

# **The Corporation of the City of Kenora**

## **By-law Number 159 – 2020**

### **A By-law to Establish a Terms of Reference for the City of Kenora Economic Development and Tourism Advisory Committee**

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Whereas Section 7(2) of the Municipal Act, 2001, as amended authorizes a municipality to enact by-laws respecting matters within the spheres of jurisdiction; and

Whereas the Council of the City of Kenora deems it necessary and expedient to establish a Terms of Reference for the Economic Development and Tourism Advisory Committee;

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows:-

#### **1. Purpose**

1.1 The City of Kenora Economic Development and Tourism Advisory Committee will make recommendations to Council and provide insight into matters relating to economic development and tourism.

#### **2. Mandate**

2.1 The mandate of the City of Kenora Economic Development and Tourism Advisory Committee is to:

- a. Assist, in an advisory capacity, Council and Staff on matters relating to economic development and tourism;
- b. Provide advice to Council and Staff in developing and implementing an economic development and tourism strategy;
- c. Assist in developing annual work plans to allocate Municipal Accommodation Tax revenues in alignment with the economic development and tourism strategy;
- d. Review and / or participate in the development of City policies, programs and initiatives relating to economic development and tourism;
- e. To provide a forum for the exchange of ideas and action plans on programs and initiatives of other Council committees and entities relating to economic development and tourism;
- f. Support and develop economic opportunities to encourage sustainability and prosperity within the community;
- g. Work in partnership with staff and local economic development partners to actively assist in fostering and promoting a positive community image and a healthy business environment for existing and prospective businesses;

#### **3. Membership and Voting**

3.1 At the discretion of Council, the Committee can be comprised of up to fourteen (14) members representing various sectors. This membership may include:

**Voting Members:**

- One (1) member representing the Harbourtown Business Improvement Zone (BIZ)
- One (1) member representing the Kenora and District Chamber of Commerce
- One (1) member representing the Lake of the Woods District Stewardship Association
- One (1) member representing the Lake of the Woods Business Incentive Corporation;
- One (1) member representing the Kenora Hospitality Alliance (KHA)
  
- Six (6) members at large from the following key industry sectors in the City of Kenora:
  - Tourism
  - Forestry
  - Manufacturing
  - Mining
  - Retail Trade
  - Construction
  - Healthcare
  - Professional Services
- One (1) representative from an Indigenous-based economic development agency
- One (1) Council representative to be selected by Council; and
- Mayor as ex officio (not counted towards Committee membership)

3.2 Members are selected by resolution of Council. The term of the Committee is at the pleasure of Council, up to four years, and is concurrent with the term of Council. The Committee shall, from amongst its members, choose a Chair and a Vice Chair.

3.3 Committee Member appointments may, at any time, be revoked at the pleasure of Council.

3.4 Notwithstanding section (c) Council may reappoint a Board Member to the Committee for not more than one term.

3.5 Unless Council provides otherwise, the Committee appointments and re-appointments shall be in accordance with the City's Boards & Committees Policy, subject to any modification, to the extent necessary, required in order to comply with the appointment restrictions established in section 196 of the Municipal Act, 2001 and this By-law.

3.6 Any member of the Committee may terminate his or her term on the Economic Development and Tourism Committee by submitting his or her resignation in writing to the Chair and the Vice-Chair of the Board. Within seven (7) days of receipt of such resignation, shall be forwarded to the City Clerk.

3.7 Unless Council provides otherwise, meeting attendance requirements for the Committee Members and consequences for absences from such meetings shall be in accordance with the City's Boards & Committees Policy.

3.8 Vacancies on the Committee shall be filled in accordance with the City of Kenora's Boards and Committees Policy and this By-law. For greater certainty, decisions respecting the filling of vacancies rest solely with Council.

3.9 The Committee shall not meet without at least one non-voting member in attendance.

**Non-Voting Members:**

- i. Economic Development Officer
- ii. Northwest Business Centre Manager
- iii. Tourism and Recreation Division Lead

- iv. One (1) representative from other external organizations and/or regional partners, as required

**Members will:**

- i. Have demonstrated expertise in their affiliation(s);
- ii. Be able to allocate sufficient time during the day for participation in regularly scheduled meetings;
- iii. Be able to allocate sufficient time to review the agenda, minutes and any applicable documentation in advance of each regularly scheduled meeting;
- iv. Demonstrate a strong interest in and commitment to remaining informed on economic development and tourism issues;
- v. Participate as a team member, capable of a community ambassador role;
- vi. Be strong proponents of business and tourism growth for the City.

