

APPENDIX “A” TO BY-LAW NUMBER 1003-2014

THE CORPORATION OF THE TOWN OF COCHRANE

COCHRANE RECREATION & SPECIAL EVENTS BOARD

TERMS OF REFERENCE & MANDATE

1. Cochrane Recreation and Special Events Board

- 1.1 A municipal Board to be known as the “**Cochrane Recreation & Special Events Board**” hereinafter referred to as “the Board” is established as a Municipal Board in accordance with the Municipal Act.
- 1.2 The Board shall abide by and be subject to all Municipal Policies, rules and regulations.
- 1.3 The purposes of the Board are:
 - 1.3.1 To have the people of the community serve as the strategic planners of the recreation and special events they desire and expect.
 - 1.3.2 To direct and administer all municipally-led recreation and special events in Cochrane, while respecting Council’s ultimate authorities and obligations.
 - 1.3.3 To be directly responsible for the planning, developing and maintaining the diversified year-round community recreation programs and special events that utilize the Municipality’s facilities and that make use, where feasible, of school properties and other community facilities.
 - 1.3.4 To develop, bring forward, plan, and direct initiatives and ideas for policy implementation and policies; to make recommendations when required on specific issues to Council; and to ensure appropriate community involvement and public participation on applicable programs, special events and policies.
 - 1.3.5 To assist other private and/or separately organized recreation and special events programs by providing assistance with the coordination and promotion of sponsored special events and recreational programs.
 - 1.3.6 To lead as a Municipal Board under the Municipal Act 2006, recreation and special events within the context of these terms of reference,

2. Composition

- 2.1 The Board shall consist of **nine (9)**, members recommended by the Board and appointed by Council resolution, each of whom shall be a person qualified to be elected or to hold office as a member of Council.
- 2.2 At the discretion of Council, up to **two (2)** members may be a **Council member**.
- 2.3 The Board and Council, when appointing Board members shall ensure that a balance exists with the membership between user groups and citizens of the community.
- 2.4 The **Chair** of the Board shall be appointed by Council, annually. The Chair does not have to be a Council member and appointment shall take place during the first meeting after November 1 every year.

3. Term of Office

- 3.1 With the exception of appointments to the first Board, the Council member(s) shall have a term subject to the Municipal Procedural By-Law but in any event shall not extend past the end of the term of office of the appointing council.
- 3.2 For the purposes of continuity, the non-council members will have a term equal to the term of the appointing Council, unless the Board rules otherwise on a case by case basis.

4. Number of Meetings Each Year

- 4.1 The Board shall meet at least twelve (12) times every calendar year and, in addition, at any time at the request of a majority of the members of the Board or at the call of the Chair.

5. Vacancies; Removal

- 5.1 Subject to subsection 3.2 above, each member of the Board serves at the pleasure of the both the Board and the appointing Council.
- 5.2 A member of the Board who is a member of Council ceases to be a member of the Board if he or she ceases to be a member of Council.
- 5.3 A member of the Board may resign from office by providing notice in writing to the Board.

- 5.4 If the seat of a member of the Board becomes vacant, the Board shall:
- (1) Declare the seat to be vacant at its next meeting or, if the vacancy occurs as a result of the death of a member, at either of its next two meetings; and
 - (2) Immediately nominate another possible appointee and forward a copy of its declaration to Council for re-appointment at the earliest opportunity. If the Board doesn't have the minimum required members to function, the Board and Council will expeditiously appoint a new member to the Board.
- 5.5 In the case of a vacancy for any cause, the person appointed to fill the vacancy shall be qualified to be appointed and shall hold office for the balance of the term for which his or her predecessor was appointed.
- 5.6 Any member of the Board who fails to attend two successive scheduled meetings of the Board, with no just cause, shall be subject to forfeiting his or her appointed seat at the discretion of the Board, and if such is the case, the Board and Council shall appoint a person to fill the vacancy in accordance with section 5.5 above.

6. Reappointment

- 6.1 A member is eligible for reappointment on the expiration of his or her term if he or she continues to be a person qualified to be elected as a member of Council and meets the requirements of any applicable policies adopted by Council with respect to appointments to Town of Cochrane Agencies, Boards, Commissions and Special Purpose Bodies.

7. Open Meetings; Quorum

- 7.1 All meetings of the Board shall be open to the public except where a meeting may be closed to the public by the *Municipal Act*, or applicable legislation.
- 7.2 A person may be expelled from a meeting for improper conduct at a meeting.
- 7.3 A majority of the members of the Board constitutes a quorum.
- 7.4 The Board proceeding shall be as outlined and in accordance with Council's Procedural By-law.
- 7.5 All Board members shall adhere to Council's Code of Conduct.

8. Minutes; Records

- 8.1 The Board shall keep minutes of its meetings and shall forward copies of the minutes and proceedings to every member of the Board, to the Municipal Council and the Chief Administrative Officer,
- 8.2 The Board members shall nominate a Secretary who shall retain and preserve the records of the Board including resolutions, minutes, and proceedings of regular, special or Board meetings. Such records will be retained and preserved in accordance with the record retention period established by Council and approved by the Auditor.

