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**TAMRMS#:** B09

## **Review of Effectiveness of Community Living Standing Committee**

Presented by: David Leflar, Director, Legal & Legislative Services

### **RECOMMENDED MOTION**

That the Community Living Standing Committee recommend to Council that section 22 of the Bylaw 39/2019 be amended to provide for a review of the Committee's effectiveness and the desirability of its continued existence beyond the midpoint of the 2021-2025 Council term, to occur not later than September 30, 2023 on the basis of an evaluation matrix adopted by Council not later than June 30, 2022, and that any consequential amendments to the bylaw be made at the same time.

### **PURPOSE OF REPORT**

The purpose of this report is to recommend bylaw amendments to defer review of the effectiveness of the Community Living Standing Committee and of the desirability of continuing the Committee's existence, to September of 2023.

### **ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN**

N/A

### **ALIGNMENT TO LEVELS OF SERVICE DELIVERY**

N/A

### **ALIGNMENT TO COUNCIL DIRECTION**

Section 22 of the Community Living Standing Committee Bylaw (full bylaw attached) reads as follows:

22. It is the intention of the Council that the Committee shall function on a pilot basis for a period of two years and that the effectiveness of the Committee in contributing to good governance of the City and the desirability of continuing the Committee beyond the general municipal election of 2021 shall be evaluated by the Council not later than September 30, 2021 on the basis of an evaluation matrix adopted by

Council by the end of the 2d quarter of 2020.

## **BACKGROUND AND DISCUSSION**

When Bylaw 39/2019 to establish the Committee was passed on November 4, 2019, it included the above quoted Section 22.

The Committee subsequently recommended Terms of Reference for itself (attached) that were approved by Council on January 20, 2020.

At that point the Committee was finally ready to begin growing into its role and its responsibilities. But that process had barely begun when the COVID pandemic came to Alberta in late February/ early March 2020, causing major disruption to all of the City's functions. In particular, in the following months many matters had to be taken to Council on very short notice. Consequently many items that could and should have been first vetted by the Committee, instead went directly to Council.

Administration is therefore of the opinion that due to the extraordinary and unforeseen impacts of the pandemic, neither of the Standing Committees really had a chance to become well integrated into Council's governance philosophy and practice. Additionally, Council never did adopt an evaluation matrix as contemplated by Section 22 of the Committee Bylaw. Therefore, Administration recommends that the initial two year trial period for these Committees be extended to the mid-point of the upcoming 2021-2025 Council term, that the evaluation of them and decision on their continued existence be deferred to September of 2023, and that the evaluation matrix be adopted by Council not later than June 30, 2022.

## **STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT**

N/A

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If the Committee does not wish to pass the recommended Motion the following alternatives could be considered:

Alternative 1. Make no recommendation, in which case the review contemplated by Section 22 of the Bylaw 39/2019 will occur at the Council meeting on September 13, 2021

Alternative 2. Recommend that Council repeal Section 22 of Bylaw 39/2019, in which case the Committee will continue as a permanent Standing Committee after the 2021 general municipal election

Alternative 3. Recommend that Council repeal the Bylaw 39/2019, in which case the Committee will no longer exist when the newly elected Council is sworn in.

Report Date: August 23, 2021  
Author: David Leflar

Department: Legal & Legislative Services  
Deputy Chief Administrative Officer: Kerry Hilts  
Chief Administrative Officer: Kevin Scoble

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# **Community Living Standing Committee**

## **Terms of Reference**

### **Mandate**

1. The Community Living Standing Committee (the “Committee”) will consider items that are of a governance or primarily governance nature, or are legally required to be dealt with by Council, arising from the City’s activities in respect of:
  - (a) environmental matters;
  - (b) social and cultural matters;
  - (c) housing issues;
  - (d) protective services; and
  - (e) recreation facilities and services.

