

Transition from CEAT to 3Rs Working Group and Residual Waste Working Group
Attachment B

City of Toronto
Solid Waste Management Services
Residual Waste Working Group

Terms of Reference

1. Authority

At its meeting of June 19, 20 and 22, 2007, City of Toronto (the “City”) Council (“Council”) adopted report EX9.1 entitled “Proposed Initiatives and Financing Model to Get to 70% Solid Waste Diversion by 2010” (the “Getting to 70 Plan”), as amended. Recommendation 20 of report EX9.1 read:

(20) the following three Working Groups be established as set out Appendix C:

- a) In-store Packaging Waste Diversion Working Group;
- b) Multi-family Waste Diversion Working Group; and
- c) 3Rs Working Group.

At its meeting of July 16, 17, and 19, 2007 Council adopted report PW7.16 entitled “Residual Waste Planning Study”. Recommendations 5 and 6 of report PW7.16 read:

(5) the Community Environmental Assessment Team (CEAT) be split into the 3Rs Working Group recommended in the report entitled “Proposed Initiatives and Financing Model to get to 70% Solid Waste Diversion by 2010” and a Residual Waste Working Group as described in Attachment B to this report;

(6) that the Acting General Manager of Solid Waste Management Services, in consultation with CEAT, develop a transition plan for the splitting of CEAT into the 3Rs Working Group and the Residual Waste Working Group and report back to the Public Works and Infrastructure Committee with the details in the fall.

Attachment B of report PW7.16 set out the following requirement for the Residual Waste Working Group:

In order to provide staff with regular community feedback as it carries out the study, it is recommended that a Residual Waste Working Group be established to provide input and advice. It is recommended that the establishment of the working group be based on the following principles:

- consist of approximately 8-10 members;

- be representative of the broader community;
- meet approximately once per month;
- provide regular feedback on all aspects of the residual waste study;
- participate in public consultation events;
- submit an annual status report to the Public Works and Infrastructure Committee jointly with the Acting General Manager of Solid Waste Management Services; and
- have its Chair and/or Vice Chair participate on an Integrated Solid Waste Stakeholder Group, which will be a discussion forum attended by staff and the Chairs and Vice Chairs of the City's various solid waste working groups for the purposes of sharing information.

2. Mandate / Term of Working Group

The Residual Waste Working Group mandate will commence on January 1, 2008 and will continue until the completion of the Residual Waste Planning Study and, if applicable, any subsequent Residual Waste Screening Process or Individual Environmental Assessment, unless otherwise decided by Council.

The Residual Waste Working Group's mandate is established by Council and may be amended or revoked by Council at any time. The Residual Waste Working Group mandate is subject to re-affirmation by Council following each municipal election. The Residual Waste Working Group may from time to time suggest changes to its mandate.

3. Purpose / Focus of Residual Waste Working Group

The Residual Waste Working Group will provide input, advice and regular community feedback to staff and the Public Works and Infrastructure Committee on the implementation of the residual waste processing initiative described in Appendix A of report EX9.1 and the Residual Waste Planning Study described in Attachment A of report PW7.16 including:

- planning and participating in public consultation events related to the residual waste processing initiative and the Residual Waste Planning Study;
- input, advice and feedback on formal submissions, communications or reports having to do with the mandate of the RWWG and/or the Residual Waste Planning Study;

- participating, to the extent allowed by City policies, in the procurement processes for project consultants;
- jointly submitting an annual status report to the Public Works and Infrastructure Committee with the General Manager of Solid Waste Management Services; and
- have its Chair and/or Vice Chair participate on an Integrated Solid Waste Stakeholder Group, which will be a discussion forum attended by City staff and the chairs and vice chairs of the City's various solid waste working groups for the purposes of sharing information.

The key principles of the Residual Waste Planning Study are:

- protection of human health and the environment;
- conservation of energy and natural resources;
- consideration of a wide range of alternative technologies;
- rigorous evaluation methodology that includes a health impact assessment; and
- meaningful public consultation.