9. Administration, General Manager, and Other Persons

- 9.1 The Town will provide the Board a General Manager who reports directly to the Board and indirectly to the Town CAO.
- 9.2 The General Manager will be the Community Services Manager or equivalent.
- 9.3 The General Manager will liaise between the Board and the Town and direct municipal recreation staff, while meeting the direction set by the Board as per this mandate.
- 9.4 Municipal recreation staff will remain under the jurisdiction of the Town and the General Manager for the purposes of employment and direction.
- 9.5 Administration for the Board shall be provided through the office of the Town CAO.

10. Powers and Duties; Limitations on Delegation; Consents

- 10.1 The members, while carrying out their mandate shall have regard for the organizational structure of the municipality and shall not provide specific direction to the Town staff. Such direction is to be provided only by the General Manager, or the CAO. In addition, members shall not become involved in staff work or direct staff in the performance of their duties. Such direction is to only be provided by the Town.
- 10.2 Subject to the limitations and conditions in this section (including Municipal Act conditions relating to matters requiring the consent and approval of Council) the following authorities and privileges of the Council with respect to the control and operations of the provision of all recreation programs and special events and recreation monetary accounts are delegated to the Board, to be exercised, in all respects, in accordance with this mandate:

- (1) Manage a municipal account set aside for the purposes of the Board fulfilling this mandate that is subject to the conditions of this mandate.
- (2) The Board's financial administration functions will be performed by the Town, taking direction from the Board in accordance with this mandate.
- (3) The Board, acting in accordance with the municipal act, and in accordance with this mandate, will direct how finances are expended and how revenues are generated.
- (4) The Board and the Town shall work together to determine financial reporting protocols, and shall have these protocols confirmed by Council.
- (5) All revenue generated by the Board will be placed into this account and managed solely by the Board in accordance with this mandate.
- (6) Consider, plan and direct all matters concerning recreational programs, special events and related facilities;
- (7) In an annual plan conformed by Council, set fees and charges associated to recreation and special events and their respective facilities,
- (8) Any fees and charges changes that fall outside of the annual plan will require confirmation of Council,
- (9) The development of annual and long-range visions, strategies and plans, that require annual confirmation by Council;
- (10) In conjunction with the municipal marketing department and in accordance with the municipal procedural by-law, plan and direct all marketing associated to recreation and special events,
- (11) In accordance with this mandate and the requirements of Council, consider, plan, and direct all policy matters, with respect to Recreational Programs Special Events, and facilities as per the annual plan.
- (12) Any changes required outside of the annual plan require confirmation of Council.
- (13) In accordance with this mandate, to advise and make recommendations to the Town with regard to staffing associated to the administration and delivery of facilities, programs and services, provided or to be provided by the municipality;
- (14) Consider and report on such matters as may from time to time be referred to the Board by Council;

- (15) All Board members must act in the best interest of the community as a whole;
- (16) To look at all recreation facilities, activities, programs, projects and services to evaluate their value, to the community life of the municipality. On the basis of this evaluation, the Board shall make recommendations for the expansion, modification, or addition of such facilities, activities, programs, projects and services.

The Board shall also take a lead role in providing input for capital improvements projects for such facilities, activities, programs, projects and services;

- (17) Board members shall work to identify, create and promote partnerships and liaise with community groups, organizations and individuals in the delivery of services, programs and initiatives in recreation, special event opportunities for the community;
- (18) Board shall speak with one voice and all decisions arising from Board meetings and approved by Council shall be supported as decisions of Board.
- (19) Submit operating and capital plans and budgets, to be provided by, or before, the 31st day of October of each year or as otherwise directed by the CAO from time to time, which includes the following:
 - 15.1 An annual calendar of recreation activities and special events, including; projected capital costs, projected sources of funding and revenue, and projected budget from the Town.
 - 15.2 Operational plans, including financial and human resources matters;
 - 15.3 Strategic directions for the coming five (5) years;
 - 15.4 A Multi-year capital plan;
 - 15.5 Five-year Business Plan when required;
 - 15.6 Asset management and capital plans;
 - 15.7 Report addressing the efficiency and effectiveness in the delivery of recreational programs and special events provided;
 - 15.8 Explanations and information regarding any material variances between actual results from operations and the current Business plan; and

15.9 Any other information required to fulfill this mandate.

(20) The Board shall, at the times and in the form requested, promptly provide the Council of the Town of Cochrane with information requested by the Town relating to its purposes.

10.3 The Board Chair will meet once per month with Council and provide the following:

- (1) A progress and financial report,
- (2) A projection of up coming events and any revisions to the events calendar
- (3) Any updates or discussions required for the Board and Council to implement this mandate.

10.4 The Board Chair will meet regularly with the Town CAO and provide the following:

- (1) A projection of up coming events and any revisions to the events calendar
- (2) Any updates or discussions required for the Board and Council to implement this mandate
- (3) Any requests for staffing assistance and involvement in implementing this mandate.

11. Budget; Business Plan; Annual Report; Fees and Charges

11.1 Notwithstanding Section 12, the Board shall submit its annual operating and capital budget in the form, and at the time, required by the Treasurer. Through the General Manager the Board shall also provide direction with respect to grants, fees and charges necessary to support relative expenditures.

12. Review

12.1 The Municipal Council of the Corporation of the Town of Cochrane shall, by November 30th of each and every year (starting November 30, 2012) conduct a review of the Board's mandate and by January 31st approve its annual budget.