Durham Street Park Development Committee –Terms of Reference

Mandate

The mandate of the Ad Hoc Durham Street Park Development Committee ("DSPC" or the "Committee") is to provide support and input into all aspects of the planning, design, layout and use of the Durham Street Park in Walkerton, Ontario. The DSPC will also assist with a fundraising plan for the initial establishment of the Park and the potential of an on-going reserve fund for maintenance.

It is the Committee's goal to assist in the implementation and financial sustainability of a central community gathering space to support downtown businesses and promote cultural activities and programming. This goal will be accomplished by the following:

- Providing recommendations to Council on all aspects of the planning, design, layout and construction of the Park;
- To provide a regular forum for stakeholders of the Park to comment and discuss areas of concern or mutual interest as they relate to the Park
- Considering and providing recommendations to staff and Council on preferred designs while considering heritage, efficiency, current and future uses, budget, landscape design, environmental impacts, aesthetics, accessibly guidelines and municipal policy and building code for elements to be incorporated into the Park;
- To provide input and advise as requested to the professional lead design consultant secured by the Municipality to complete the project;
- Promoting the use of the Park for community gatherings; and
- Developing a comprehensive fundraising plan in conjunction with staff and Council.

The Committee is accountable to the Municipal Council in the above-mentioned endeavors.

The Committee will develop a Fundraising Plan for approval by Council that will align with these goals and guide the activities of the Committee.

The Municipality's Director of Community Services will investigate and inform members about initiatives and funding opportunities that may help fulfill the Committee's mandate. The Director of Community Services, and/or any staff designated by him, shall provide operational advice to the Committee and will facilitate the process of considering any plans or funding

opportunities. The Director of Community Services will be responsible for the development and implementation of the plans approved by Municipal Council after receiving the Committee's recommendations.

The Committee may recommend or undertake activities for the purpose of raising funds for the initial development of the Park along with its on-going maintenance and improvement.

Definitions

For the purposes of this By-Law, the following definitions shall apply and have the following meanings:

"Act" shall mean the *Municipal Act, 2001* S.O. 2001, c. 25 as amended.

"Brockton"
Shall mean the Corporation of the Municipality of Brockton

"Committee"
Shall mean persons appointed by Council to the DSPC to review and provide a recommendation relating to the use and development of the Durham Street Park with all members will be appointed by By-Law.

"Council"
Shall mean the Council of the Corporation of the Municipality of Brockton consisting of the Mayor, Deputy Mayor and five Councillors.

"Councillor"
Shall mean a person elected or lawfully appointed to the Council of the Corporation of the Municipality of Brockton, but does not include the Mayor or Deputy Mayor.

"Chair"
Shall mean the member who presides at the DSPC meeting.

"Chief Administrative Officer"
Shall mean the Chief Administrative Officer or designate duly appointed by Brockton Council as prescribed in Section 229 of the Act and designated by By-Law.

"Clerk"
Shall mean the Municipal Clerk or Deputy Clerk or designate duly appointed by Brockton Council as prescribed in Section 228 of the Act and designated by By-Law.

"DCS"
Shall be the Director of Community Services for the Municipality of Brockton.

"Delegation"

Shall mean a person or group of persons who are not Members of Council or Brockton staff who have requested and are permitted to address the Committee, individually or on behalf of a group.

"Minutes"
Shall mean a record of the proceedings of a meeting, and shall be made by the Community Development Coordinator without note or comment.

"Secretary"
Shall be the DCS of the Municipality of Brockton or a person designated by the DCS.

Structure

The Committee shall consist of no more than seven (7) voting members appointed by By-law, including a Member of Council, two representatives of the Business Improvement Area (BIA Manager and a nominee of the BIA Board of Directors) for one combined vote, up to two (2) representatives from Service Clubs, a representative of the donor family, two (2) members of the public at large, who shall be Brockton residents over the age of 18.

A member of the Committee shall be Chair of the Committee, and a Councillor shall be the Vice-Chair, to be elected by the committee at the first meeting following a new term of Council.