3.10 Additional Committee Members may be appointed by Council pending the growth of activities undertaken.

#### **4. Remuneration**

4.1 All Committee Members shall act in all of their capacities with the Committee without remuneration.

4.2 Committee Members may be reimbursed for reasonable expenses incurred by them on behalf of the Committee, provided that such expenses were incurred in good faith for the purposes of the Committee and such expenses are authorized in the budget of the Committee.

#### **5. Chair**

5.1 The Committee shall elect a chairperson from its members at the first meeting of each year and hold the office for one year. In the case of absence of the chairperson, the Committee shall appoint a chairperson from among its members for that meeting.

#### **6. Meetings and Administration**

6.1 Regular meeting dates are to be established by the Committee at the first meeting of the calendar year. The location and frequency of meetings will be at the discretion of the Committee, however, not less than five (5) meetings shall be held in one calendar year.

6.2 Special or emergency Committee meetings may be called by the Chair, on his or her own initiative, at the request of any Committee member, or at the request of the non-voting members and notice of the meeting shall be telephoned or electronically sent to each Committee Member, including non-voting, not less than three (3) days before the requested meeting.

6.3 A Committee meeting must be called if a requisition is signed by at least three (3) members of the Committee.

6.4 Reasons for the calling of the special or emergency meeting, including why it is being called on short notice, if applicable, shall be provided by the Chair with the notice of the calling of the meeting.

6.5 Members of the Committee should strive to attend committee meetings in order to provide for effective participation. The failure of any committee member to attend three (3)

consecutive meetings without giving written notice to the chairperson will result in the termination of membership from the committee, in accordance with the City's Board and Committee's policy.

6.6 The City of Kenora will provide sufficient resources and staff for conducting the business of the Committee. This will include, but not be limited to; taking meeting minutes, assisting the chairperson in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings.

6.7 The City of Kenora will also provide administrative support in any media releases, reports and recommendations developed by the committee.

6.8 Unless otherwise provided in this By-law, meetings shall be conducted according to the most recent edition of Robert's Rules of Order Newly Revised.

## **7. Quorum**

7.1 At any meetings of this Committee, the presence of a majority of the membership is necessary for a quorum and for the transaction of business.

7.2 Subject to section 7 of the Municipal Conflict of Interest Act, a majority of the members shall constitute a quorum.

7.3 Meetings may be held and motions may be voted upon in person or by electronic means. With respect to an electronic vote, such vote must be approved by the Committee in advance of the vote.

## **8. Board Member Conduct**

8.1 Members of the Committee shall carry out their duties in good faith and with the best interests of The Committee in mind.

8.2 With regards to their conduct, Committee Members are governed by all applicable laws and policies, including but not limited to the *Municipal Conflict of Interest Act*, Part V.1 of the *Municipal Act, 2001* and the Code of Conduct of the City for members of council and local boards.

## **9. Limits on Authority**

9.1 Notwithstanding any other provision in this By-law, the Committee is not authorized to do any of the following, all such authority remains solely with Council:

- a) incur any debts, liabilities or obligations that have not been approved by Council through its budget process;
- b) acquire any real property or sell or otherwise transfer or dispose of any real property; or
- c) subject to the limits established by Council from time to time, sell or otherwise dispose of any personal property that is acquired through Committee recommendations.

9.2 The Committee acts as a whole and no member of the Committee has authority to incur, and shall not purport to incur, any debt, liability or obligation on behalf of the Economic Development and Tourism Committee or the City, without having previously obtained the consent of Economic Development and Tourism Committee or Council, as the context requires.

## **10. Reporting to Council**

10.1 The Committee shall, through the Economic Development Officer/Tourism & Recreation Division Lead, assist in the development of an annual budget to Council for its approval in regards to the MAT tax.

10.2 The Committee shall present an annual highlight report to Council and present their budget request to Council during the annual presentations to Council. The presentation will highlight the focus of the Committee and accomplishments for that year along with the goals for the following year.

## **11. Committee Minutes**

11.1 The City shall designate a person to be responsible for the recording of the Committee minutes.

11.2 The official copy of the minutes shall be forwarded to the City Clerk for safekeeping and shall be stored at City Hall, 1 Main Street South, Kenora, ON, or at such other location as Council may require.

## **12. Effective Date**

This By-law shall come into force and take effect on the final passing hereof.

**By-law read a First & Second Time this 20<sup>th</sup> day of October, 2020**

**By-law read a Third & Final Time this 20<sup>th</sup> day of October, 2020**

**The Corporation of the City of Kenora:-**

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**Daniel Reynard, Mayor**

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**Kelly Galbraith, Deputy Clerk**