

## Constitution with Proposed Amendments

### Article 1 NAME

The Town of Port Credit Association (TOPCA)

### Article 2 POLICY

The organization shall be non-profit, non-political, non-sectarian, non-racial and gender neutral. It shall operate democratically and in accordance with democratic principles

**Article 2** – At the request of the City, we have added verbiage related to Conflict Resolution.

*“From time to time, the executive may receive a complaint regarding our public events, community initiatives or social media outreach. The TOPCA executive is committed to responding to all member and associate member contact in a fair and respectful manner. For expediency, minor queries will be responded to in a timely manner in writing – whether privately through written letter or publicly through social media. For more serious queries, such as conflicts of interest, breach in code of conduct, or financial issues, the concern will be investigated by the TOPCA Executive and a written response formulated, with the City of Mississauga being included in the response.”*

### Article 3 PURPOSE

To alert homeowners of any matters of concern. To act as a liaison when required, between homeowners and residents and all levels of government. To promote recreational and social activities for the betterment of all members of the homeowners and residents association where funds are available and where practical. To establish a relationship in order to deal with the City of Mississauga and all relevant departments of the City for the betterment of residents of the community.

### Article 4 MEMBERSHIP

Membership is open to all persons 18 years or older. Membership is \$5.00/year, and is current providing the member is a homeowner, property owner, business owner or resident within the Town of Port Credit.

Members may vote on all issues. Each member has one vote.  
Membership expires 31 December of each year.

**Article 4** – We are removing the reference to membership fees being \$5.00 per year. After more than 13 years, TOPCA will be revisiting the need to increase membership fees for 2020 Starting January 1, 2020. By removing the designation of a specific dollar value for TOPCA membership fees in the Constitution, it will allow the membership to determine a fair and equitable increase at the next Annual General Meeting.

*“Membership is open to all persons 18 years or older. Membership fees will be reviewed on an annual basis and be kept comparable to other ratepayer and residents’ associations. Membership is considered current if fees are paid prior to the end of the calendar year.”*

**Article 4** – At the request of the City, we have added a Code of Conduct that is expected of TOPCA members during public meetings. Rather than include it in our membership registration, we will be reading the following statement at the start of our public meetings:

*“We ask that members treat fellow attendees with respect and listen to their points of view. We also request that members refrain from voting when they have a potential conflict of interest with the subject matter being discussed.”*

**Article 4** – Given the number of followers TOPCA reaches via our electronic platforms (social media and website), and with the permission of the City, we will be introducing Associate Membership.

*“Associate Membership is available to any person 18 years of age or older who is NOT a resident, homeowner or business owner within the Town of Port Credit Association’s defined boundaries (Article 5). Associate members may attend all meetings, receive all electronic mailings and have a voice; however, they will not be eligible to vote at meetings.”*

The boundaries of the Town of Port Credit Association extend from Seneca Avenue in the east, to Shawnmarr Road in the west, from the Lake in the south, and to the CNR tracks in the north.

## Article 6 EXECUTIVE

- a) The Executive shall consist of a minimum of five (5) members. There shall be four (4) positions: President, Vice-President, Secretary, and a Treasurer. The Executive has the authority to establish positions of committees as may be deemed necessary, for the smooth running of the Association.
- b) Eligibility and Elections:  
The election of officers shall take place at the Annual General Meeting. Meeting to be held no earlier than September and no later than November of each year.

### Nomination of officers:

The Executive shall propose a slate of candidates who will stand for election, or may choose to invite nominations for election to fill vacant seats on the Executive. All candidates must be fully paid members in good standing of the Association. Nominations from the floor may be accepted if a motion is made by any voting member and passed with 2/3 majority vote of membership in attendance at the meeting.

Candidates may speak to the membership prior to the election for a period of time to be determined by the Executive.

### Conflict of Interest:

Every officer on the Executive of the Association who has, directly or indirectly, any interest, financial or otherwise in any contract or transaction to which the Association is or is to be a party shall declare their interest in such contact or transaction at the next meeting of the TOPCA Executive. They shall at that time disclose the nature and extent of such interest to the extent to which such information is within their knowledge or control. The executive member shall abstain from voting on the issue in question.

Membership in another City-recognized resident or ratepayers group constitutes a conflict of interest and will cause a person to cease to be an Executive member of the Association.