The Chief Administrative Officer and/or her designate (such as the Community Development Coordinator) may act as a liaison between the Committee and Council and may attend all Committee meetings as a non-voting staff resource.

The DCS shall act as the Committee Secretary, or appoint a designate, and attend all Committee meetings as a non-voting staff resource.

The Mayor may attend all Committee meetings as an ex-Officio member and shall be entitled to vote, but shall not form part of the quorum unless he or she is already an appointed member.

The selection process of the members appointed to the Committee is at the sole discretion of Council and Council's decision is final.

Committee members are expected to adhere to the Brockton Council Code of Conduct. Failing to abide by the Council Code of Conduct may result in the Committee member being immediately dismissed from the Committee, following written notice.

Term

The term of office of the Members shall expire at the completion of the term of Council in an election year, unless the Committee has otherwise fulfilled its mandate. The Committee shall in any event be automatically dissolved one (1) year after the Committee has reported its recommendations to Council about the proposed design of the Durham Street Park.

Every Member shall be eligible for re-appointment to the Committee; he or she must express their intent to continue on the Committee to the Clerk's office, in writing, in September of an election year, if applicable.

Council has the right to not re-appoint a Member, in its sole and absolute discretion, and to seek out new members as Council may see fit at any time.

Administration

1. The Committee will adhere to all aspects of Brockton's Procedural By-Law.

2. Minutes shall be kept of all Meetings and forwarded to the Clerk by the Committee Secretary, once adopted.

3. The Committee shall hold regular quarterly meetings at Brockton's office on the third Monday of the month, or as otherwise scheduled at the call of the Chair.

4. The meeting schedule and agendas will be posted on the Brockton website.

4. Where the Chair has advised the Secretary that he or she shall not be present at the meeting, the Vice Chair shall be advised of the Chair's absence by the Secretary as soon as practicable.

5. A Quorum of Members shall be a majority of Committee members and shall be required to conduct any Committee business.

6. If no Quorum is present within fifteen (15) minutes after the hour appointed for a Meeting, the Secretary shall record the names of those present and the Meeting shall stand adjourned until the next meeting. Those present may to choose to continue meeting for discussion purposes only, but no decisions to advance the business of the committee shall be made.

7. Council, on the recommendation of the Committee, may declare vacant the seat of any Member who has missed three (3) or more consecutive Committee meetings without submitting regrets to the Secretary.

8. A person who would like to appear as a delegation or make a presentation at a meeting of the Committee must submit a copy of their delegation report or presentation to the DCS by 1:00 p.m. one week prior to a Committee meeting.

9. The subject matter of the delegation or presentation must be a matter within the committee's mandate, as determined by the DCS, who may refuse a delegation when the subject matter is beyond the jurisdiction of the Committee.

10. No person other than the designated spokesperson may speak on the matter and not for more than ten (10) minutes, unless an extension is permitted by the Chair.

11. The DCS shall have the authority to determine whether sufficient detail has been provided in preparation for a delegation or presentation and to request additional information as required from the presenter.

12. All Committee meetings are open to the public. The Committee may enter into a closed session only for the reasons enumerated in Section 239 (2) of the Act. The Secretary or the CAO shall take minutes of the closed session and provide these minutes to the Clerk of the Municipality once approved. The Secretary or the CAO may advise the Chair if, in his or her opinion, the item to be discussed does not meet the criteria in Section 239 (2) of the Act.

Personnel

1. The DCS, or his designate, shall act as Committee Secretary for the purpose of preparing Committee Agendas and Minutes or for other requirements as approved by the CAO.

2. All staff assisting the Committee shall report directly to the DCS or the CAO.

Financial

1. The Committee shall develop a fundraising plan to accompany the proposed recommended design for the Durham Street Park and submit it to Council along with the final report.

2. All accounting for the Committee shall be centralized in the office of the Treasurer of Brockton and all purchasing, handling of revenue and the issuing of cheques shall be done according to established procedures of Brockton by only the DCS or designated staff.

3. Financial information pertaining to the Committee shall be made available to Members at regularly scheduled meetings.