The requirement for input and advice and the time frame for doing so will vary over the course of the Residual Waste Planning Study and any subsequent screening or individual environmental assessment processes that might occur. The level of input and advice for each initiative should be determined in consultation with the General Manager and the Public Works and Infrastructure Committee.

4. Composition / Term of Membership

The Residual Waste Working Group will be comprised of up to 8 community representatives plus City Staff. City Staff will be non-voting members. The Residual Waste Working Group may also include project consultants as non-voting members, as required throughout the project.

In order to maintain continuity over the course of the study, Members will be appointed for the life of the study, subject to the termination provisions set out herein.

Each member, including the Chairs and Vice Chairs, of the Residual Waste Working Group will be required to enter into an agreement with the City of Toronto covering such topics as honoraria, treatment of confidential information, conflict of interest and other City policies, in a form satisfactory to the City Solicitor.

Two of the community representative members will serve as Chair and Vice Chair.

A vacancy arises if a member resigns, is removed or becomes ineligible. Vacancies will be filled in accordance with the member appointment process outlined in section 7.

Membership on the Residual Waste Working Group is at the pleasure of Council and any member, including the Chair or Vice Chair, can be removed by Council at any time.

5. Membership Eligibility

In order to be eligible for membership on the Residual Waste Working Group, community representatives, throughout their term of membership, must:

- be a resident of the City of Toronto;
- not be a member of the In-Store Packaging Working Group, the Multi Family Working Group or the 3Rs Working Group;
- not have any conflict of interest, whether real or perceived, with respect to the activities carried out by the Residual Waste Working Group;
- be at least 18 years old;
- be willing and able to travel to various parts of the City and any locations within the project Study Area for the purposes of stakeholder consultation; and
- provide a short biography to be made public.

If a member's status changes during the term of his/her membership so that the above mandatory eligibility requirements are no longer met, the member must resign.

Along with the above mandatory requirements, community members should have:

- a demonstrated interest or past involvement in environmental issues, including waste management issues;
- a demonstrated interest in community engagement and stakeholder consultation;
- a demonstrated ability to organize and analyze information;
- a demonstrated ability to think creatively;
- a demonstrated commitment to public service and to a high standard of ethics;
- a demonstrated ability to work in a team including good interpersonal skills;

- a demonstrated ability to communicate with others, including with members of the public, including excellent listening skills, open-mindedness, sound judgement and tact;
- a demonstrated ability to work under time pressures; and
- a work schedule that allows for participation on the Residual Waste Working Group.

In the interest of saving paper and efficiently circulating information, access and an ability to use a computer, email and the internet would be an asset.

6. Chair and Vice Chair

At its first meeting, and any time the Chair or Vice Chair positions become vacant during the term of the Residual Waste Working Group, the members of the Residual Waste Working Group shall select a Chair and Vice Chair from within its membership.

The membership requirements set out in section 5 and attendance requirements set out in section 9 herein also apply to the Chair and Vice Chair.

A fundamental requirement of the Chair and Vice Chair is an open minded and fair approach to meeting management and to providing input and advice with respect to the City's Residual Waste Planning Study.

In addition to meeting the membership criteria listed in section 5 herein, the Chair and Vice Chair should have:

- previous experience in a leadership role;
- administrative skills to organize, schedule and arrange appropriate support for the Residual Waste Working Group;
- excellent communications skills, both oral and written, to articulate issues and decisions to staff, Committees of Council, the press, and the public;
- a willingness and ability to represent the Residual Waste Working Group before Public Works and Infrastructure Committee, Council, the media and the public; and
- flexibility of time to attend daytime meetings.

The Chair and/or Vice Chair will:

- chair meetings of the Residual Waste Working Group;
- be the official media spokespersons for the Residual Waste Working Group;
- be the official deputants/presenters for the Residual Waste Working Group before the Public Works and Infrastructure Committee;
- participate on the nominating panel for new and potential replacement members for the Residual Waste Working Group; and
- participate on an Integrated Solid Waste Stakeholder Group, which will be a discussion forum attended by staff and the Chairs and Vice Chairs of the City's various solid waste working groups for the purposes of sharing information.

7. Appointment Process for the Residual Waste Working Group

The initial membership shall be comprised of the (former) CEAT members listed in section 15.