All members will be able to vote for officers.

The newly elected Executive will assume their duties immediately following the Annual General Meeting.

Term of Office for all positions shall be two (2) years. Each Executive shall be elected to hold office until the second annual meeting after he/she shall have been elected. Half of the positions on the Executive will be elected each year. As a common best practice in the governance of Executives, changing over half of the Executive each year ensures a blend of new talent and stability of leadership of the Association.

Upon completion of their term, Executives may be re-elected. There shall be no limit to the number of terms which may be held, successive or otherwise.

The two-year term applies to the seat rather than an individual Executive. Accordingly, if an Executive member leaves their seat on the Executive during their term, any replacement Executive whether appointed by the Executive or elected by the membership will complete only the remaining portion of that Executive seat's term. This is intended to ensure that half of the seats on the Executive are renewed each year, while maintaining reasonable continuity of experience.

If any member of the Executive moves out of the Town of Port Credit during their term of office they shall immediately resign and the vacancy shall be filled in accordance with Article 8.

#### Article 7 EXECUTIVE POSITIONS

- a) The President shall be the Chairperson of the Association and Chair the meetings. The President shall sit as a member of all standing committees.
- b) The Vice-President shall assume the duties of President should the President be unable to carry out the duties of the position.
- c) The Secretary shall record the minutes of all meetings.
- d) The Treasurer shall maintain a record of all transactions and will hold any cash in trust

#### Article 8 FILLING OF VACANCIES

To fill any vacancies on the Executive, the Executive can appoint members, on the condition that these appointments be approved at the next meeting of the Association. Replacement Executives will complete only the remaining portion of the two-year term of the seat on the Executive to which they have been elected.

#### Article 9 VOTING

Voting shall be by all members, and decisions shall be the majority of the vote of attending members.

Article 10 QUORUM

Whereas it is impossible to calculate at any given time the exact number of members of the Town of Port Credit Association:

For the Annual General Meeting a quorum shall be the attendance of at least ten (10) members including five (5) Executive members. For all other meetings a quorum shall be three (3) Executive members.

**Article 10** – At the request of the City, we are modifying the number required for quorum at the Annual General Meeting. We are also clarifying the quorum needed for Executive meetings:

*“For the Annual General Meeting a quorum shall be the attendance of at least twenty (20) members including five (5) Executive members. For Executive meetings a quorum shall be more than half the number of Executive members serving at the time.”*

Article 11 FINANCES

The Treasurer shall pay for any expenses approved by at least two (2) Executive members.

Article 12 FUND RAISING

The members will conduct fund raising activities if necessary, in order to maintain funds for the day-to-day operation of the Association.

Article 13 DISSOLUTION OF THE ASSOCIATION & DISPOSAL OF ASSETS

The Association may be dissolved by a motion proposed and seconded, to rescind the Constitution, tabled at a special membership meeting, and accompanied by an explanation for the need to dissolve, and provisions for the disposal of the assets, and voted on by a show of hands in the same manner for the adoption and/or amendment of the Constitution, and subject to approval by the City.

Article 14 CONSTITUTIONAL AMENDMENTS

The following process may only amend this Constitution:

- a) The Executive must receive the proposed amendment in writing from any member in good standing
- b) The Executive shall give notice and discussion of the proposed amendments at a meeting within one (1) month of receiving the request

- c) The Executive, at the direction of the membership, may initiate a sub-committee to investigate and report back to the membership regarding the proposed amendment
- d) Further discussion and voting on such proposed amendments may take place at any subsequent meeting
- e) Printed copies of the amended Constitution should be made available to the membership, upon request.
- f) All changes must be submitted to the City of Mississauga for their information.

Article 15      SIGNATORIES

This Constitution has been approved and signed below by the Executive of the Town of Port Credit Association.

Dated \_\_\_\_\_ 2007

President \_\_\_\_\_

Vice President \_\_\_\_\_

Secretary \_\_\_\_\_

Treasurer \_\_\_\_\_

*Dates of amendments:*

November 15, 2007 (AGM)

re: Article 6 EXECUTIVE    b) Eligibility and Elections:  
Nomination of officers; Conflict of Interest; Term of Office

November 4, 2019 – **Proposed** (AGM)