



**Port Colborne
Environmental Advisory Committee
Terms of Reference**

Committee: Environmental Advisory Committee

Date Approved: June 13, 2023

Date Revised: N/A

Approval: Council

Committee Resource: Climate Change Coordinator

1. Purpose

The City of Port Colborne Environmental Advisory Committee (EAC) is an Advisory Committee of Council established to offer advice and recommendations to Council to support and to promote the integration of environmental, energy conservation, climate change and shoreline protection.

2. Mandate

The mandate of the EAC is to provide advice to Council on a range of environmental and sustainability issues including, but not limited to:

- 2.1 Assist with the creation, improvement and enhancement of waste reduction, reuse and recycling programs, water and energy conservation measures and climate change mitigation measures;
- 2.2 Identify emerging environmental and issues and technologies particularly those associated with climate warming adaptation and mitigation;
- 2.3 Investigate and recommend to Council opportunities to work with municipal partners on environmental projects and collaborations to improve the City's conservation practices or in addressing environmental concerns;
- 2.4 Identify and recommend to Council implementation of community outreach activities which support the growth of environmental awareness and appreciation;



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- 2.5 Identify new or changing environmental legislation, conservation, environmental sustainability, and the environment in relation to overall quality of life;
- 2.6 Investigate and recommend to Council funding opportunities that may be available for undertaking environmental upgrades;
- 2.7 Assist with and provide advice with respect to City properties and assets best suited for multi-faceted environmental conservation practices.

3. Membership Composition

The Environmental Advisory Committee shall consist of the following voting and non-voting members:

- 3.1 Seven voting members shall be appointed from the public at large by resolution of Council. One citizen member should be under the age of 25, if possible.
- 3.2 Two non-voting members of Council will be appointed to the Advisory Committee to act as a liaison to the Committee. The Mayor is an ex-officio non-voting member of the Committee.
- 3.3 One non-voting member of staff who shall act as a resource person, recording secretary and shall provide administrative support to the Committee. Additional members of staff may be called on for specific subject matter expertise as a committee resource.
- 3.4 One non-voting representative of the Niagara Peninsula Conservation Authority (NPCA), who shall be designated by the NPCA to serve as a resource person to the Committee.

4. Citizen Membership Eligibility Criteria

To facilitate the nomination and appointment of new citizen members to the EAC, the following criteria will be considered. The aim is to achieve a diverse committee with a combination of technical experts and community representatives.



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- 4.1 Residency – Members must be at least 18 years of age and a tenant or owner of land in the City of Port Colborne, or the spouse/partner of such owner or tenant.
- 4.2 Technical Expertise – A high level of technical expertise is required within the Committee. Applicants with academic qualifications and/or work experience in environmentally related disciplines will be an important consideration.
- 4.3 Community Representatives – Consideration shall be given to the individual's level of participation and knowledge of environmental issues and the planning process. The relevance of their interests to the mandate of EAC will be an important consideration.

Where possible, one member should be drawn from those under the age of 25. Preference will be given to those enrolled or employed at the time of appointment in an environmentally related field of study, as noted above.

- 4.4 Availability – It is imperative that an applicant be able to attend as many EAC meetings as possible and undertake work outside of the regular meetings.

5. Membership Recruitment

- 5.1 Membership recruitment will be conducted in accordance with the City's Appointments to Boards and Committees Policy.
- 5.2 The membership on the Committee shall consist of appointments by Resolution of Council for Citizen Members.

6. Term

The Committee appointments shall follow a four-year term in order to maintain the staggered structure. Each member of the Committee shall hold membership until his/her successor is appointed. In the case of a vacancy for any cause other than expiration of term, the member appointed to fill the vacancy shall hold office for the balance of the term of the member whose place is vacant.



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7. Resignation

A voting member of the Committee shall cease to be a member of the Committee upon submission of a letter of resignation to the City Clerk or if he/she absents himself/herself from three successive scheduled meetings of the Committee without being authorized to do so by a resolution of the Committee entered into the minutes.

8. Appointment of Chair and Vice-Chair

At the first meeting of the new term of the Committee, the members shall appoint, from among their number, a Chair and Vice-Chair. Members of Council are not eligible to act as Chair or Vice-Chair.

