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CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

MEMORANDUM

TO: Mayor and Council

FROM: Florence Bailey, Economic Development Officer
edo@siouxlookout.ca 737-4670 x 2228

SUBJECT: Adopt Amended Economic Development Commission Mandate

DATE: February 22, 2010

Recommendation:

THAT Council authorizes the passing of By-Law 13-10, Being a By-Law Relating Generally to the Transaction of the Business and Affairs of Sioux Lookout Municipal Economic Development through the Establishment of a Municipal Service Board, in Accordance with Sections 196 through 198 of the Municipal Act, 2001, as Amended, and to Rescind By-Law No. 63-07.

Background Information:

Council passed By-Law 63-07 in July 2007 to establish the Economic Development Commission as a Municipal Services Board. Council provided the newly formed EDC with a specific mandate in which to undertake a number of community initiatives.

During the 2010 EDC Business Planning Session held on January 30, 2010, the Terms of Reference and Mandate of the EDC were reviewed. It was identified that the Commission is undertaking several new initiatives not currently identified in the Terms of Reference or Mandate of the EDC, specifically as they relate to the Integrated Community Sustainability Plan; Cultural Centre for Youth and the Arts; and the Community Revitalization Project.

Discussion:

The EDC has drafted a revised Mandate which will require rescinding By-Law 63-07, approved by Council in July 2007, being a By-Law relating generally to the transaction of the business and affairs of Sioux Lookout Municipal Economic Development through the establishment of a municipal service board, in accordance with sections 196 through 198 of the Municipal Act, 2001, as amended.

By-Law 13-10 has been created to add several items to the Economic Development Commission mandate, highlighted in the attached draft By-Law.

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At their February 9, 2010 EDC meeting, the Commission voted in favour to amend the Mandate of the EDC as outlined in the attached draft By-Law.

Financial Considerations:

There are no financial considerations associated with rescinding By-Law 63-07 and creating By-Law 13-10.

Sincerely,

Florence Bailey

Florence Bailey,
Economic Development Officer

Enc. By-Law 63-07
Draft By-Law 13-10

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 13-10

BEING A BY-LAW RELATING GENERALLY TO THE TRANSACTION OF THE BUSINESS AND AFFAIRS OF SIOUX LOOKOUT MUNICIPAL ECONOMIC DEVELOPMENT THROUGH THE ESTABLISHMENT OF A MUNICIPAL SERVICE BOARD, IN ACCORDANCE WITH SECTIONS 196 THROUGH 198 OF THE MUNICIPAL ACT, 2001, AS AMENDED, AND TO RESCIND BY-LAW NO. 63-07.

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT (hereinafter called the "Municipality") as follows:

1. **MUNICIPAL SERVICE BOARD**

   1.1 The Municipality hereby establishes a Municipal Service Board, associated with the business and affairs of Sioux Lookout economic development, and delegates management and control to the Municipal Service Board subject to such limits and conditions that the Municipality considers appropriate.

   1.2 The Municipality establishes the Municipal Service Board as the *Sioux Lookout Economic Development Commission* (hereinafter called the "Commission"), in accordance with Sections 196 to 198 of the Municipal Act, 2001, as amended.

   1.3 The Commission is not a "body corporate".

2. **MANDATE**

- ~~**Oversee in its entirety the redevelopment and operation of the railway station and ancillary lands;**~~
- ~~**Prepare a business plan for the redevelopment and operation of the railway station;**~~
- ***Prepare a business plan which includes the redevelopment and operation of the Heritage Train Station;***
- ***General oversight of the redevelopment of the Heritage Train Station; following the preparation of a detailed business plan, review options and make recommendation to Council regarding the financial sustainability for the operation of the facility including a recommended management structure;***
- ***Prepare a business plan which includes the redevelopment and operation of the Cultural Centre for Youth and the Arts;***
- ***General oversight of the redevelopment of the Cultural Centre for Youth and the Arts; following the preparation of a detailed business plan, review options and make recommendation to Council regarding the financial sustainability for the operation of the facility including a recommended management structure;***
- ***Continue to review and provide recommendation to Council to further implement the projects identified in the Community Revitalization Final Report from Hilderman Thomas Frank Cram (2010), upon determination of priorities and availability of funds;***
- Activities relating to business retention, attraction and expansion;
- Small business counselling and programs;
- Development of communications, marketing and promotion strategies for the Municipality;
- ~~Aid in the establishment of an Urban Reserve development;~~
- ***Collaborate with the Sioux Lookout District Chiefs to investigate the establishment of an Urban Reserve development;***