The Committee will by resolution make decisions, recommendations or referrals as set out in the Community Living Standing Committee Bylaw (39/2019) and/or in these Terms of Reference, in respect of items considered by the Committee.

### **Goals and Objectives**

2. The goals and objectives of the Committee are in alignment with Council’s strategic priorities.

### **Authority and Accountability**

3. The Committee may, within the subject matters set out in section 1, clauses (a) through (e) above:
  - (a) consider a proposal for Council action made by Administration and either:
    - i) forward the proposal to Council with the Committee’s recommendation for approval of the proposal, with or without modifications, or
    - ii) forward the proposal to Council with the Committee’s recommendation for rejection of the proposal, orrefer the proposal back to Administration with direction for further refinement or further information as the Committee deems appropriate;
  - (b) receive as information the minutes of meetings of assigned citizen committees;
  - (c) review recommendations for grant funding from a citizens committee and decide on approval of such grant funding recommendations (in whole or in part) if the decision is within the limits of a spending envelope approved by Council. [If proposed grant funding is outside the limits of such a spending envelope then the Committee must forward the



citizens committee funding recommendations to Council for a decision, with the Committee's own recommendations on approval of the requested funding.];

(d) review other recommendations made by a citizens committee and refer them to Council with the Committee's own recommendations for Council action; and

(e) deal with any other matter referred to it by Council.

4. The Committee is accountable to Council.

### **Nature of Committee Deliberations**

5. Committee members and other Councillors who participate in Committee meetings will strive to maintain a positive, collaborative and respectful tone of dialogue and debate with each other, with Administration, and with members of the public in order to emphasize resolving concerns and arriving at decisions or recommendations that serve the interests of the City and its residents.

### **Role of the Chair**

6. During Committee meetings, the Chair (or the Vice-Chair in the absence of the Chair) will:

(a) open the meetings;

(b) chair the meetings;

(c) establish whether the Mayor, if in attendance, is attending in an *ex officio* (voting) capacity or as a non-Committee member of Council;

(d) preserve order and decorum in Committee meetings;

(e) rule on all questions of procedure;

(f) ensure that each member of Committee who wishes to speak on a debatable motion is granted the opportunity to do so;

(g) determine speaking order when two or more members of Council wish to speak; and

(h) decide who, aside from members of the Committee and other members of Council, may address the Chair.

7. Outside of Committee meetings, the Chair will:

(a) cause unapproved Committee meeting minutes to be added to a subsequent Council meeting Agenda when necessary to provide background for a Committee recommendation to Council in a timely manner;

(b) consult with members of the Committee, in a manner deemed adequate by the Chair, regarding the proposed content of upcoming Committee Agendas before participating in the process for co-ordinating Committee and Council Agendas as set out in the Procedure Bylaw (3/2018); and

- (c) maintain open lines of communication with the CAO and Deputy CAO in respect of matters that are scheduled to go to, or may potentially be scheduled to go to the Committee, and seek the advice of the CAO and Deputy CAO as to the content of Committee Agendas and the timing of when matters would appear on a Committee Agenda.

## **Agendas**

8. A Committee meeting Agenda should not duplicate items on an Agenda of the other standing committee, but the Committee Chair may make a proposal to the other standing committee chair as to which standing committee will deal with a matter that has aspects within the mandates of more than one standing committee, or if both standing committees will address different aspects of such a matter, or if a joint meeting of the standing committees is advisable, or if the matter should go to the Committee of the Whole or directly to Council without appearing on any standing committee Agenda.
9. The Agendas for Committee meetings will be circulated to all members of Council, in electronic format for all Councillors and in paper format for Councillors who so request, by the close of business on the Wednesday preceding a Monday Committee meeting, including the corresponding Agenda package if it is ready for distribution at that time.
10. If an Agenda package is not ready for distribution at the same time as the corresponding Agenda, an incomplete Agenda package will be distributed at that time. The complete and final Agenda package will be distributed as soon as possible thereafter (with a paper copy provided to Councillors who request that format) and in any event not later than the close of business on the Friday prior to a Monday Committee meeting.

