



Committee of the Whole Report

Report Number:	CLK2025-003
Meeting Date:	March 4, 2025
Title:	Terms of Reference Update for Advisory Committees, Boards and Task Forces
Description:	Updated Language for Terms of Reference
Author and Title:	Sarah O'Connell, Deputy Clerk

Recommendation(s):

That Report CLK2025-003, **Terms of Reference Update for Advisory Committees, Boards and Task Forces**, be received;

That the Terms of Reference for all Advisory Committees, Boards and Task Forces be updated to remove the establishment of working groups or sub-committees, and the holding of working meetings, from the mandate of each group;

That the Terms of Reference for the Kawartha Lakes Accessibility Advisory Committee, be amended to permit the holding of closed session, pursuant to s.239(2)(b) of the Municipal Act, 2001, for the consideration of nominations that are submitted for the Accessibility Awareness Recognition Awards Program;

That the Terms of Reference for the Kawartha Lakes Environmental Advisory Committee be amended to permit the holding of closed session, pursuant to s.239(2)(b) of the Municipal Act, 2001, for the consideration of nominations, that are submitted for the Bee Hero Awards Program and the Environmental Hero Awards Program;

That the Term of Reference for the Kawartha Lakes Municipal Heritage Committee be amended to permit the holding of closed session, pursuant to s.239(2)(b) of the Municipal Act, 2001, for the consideration of nominations that are submitted for the Osprey Awards Program;

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

That the Terms of Reference for the Kawartha Lakes Accessibility Advisory Committee, the Kawartha Lakes Environmental Advisory Committee and the Kawartha Lakes Municipal Heritage Committee be amended to require that Staff report to Council, in closed session, to provide recommended award recipients to Council for consideration and approval with regard to the Accessibility Awareness Recognition Awards Program, the Bee Hero Awards Program, the Environmental Hero Awards Program and the Osprey Awards Program; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Background:

The terms of reference for Advisory Committees, Boards and Task Forces are based on a template document which is then tailored to fit the specific mandate of each group.

The existing terms of reference that are in place make reference to the establishment of working groups or sub-committees, where necessary, and the holding of working meetings, as an activity to be fulfilled within the mandate of each group. The Ontario Ombudsman has provided guidance on this issue in the past to confirm that members should ensure that any discussion in which a quorum of members discusses a matter in a way that materially advances business or decision making is recognized as a meeting subject to open meeting rules. Members are appointed to Advisory Committee, Boards and Task Forces by council resolution, as per the Committee, Board and Task Force Policy (Policy CP2021-031).

In addition, Staff are recommending specific updates for the terms of reference for the Accessibility Advisory Committee, the Environmental Advisory Committee and the Municipal Heritage Committee with respect to the award programs that are administered by those committees, being:

- the Accessibility Awareness Recognition Awards Program;
- the Bee Hero Award Program;
- the Environmental Hero Awards Program; and
- the Osprey Awards Program.

It is recommended that the terms of reference be amended to permit those specific committees to hold closed session, pursuant to s.239(2)(b) of the Municipal Act, only for the consideration of nominations for the awards programs listed above.

This report is presented to Council to request approval of the recommended amendments for the terms of reference.

Rationale:

Committee, Board and Task Force Meetings are meetings that are open to the public using an Agenda that sets out the time of the meeting, the location of the meeting and also lists the items of business to be considered. Agendas are posted on the website for the City of Kawartha Lakes to provide notice for any members of the public that wish to attend to observe the business being conducted.

Staff are recommending that the working group, or sub-committee, elements within the terms of reference for Advisory Committees, Boards and Task Forces, be removed as working group or sub-committee meetings do not meet the threshold for a meeting that is open to the public. Working group or sub-committee meetings are held in the absence of an agenda and the date, time and location of those meetings are not made publicly available. This can be construed as a closed meeting that does not satisfy the provisions of s.239(2) of the Municipal Act, 2001. The Ontario Ombudsman has provided guidance on this issue in the past to confirm that members should ensure that any discussion in which a quorum of members discusses a matter in a way that materially advances business or decision making is recognized as a meeting subject to open meeting rules.

In addition, staff are recommending that the terms of reference for the Kawartha Lakes Accessibility Advisory Committee, the Kawartha Lakes Environmental Advisory Committee and the Municipal Heritage Committee be amended to recognize the award programs that they administer. This amendment will create a uniform process to be followed by these committees that will allow staff to collect the nominations that are submitted, review the nominations within a closed meeting (held pursuant to s.239(2)(b) of the Municipal Act and recommend who should be recognized as an award recipient. Staff will then report to Council, in closed session, to provide the recommendation from the Committee on the award recipient(s) to Council for their consideration and approval.

This amendment streamlines the award process for each group and, as the Committees are advisory in nature, places the final approval of the award recipient with Council.

Other Alternatives Considered:

Council could decide not to amend the terms of reference, as outlined. This is not recommended.

Alignment to Strategic Priorities

Good Government - Open and Transparent

By updating the terms of reference for the City's Advisory Committees, Boards and Task Forces the terms of reference will be in alignment with the City's commitment to operating in an open, accessible and transparent manner.

Financial/Operation Impacts:

There are no financial implications resulting from the approval of the recommended amendments to the terms of reference for Advisory Committees, Board and Task Forces, save and except volunteer, staff and Council time to support and attend meetings.

Servicing Implications:

There are no servicing implications.

Consultations:

City Clerk
Chief Administrative Officer
Director of Development Services
Director of Corporate Services

Attachments:

None.

Department Head email:

Department Head:

Department File: