

## **Terms of Reference**

**Name:** Development Charges Task Force

**Date Established by Council:** January 15, 2019

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

### **Mission:**

The Development Charges Task Force is established to provide recommendations to City staff regarding the formulation of a development charges by-law designed to replace By-Law 2019-184 (A By-law to Impose Development Charges in the City of Kawartha Lakes).

### **Roles and Responsibilities:**

It is the responsibility of all Task Force 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

Neither the Task Force nor any member thereof has the authority to make direct representations of the City to Federal or Provincial Governments or to direct City staff.

Task Force members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose to the Recording Secretary any pecuniary interest in any matter before the Task Force 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 shall abide by any terms and conditions which may be set out by Council, the CAO, the City Clerk, the City Solicitor, or the City's Auditor or Insurer

respecting any of its activities and which are consistent with these Terms of Reference and applicable policies.

**Activities:**

The activities of the Task Force are as follows only:

- a) Make recommendations to City staff regarding the formulation of a development charges by-law designed to replace By-Law 2019-184, including the required underlying background study, prior to Council holding a public meeting pursuant to Section 12 of the Development Charges Act.
- b) Ensure its recommendations to City staff are contained in a single report aligned with Council's strategic priorities as they relate to the City's development charges by-laws, and are made with a view toward the best interest of the City.
- c) Facilitate a public forum through which interested parties may make written or oral representations regarding the formulation of a development charges by-law designed to replace By-Law 2019-184, including the required underlying background study.

**Composition:**

The Task Force shall be comprised of a maximum of seven (7) members consisting of up to six (6) members representing stakeholders and the general public and one (1) Council representative, each of whom having authority to debate and vote during the Task Force's meetings. The Task Force shall consist of a minimum of four (4) members such that a minimum of one (1) member is drawn from each of the following groups:

- Council;
- Local development or business associations based in the City of Kawartha Lakes;
- Active local developers, builders or business owners based in the City of Kawartha Lakes; and
- The general public resident in the City of Kawartha Lakes.

Task Force members are volunteers appointed by Council in accordance with applicable policy, and thus shall receive no compensation or per diems for their services.

**Election of Officers:**

The Task Force shall, at its first meeting, elect from its membership a Chair and Vice-Chair, and shall promptly fill either officer position through election should it subsequently become vacant.

**Term of Appointment:**

The Task Force shall be automatically dissolved as of the date Council next holds a public meeting pursuant to Section 12 of the Development Charges Act or June 30, 2026, whichever date arrives first.

**Resources:**

The Engineering and Corporate Assets Department will provide administrative support to the Task Force, with the Manager of Corporate Assets serving as Staff Liaison and the Executive Assistant to the Director of Engineering and Corporate Assets serving as Recording Secretary. For the Task Force, the Recording Secretary shall prepare and publish agendas; attend all 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.

**Timing of Meetings:**

Meetings of the Task Force shall be at the call of the Chair or any two (2) members, or as otherwise scheduled by the Task Force.

**Location of Meetings:**

The location of the Task Force's meetings shall be in an accessible City facility, as arranged for by the Staff Liaison.

**Meetings:**

The Chair and Recording Secretary shall cause notice of each Task Force meeting, including the agenda thereof, to be provided to members of the Task Force and posted to the City's website a minimum of three (3) business days prior to the date of said meeting. Quorum for meetings shall

consist of a majority of the members of the Task Force. No meeting shall proceed without quorum. Participation in meetings shall be in-person only, except in extenuating circumstances, where a hybrid meeting would be permitted.

### **Procedures:**

Procedures for Task Force meetings 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 Sessions:**

The Task Force may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part thereof as a closed session in order to discuss sensitive personal issues or legal matters. Only Task Force members, the Staff Liaison, the Recording Secretary, visiting Council members, and persons otherwise specifically admitted by the Task Force are permitted to attend a closed session. Closed sessions can only be held in accordance with Section 239 of the Municipal Act. Prior to the commencement of a closed session, a resolution shall be passed by the Task Force stating the general nature of the matter to be discussed and what section of the Municipal Act applies.

### **Agendas and Minutes:**

For each meeting of the Task Force, the Recording Secretary shall forward the respective agenda in advance to the City Clerk's Office and Task Force members simultaneously. The City Clerk's Office will distribute agendas to Council members as per applicable procedures.

For each meeting of the Task Force, the Recording Secretary shall forward the respective minutes to the City Clerk's Office not later than two weeks after the meeting. The City Clerk's Office will distribute 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's website when they are circulated to the City Clerk's Office.

### **Reports:**

The Task Force shall convey its recommendations to City staff via a single report addressed to the Staff Liaison, who shall share the report with Council as part of the process by which By-Law 2019-184 is replaced.

**Purchasing Policy:**

The 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 the Task Force and its members. The applicable insurance policies extend to Task Force members while in the performance of their duties and to those activities authorized by the City of Kawartha Lakes and Council. Task Force members must adhere to the policies and procedures of the City of Kawartha Lakes and Council, including the Terms of Reference.

The Recording Secretary shall ensure the appropriate City divisions are informed of Task Force composition and any changes thereto, to ensure the applicable insurance coverage remains in force. Task Force members are not entitled to any benefits normally provided by 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 and health insurance coverage.

**Resignation and Expulsion:**

Any member or officer of the Task Force may resign from his or her position by writing to the Staff Liaison, in which case the resignation is effective the date of such writing. Should a member of the Task Force be absent for ~~three~~five (35) meetings within a period of twelve (12) months, he or she shall be deemed to have resigned from the Task Force as of adjournment of the ~~third~~fifth meeting. Any member of the Task Force may be expelled from the Task Force in accordance with the Council Committee, Board and Task Force Policy.

**Administrative Matters:**

Any municipal responsibilities not clearly identified within these Terms of Reference shall remain with the City of Kawartha Lakes. Council may, at its discretion and at any time, change these Terms of Reference or dissolve the Task Force. 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's website.