

The Development Charges Task Force is established to provide advice and recommendations to Staff regarding the formulation of a development charges by-law to replace By-Law 2015-224 (A By-law to impose Development Charges in the City of Kawartha Lakes).

Roles and Responsibilities:

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

- the City Code of Conduct for Task Force Members
- the 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 Task Force 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 any 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 Task Force will abide by any terms and conditions which may be set out by the City's Council, CAO, City Clerk, City Solicitor, Auditor and/or Insurer for any activities relating to Task Force business in keeping with the Task Force's Terms of Reference and established Policies.

Activities:

The following represent the general activities of the Task Force:

- a) To make recommendations to Staff on strategy, policies and various issues to achieve Council's strategic priorities relating to the Task Force's established scope of work as defined in the Terms of Reference.
- b) Provide advice and recommendations to Staff regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study, and make final recommendations to staff prior to finalization of the background study by the City for public review.
- c) Conduct a specific review of commercial development charges, inclusive of a comparison of the City to comparable Ontario municipalities.
- d) Through public meetings, facilitate a forum providing Council, staff, stakeholders and the general public an opportunity to make representations regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study.
- e) Disseminate relevant information regarding the Task Force's work to interested stakeholders and other parties as may be appropriate.
- f) Other – as recommended and approved by Council.

Composition:

The Task Force shall be comprised of a maximum of 7 members consisting of up to 6 members representing various stakeholders and the general public and 1 Council representative, all of whom have full authority to debate and vote. The Task Force shall consist of a minimum of 4 members.

Among the appointed membership, there shall be a minimum of:

- 1 member of City Council
- 1 representative from among local development or business associations based in the City of Kawartha Lakes
- 1 representative from among active local developers, builders or business owners based in the City of Kawartha Lakes

- 1 representative from among the general public resident in the City of Kawartha Lakes

Task Force members will be appointed by Council in accordance with established policy.

All appointed voting members may be represented at meetings by a designated alternate (if applicable). A designated alternate must be formally designated by an appointed member in writing to the Task Force to represent them. Designated alternates must be approved by the Task Force and are subject to all of the requirements and criteria set out in the Terms of Reference.

Appointment of Officers:

The Task Force shall, at its first meeting, elect from its membership a Chair, and Vice-Chair. Engineering and Corporate Assets staff shall serve as Recording Secretary. It is acknowledged that there are no per diems for any Task Force positions and it is acknowledged that none of the above positions shall be paid for their services. All Task Force members are considered volunteer positions.

Term of Appointment:

The Task Force is to make final recommendations to Staff prior to finalization of the background study by the City for public review. Members of the Task Force are appointed until the background study is officially made publicly available by the City in accordance with Section 10(4) of the Development Charges Act, with the intention that the new development charges by-law takes effect on or before January 1st, 2020.

Resources:

The Engineering and Corporate Assets Department will provide support in the form of advice, day-to-day liaison with the City and information sharing.

A member of staff shall be designated as Recording Secretary by the liaison department. The Recording Secretary shall prepare and publish agendas; attend all formal business Task Force Meetings for the purpose of taking Minutes; and prepare and publish minutes in an accessible format acceptable to the City Clerk's Office. Members of staff expected to

attend Task Force Meetings as required include the Manager of Corporate Assets, Chief Building Official and City Treasurer.

Timing of Meetings:

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

Location of Meetings:

The location of the meetings will be set by the Task Force and must be held in an accessible City facility.

Meetings:

The Task Force shall hold a minimum of 4 meetings during its term. The Chair, through the liaison department, shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Task Force and posted to the City website a minimum of three (3) business days prior to the date of each meeting through the Recording Secretary. Quorum for meetings shall consist of a majority of the members of the Task Force. No meeting shall proceed without quorum.

Procedures:

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

Closed Meetings:

The Task Force may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of the meeting as a closed session in order to discuss sensitive personal issues or legal matters. If the Task Force 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 City Clerk's Office at the same time it is provided to Task Force Members. The City Clerk's Office will distribute the agenda to Council members as per established procedures.

Minutes of all formal business meetings and notes from working meetings of the Task Force shall be forwarded to the liaison 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 liaison 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.

The Recording Secretary shall ensure that all Task Force Agendas and Minutes are posted to the City website at the same times as they are circulated to the City Clerk's Office.

Reports:

The Task Force's final recommendations to Staff will be brought forward for Council's information through a report to Council by the liaison department.

It will be the responsibility of the Task Force Chair to provide a memo to the liaison department identifying the Task Force's final recommendations for preparation of the report.

Purchasing Policy:

This Task Force has no purchasing or procurement responsibilities.

Insurance:

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to this Task Force and its members. The applicable insurance policies extend to Task Force 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 Task Force must provide, via the liaison department, 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.

Task Force 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:

Any member of the Task Force who misses three consecutive formal business meetings, without being excused by the Task Force, may be removed from the Task Force in accordance with adopted policy.

Any member of the Task Force may be removed from the Task Force at the discretion of Council for reasons including, 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 or the Code of Conduct for Task Force Members; disrupting the work of the Task Force; or other legal issues. The process for expulsion of a Task Force member is outlined in the City's **Council Committee, Board and Task Force Policy**.

Terms of Reference:

The Recording Secretary shall ensure that a current Terms of Reference for the Task Force has been provided to the City Clerk's Office and is posted on the City website.

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 Task Force at any time. Any changes proposed to these Terms of Reference by the Task Force shall be recommended to Council via the liaison department through a report to Council.

At the discretion of Council the Task Force may be dissolved by resolution of Council.