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- Prepare an Economic Development Strategy to guide long and short-term development of the community having regard to the Municipal Strategic Plan;
- Recommend Municipal financial resources required for community and economic development;
- Make appropriate recommendations to Council regarding community and economic development policy, programming and action planning;
- Encourage and facilitate organizations, institutions and individuals within the community to become involved in joint ventures, partnerships and other cooperative efforts to improve the community economically, socially, culturally and environmentally,
- Collaborate with First Nations communities on economic development issues;
- Network with government agencies and participate in regional economic planning activities when appropriate;
- Liaise with ***a variety of Municipally appointed Committees of Council to share information and provide comment as requested;***
- Ensure public consultation with respect to community and economic development needs and recommend appropriate actions if necessary;
- Carry out the objectives in the Municipal Strategic Plan related to economic development.

3. **BOARD MEMBERS** (hereinafter called "Commissioners")

3.1 NUMBER OF COMMISSIONERS

The Commission shall consist of a minimum of five and a maximum of seven voting Commissioners. All members shall be appointed by the Council of the Municipality and shall be qualified to be elected to Council of the Municipality.

3.1.1 The voting members are:

- The Municipality shall appoint two Councillors as Commissioners;
- The Municipality shall appoint three to five members specifically selected to reflect the diversity of the Municipality and address the core functions (mandate) of the Commission;
- The Mayor shall be an ex-officio member of the Commission, however shall only have voting privileges in the absence of a Councillor appointee.

3.1.2. The Commission shall include the following staff as non-voting resources, as required:

- The Municipal Economic Development Officer, ***and/or staff from the Economic Development Department***;
- The Municipal Manager of Development Services;
- The Municipal Chief Administrative Officer;
- The Municipal Airport Manager;
- ***The Municipal Treasurer;***
- A Recording Secretary, ***which may be one of the above***.

3.1.3 The Commission may have other government agency resource representation from MNDM&F, P.A.C.E., and any other expertise as required from time to time.

3.2 APPOINTMENT AND TERM

The appointments made shall be for the term of Council and members shall be eligible for reappointment by the appointing body to a successive term unless they are otherwise replaced by the appointing body. The Municipality and its appointing Council shall balance the reappointments in a manner that will balance succession and continuity challenges.

3.3 VACANCIES

Vacancies shall be filled according to Municipal Policy.

3.4 OFFICERS

3.4.1. The officers of the Commission, being a Chair and a Vice-Chair, shall be elected from the voting members at its first general meeting of the fiscal year. The Treasurer shall be the Treasurer of the Municipality.

3.4.2 CHAIRPERSON

In addition to the duties of the Presiding Officer as identified in the Municipal Procedure By-Law, the Chair shall:

- preside at all meetings of the Board;
- sign all formal documents;
- act as official spokesperson for the Board;
- perform such other duties as are usually incident to the office of Chair of the Board or are required by the Board;
- participate in the annual performance evaluation of the Economic Development Officer.

3.4.3 The Recording Secretary shall:

- keep a record of all the proceeding of all meetings held by the Commission;
- have charge of all books, records and papers, all of which he/she shall deliver as and when instructed or authorized by resolution of the Commission and not otherwise;
- give due notice of all meetings;
- perform such other duties as are incident to his/her position.

3.5 REMUNERATION OF COMMISSIONERS

Commissioners shall serve without remuneration and shall not directly or indirectly receive any profit from his/her position as such, provided that a Commissioner shall be paid reasonable expenses incurred in the performance of his duties in accordance with Municipal Policy.

3.6 SUB-COMMITTEES

The Board shall have the ability to create project specific sub-committees and appoint members to these sub-committees as needed for a specified time and purpose.

4. **POWERS OF COMMISSIONERS**

The Commissioners shall be governed ***and guided*** by the following:

- ***By-Law No. 13-10*** creating the Economic Development Commission;
- The Municipal Procedure By-Law;
- The Municipal Purchasing and Procurement By-Law;
- ***The Municipal Strategic Plan;***
- ***The Economic Development Strategic Plan;***
- ***The Municipal Integrated Community Sustainability Plan;***
- Any other applicable legislation.