In order to be considered for membership on the Residual Waste Working Group, community representatives must meet the mandatory eligibility requirements and should demonstrate the non-mandatory abilities listed in section 5 herein. The Chair and Vice Chair should also demonstrate the non-mandatory abilities listed in section 6 herein.

If the entire initial membership, including the Chair and Vice Chair, is not filled by former CEAT members or if vacancies arise for any reason, the vacancies will be filled as follows:

- If approved potential replacement members are available, they will be appointed by the General Manager in the order that they appear on the list of potential replacement members; or
- If approved potential replacement members are not available, new members will be selected using the process described below.

The appointment process for new members will be both open and stringent. It is modelled on Council's Policy for Citizen Nominations to Agencies, Boards, Commissions and Corporations.

Nomination and appointment of community members to the Residual Waste Working Group will be as follows:

1. Establishment and Role of the Nominating Panel

When required, a Nominating Panel of three members will be established, comprised of: the Chair or Vice Chair of the Public Works and Infrastructure Committee; the General Manager or Director of Policy and Planning, Solid Waste Management Services; and the Chair or Vice Chair of the Residual Waste Working Group to interview applicants and recommend new members and potential replacement members to City Council.

To protect applicants' personal information, the Nominating Panel will conduct interviews in-camera and will treat applications as confidential material.

Interview questions will be pre-determined and answers will be scored.

2. Role of Solid Waste Management Services Staff in Nominating Panel

Along with sitting on the Nominating Panel, Solid Waste Management Services staff will:

- screen applications of potential new community representatives for completeness and mandatory eligibility criteria and forward eligible applications confidentially to the Nominating Panel.
- draft relevant, open-ended interview questions, which allow the applicants to show they are qualified. The draft questions will be submitted to the Nominating Panel for its consideration. All applicants will be asked the same questions, which will relate to their qualifications.
- prepare the appropriate reports to bring the recommendations of the Nominating Panel before Council.

3. Advertising of Appointments and Application Form

Whenever there is a need to seek members or potential replacement members for the Residual Waste Working Group, an open call will be made using media advertising, requests to Councillors to contact interested citizens; mailings to people who requested notification of board vacancies and environmental news; and posting on the City's website.

4. *Key Qualifications for Consideration and Composition:*

Community representatives for the Residual Waste Working Group will be sought using the criteria set out in Section 5 herein.

5. *Potential Replacement Members List:*

The Nominating Committee shall recommend and maintain a list of potential replacement members for the Residual Waste Working Group not to exceed the actual number of members of the Working Group.

8. Quorum

Quorum shall be half of the voting membership plus one.

Notwithstanding subsection 19(i) of the Simplified Procedures for Advisory Bodies, if quorum is not reached 30 minutes after the scheduled start of a meeting, the Chair shall call the roll and record the names of the members present. The meeting may continue in an informal setting with any proposed motions or actions to be tabled to the next Residual Waste Working Group meeting.

9. Attendance

Members are encouraged to attend all meetings of the Residual Waste Working Group.

Members will be deemed to have resigned if they miss three consecutive meetings or three meetings within any 12 month period. The Residual Waste Working Group, with the agreement of the Public Works and Infrastructure Committee, may waive this requirement provided the member in question has provided a satisfactory prior written notification of the expected absence to the Chair.

10. Honoraria

Each member in good standing, except the Chair and Vice Chair, of the Residual Waste Working Group will receive an annual honorarium of \$2,500.00.

The Chair and Vice Chair will receive an annual honorarium of \$5,000.00.

If a member, including the Chair and Vice Chair, has been involved for less than a full year in any year, the honorarium will be pro-rated on a monthly basis.

11. Meetings

Except as otherwise specifically set out in this terms of reference, the Residual Waste Working Group meetings and proceedings will be carried out in accordance with the City's Rules of Procedure for Advisory Bodies as set out in Clause 34 of Report 7 of Policy and Finance Committee, adopted by Council at its meeting held on September 28, 29 and 30 and October 1, 2004.