9. Role of the Chair

The role of the Chair is to:

- 9.1 Preside at the meetings of the Committee in accordance with the Procedural By-law and keep discussion on topic.
- 9.2 Provide leadership to the Committee to encourage that its activities remain focused on its mandate as an Advisory Committee of Council.
- 9.3 Review agenda items with the Staff Liaison.
- 9.4 Recognize each Member's contribution to the Committee's work.
- 9.5 Serve as an ex-officio member of subcommittees and attend subcommittee meetings when necessary.
- 9.6 Liaise with other Committee members.
- 9.7 Make deputations, presentations, etc. before Council.
- 9.8 Prepare report with recommendations for Council in coordination with Staff Liaisons on the prescribed template.



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10. Role of the Vice-Chair

In the absence of the Chair, the Vice-Chair will chair meetings and assume all functions of the Chair as necessary.

11. Role of Committee Members

The role of Committee Members is to:

11.1 Work collaboratively with City staff to develop an annual Work Plan and prepare annual progress reports. Work Plans will ensure workload is manageable and appropriately shared between EAC members and staff.

11.2 Ensure that the mandate of the Committee is being fulfilled.

11.3 Conduct research to help inform of environmental programs, outreach campaigns, by-laws, etc.

11.4 Provide the Chair with solid information regarding agenda items.

11.5 Fairly represent the field of expertise, interest and involvement of the Committee.

11.6 Notify the Staff Liaison if they are unable to attend Committee meetings to ensure that quorum will be available for all meetings.

12. Meetings

12.1 All meetings shall be open, and no person shall be excluded therefrom except for improper conduct or for matters identified in section 239(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25.

12.2 All matters pertaining to a closed meeting must first be approved by the Clerk to ensure it is appropriately being dealt with in closed session.



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- 12.3 The Committee shall hold a minimum of four (4) meetings in each calendar year. At the first regular meeting of the new term, a meeting schedule will be adopted by the Committee.
- 12.4 The Chair shall cause notice of the meetings, including the agenda for the meetings in accordance with the City's Procedural By-law.
- 12.5 Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair. The EAC will establish a meeting schedule, taking into account the business needs and the schedule of Council.
- 12.6 The location of the meetings will be set by the Committee at a City facility.

13. Minutes

The minutes of all Committee meetings shall be recorded and distributed to Committee Members and to the City Clerk for safekeeping and inclusion on the regular Council agenda.

The minutes shall be open to inspection in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25., as amended and such minutes will be posted on the City's website.

14. Quorum

A quorum of the Board shall consist of a majority of sitting, voting members; vacant seats shall count as seats for the purpose of calculating a quorum.

If a quorum for an Advisory Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Committee may proceed without a quorum, provided that at least three Members are present. The Clerk is not required to be present and no motions will be passed or minutes prepared.

15. Conflict of Interest

It is the responsibility of each member to identify and disclose a pecuniary interest on any item or matter before Council, or Committee in accordance with the *Municipal Conflict of Interest Act*, R.S.O.1990, c.M. 50.



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Where a Member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Committee at which the matter is the subject of consideration, the Member will, in accordance with *Municipal Conflict of Interest Act*, R.S.O.1990, c.M. 50 (5):

- file a written statement of the interest and its general nature with the Clerk prior to the meeting;
- not take part in the discussion of, or vote on any question with respect to the matter;
- not attempt in any way before, during and/or after the meeting to influence the vote on the matter.

Where a meeting is not open to the public, in addition to complying with the requirements under the *Municipal Conflict of Interest Act*, the Member will forthwith leave the meeting for the part during which the matter is under consideration.

The Clerk will record the particulars of any disclosure of pecuniary interest made by Members of Committees in the minutes of that meeting and update the Pecuniary Interest Registry. The Registry will be available for public inspection.

16. Procedures

Procedures for the proceedings of meetings shall be governed by the City's Procedural By-law, as well as Robert's Rules of Order.

17. Remuneration

All members of the Committee shall serve without remuneration.

18. Staff Liaison

City staff from key positions within the Corporation, plus technical staff as required from time to time, will provide support for the reviews and activities of the Committee. The liaison will provide administrative, procedural, and technical support to the Committee. The liaison will co-ordinate all requests for advice from the Committee, through meeting agendas.



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19. Annual Workplan

An annual workplan with an estimate of the resources necessary for the coming year shall be prepared by the EAC.

20. Terms of Reference

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Port Colborne staff. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the City Clerk through a report. At the discretion or upon the mandate of the Committee being fulfilled, the Committee may be dissolved by resolution of Council.

21. Resources

- 21.1 Procedural By-Law
- 21.2 *Municipal Act*
- 21.3 Code of Conduct
- 21.4 Appointment to Boards/Committees Policy
- 21.5 *Conflict of Interest Act*
- 21.6 Robert's Rules of Order
- 21.7 *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*