5. **MEETINGS**

5.1 The Commission shall conduct and hold their meetings as per the Municipal Procedure By-Law and applicable legislation.

5.2 **FIRST MEETING OF A NEW BOARD**

Each newly appointed Board may hold its first meeting for the purpose of organization provided a quorum of Commissioners is present.

5.3 **PLACE OF MEETING**

Meetings of the Board shall be held in the Council Chambers in the Municipal Office.

6. **CODE OF CONDUCT**

The Commission shall adhere to the Municipal Procedure By-Law, the Municipal Conflict of Interest Act, ***and the Municipal Code of Conduct.***

7. **DECLARATION OF INTEREST**

Commissioners shall be governed by the Municipal Procedure By-Law and the Municipal Conflict of Interest Act.

8. **COMMISSION OFFICE**

The office of the Commission shall be located in the Municipal Office.

9. **EMPLOYEES**

All personnel shall be employees of the Municipality and subject to conditions of employment with the Municipality.

10. **FINANCIAL ARRANGEMENTS**

10.1 The Municipal Treasurer is responsible, as specified in the Municipal Act, for handling all of the financial affairs of the Commission.

10.2 The fiscal year of the Commission will be consistent with the Municipality's, which is the calendar year.

10.3 The Audit shall be done in a manner that is satisfactory to the Municipal Treasurer and will be presented to Council on an annual basis.

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10.4 Debt write-off and assets disposal shall be as per the Municipal Policy.

10.5 General Purchasing Policies:

10.5.1 The Commission shall follow the Municipal Purchasing and Procurement By-Law save and except its authority shall be to the level of the Chief Administrative Officer's expenditure limit.

10.5.2 All purchasing and contracting activity will be processed through the Economic Development Officer as approved by the Commission.

10.5.3 All invoices will be forwarded to the Economic Development Officer for review and coding and forwarded to Accounts Payable for payment.

10.5.4 All contracts and goods or service agreements must be prepared in accordance with general terms and conditions approved by the Municipality.

11. ANNUAL BUSINESS PLAN

11.1 The Commission shall prepare a business plan/budget in accordance with the Municipal budget process.

11.2 The Commission will annually recommend for Council's approval the Annual Business Plan that will confirm the operating budget, the updated five-year capital program, the revenue budget, and associated fees and charges.

11.3 The Annual Business Plan Cycle shall be two pronged:

- Part One will cover the day-to-day operations of the Commission;
- Part Two will cover ***the Heritage Railway Station*** redevelopment;
- ***Part Three will cover the Cultural Centre for Youth and the Arts.***

11.4 The business planning process will consist of the following:

- review current strategic directions and parameters
- assess current environment, forecasts and budget demands
- establish planning parameters for upcoming year
- presentation of proposed planning parameters to the Board of Commissioners for approval of strategic direction
- Draft Plan to the Board of Commissioners
- Presentation ***within the first quarter of each year*** ~~in November~~ of ***the*** Annual Business Plan to the Municipality's Council for approval

11.5 Bi-annual progress reports on the Business Plan will be prepared and presented to the Municipal Council.

12. EXECUTION OF INSTRUMENTS

12.1 Leases, licences, assignments, contracts, obligations and other instruments in writing requiring the signature of the Commission may be signed on behalf of the Commission by any two signing officers as designated by Resolution of the Commission.

12.2 Notwithstanding any provisions to the contrary contained in the by-laws of the Commission, the Commissioners may, at any time, and from time to time, by resolution, direct the manner in which and the persons by whom any particular lease, licence, transfer, contract, obligation or other instrument may or shall be signed.

12.3 All banking and financial instruments shall be signed by Municipal signing officers.

13. **MUNICIPAL SERVICES**

The provision of services between the Municipality and the Commission will be identified in a service agreement negotiated by the Commission and the Municipality of Sioux Lookout.

14. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS SEVENTEENTH DAY OF MARCH, 2010.

Kathy Poling, Mayor

Mary L. MacKenzie, Clerk

(13JUL07-EcDevCom/dm)
/jmt

(revised 23FEB2010/fb)

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