As a general principle, Residual Waste Working Group meetings will be open to the public, however, confidentiality requirements or City policies may in some cases require or allow in-camera meetings. In-camera sessions of the Residual Waste Working Group will be declared and conducted in accordance with the City's Rules of Procedure for Advisory Bodies as set out in Clause 34 of Report 7 of Policy and Finance Committee, adopted by Council at its meeting held on September 28, 29 and 30 and October 1, 2004.

Minutes of meetings or proceedings will be prepared by City staff for approval by the Residual Waste Working Group. The minutes will record recommendations of the Residual Waste Working Group and summarize presentations and discussions. Upon approval by the Residual Waste Working Group, minutes of Residual Waste Working Group will be public, aside from any activities carried out in in-camera sessions.

Residual Waste Working Group meetings shall, generally, be held monthly or at the call of the Chair, or at the request of the General Manager, Solid Waste Management Services.

To the extent possible, meetings shall be advertised, with a proposed agenda, at least five days in advance on the City's Solid Waste Management web site and elsewhere, as practical. The meeting announcement and proposed agenda shall also be sent to the City Clerk's Office.

Meeting materials will normally be distributed electronically using email or other computer based format.

If the Chair is not present, the Vice Chair shall chair meetings. If the Chair wishes to speak to an issue, ask questions, or make motions about a matter under debate, he/she shall pass the gavel to the Vice Chair, and if the Vice Chair is not present, shall pass the gavel to another member of the Residual Waste Working Group.

The Residual Waste Working Group may, in consultation with the General Manager, hold additional meetings or establish sub-committees consisting of Residual Waste Working Group members to deal with specific issues to help the Residual Waste Working Group carry out its work.

The General Manager, at his discretion, may or may not provide staff support for the additional meetings or sub-committees. Where staff support is provided, it will be limited to one or more of the following:

- arranging meeting rooms for meetings;
- preparing summaries of recommendations and action items; and
- providing staff attendance at sub-committees meetings with expertise pertinent to sub-committee's focus.

Additional meetings and sub-committee meetings shall be open to public participation and shall report to the Residual Waste Working Group.

The Residual Waste Working Group may invite guest speakers or guest participants, such as industry representatives, as needed.

12. Support

The General Manager and his/her staff will provide, or arrange for, the following administrative assistance to Residual Waste Working Group:

- Administrative support for the preparation and distribution of agendas, minutes and other information relevant to the Residual Waste Working Group;
- Booking of meeting locations; and
- Payment of honoraria.

13. Presentations/Deputations and Reporting to PWI

The Chair and Vice Chair of the Residual Waste Working Group will have a standing presentation/deputation before the Public Works and Infrastructure Committee.

Once per year, on or about the anniversary of the first meeting of the Residual Waste Working Group, the group shall submit an annual status report jointly with the General Manager of Solid Waste Management Services to the Public Works and Infrastructure Committee detailing:

- the issues, achievements and challenges dealt with by the Residual Waste Working Group over the previous year;
- membership changes, if any;

- consultation activities undertaken, including but not limited to, meetings with the public and stakeholders, focus groups or phone polls and references to the resulting feedback received;
- meetings with vendors or lobbyists; and
- goals and plans for the upcoming year.

14. Travel and Research

The Solid Waste Management Services budget for the Residual Waste Working Group will include limited funds for travel and research in the Residual Waste Planning Study study area. The study area, subject to changes as determined through the Residual Waste Planning Study, is south central and south western Ontario.

Expenditures for travel and research in the Toronto and GTA are subject to approval by the General Manager, Solid Waste Management Services.

Expenditures for travel and research outside of Toronto and the GTA are subject to approval by the General Manager, Solid Waste Management Services, the Deputy City Manager, the City Manager and/or Council as appropriate in accordance with the City's travel policies.

Members that travel or conduct research that is funded by the City shall present their findings at the next meeting of the Residual Waste Working Group.

15. Initial Membership

The initial membership of the Residual Waste Working Group shall be comprised of the following (former) CEAT members:

1. Jennifer Agnolin
2. Tanya Atkinson
3. Karen Buck
4. Chris Caners
5. Lee Doran
6. Isabelle Faucher
7. Alasdair Love
8. Kathleen Reil