## **Public Participation**

11. All meetings of the Committee are open to the public except when the Committee passes a motion to close all or a portion of the Committee meeting to the public as and when permitted under the *Municipal Government Act*.
12. The nature of Committee meetings is more informal than Council meetings. The public is encouraged to attend at and participate in Committee meetings in order to promote engagement with the Council members on relevant topics, and to encourage more nuanced discussion than may be afforded at formal Council meetings.
13. Individuals or groups presenting at a Committee meeting will be allotted seven minutes for their presentation unless the Chair, in their discretion, extends the amount of time.
14. Individuals or groups wishing to address the Committee on an agenda item scheduled for an upcoming Committee meeting should register with Legislative Services administrative staff by the close of the business day preceding the day of the Committee meeting (normally, by close of business on a Friday for a Committee meeting taking place on Monday) and should provide their name, contact information, and the Agenda item they wish to speak to or present on. Individuals or groups who have registered shall be given priority during the public presentation time, in the order in which they have registered, to make their presentations to the Committee.

15. On the day of the Committee meeting, a sign-in sheet will be available at the entrance to the Douglas Cardinal Boardroom for those who have not registered but wish to address the Committee on an Agenda item scheduled for that Committee meeting.
16. Individuals or groups wishing to address the Committee on topics not on the Agenda for an upcoming Committee meeting shall register with Legislative Services administrative staff at least five business days prior to the Committee meeting they wish to attend and shall provide their name, contact information, and their topic.
17. Individuals or groups addressing the Committee may do so at the outset of the meeting, or prior to the presentation of the item by Administration (if applicable).

#### **Order of Business at Meetings**

18. The first order of business at any Committee meeting will be consideration of the proposed Agenda and adoption of it, either as presented or with amendments which may include: reordering of items on the Agenda, assigning a specific time to address a particular item, or adding an emergent item to the Agenda.
19. When establishing a Committee meeting Agenda, the Chair may propose an item of business for adoption or reception by consent, without debate. A Committee Member may request that an item proposed for consent be removed from consent, and the Chair shall comply with such request.
20. The order of business at a Committee meeting will be the order that items appear on the adopted Agenda.

#### **Forwarding Matters from the Committee to Council**

21. The Minutes of every Committee meeting, whether or not approved, together with the Agenda, Agenda package, and any recommendations from the Committee (with each recommendation presented in a separate transmittal report) will normally be items on the Agenda for a subsequent Council meeting as soon as reasonably practicable following the Committee meeting. However, the Committee may by motion stipulate that a particular recommendation to Council be dealt with on a specific Council meeting date or within a specific range of dates, and Council Agendas will be established accordingly.
22. When the Committee's Minutes and recommendations are presented at a Council meeting, the Committee Chair or another member of the Committee will:
  - (a) speak to each recommendation, explaining the Committee's rationale for making the recommendation, and in so doing respond to Council members' questions on the recommendation; and
  - (b) speak to any recommendation that was presented to the Committee by Administration or a citizens committee but not supported by the Committee, explaining the Committee's rationale for not supporting the recommendation, and in so doing respond to Council members' questions.
23. Committee meeting Minutes will generally be in the same concise style as is employed for Council minutes, emphasizing the motions made and the votes on motions. However, a

Committee member who votes in opposition to a Motion may request that their reasons for so voting be noted in the Minutes, and the Minutes shall be prepared in compliance with such a request.

#### **Administration Support**

24. Subject to Council's budgetary decisions, the Committee shall receive the same level of legislative, administrative, clerical, legal, technical, and dietary support that is provided to Council, including without limitation support for streaming Committee meetings live on the internet and maintaining tapes of the meetings in an archive available to the public.

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## CITY OF ST. ALBERT

### BYLAW 39/2019

#### A Bylaw to create the Community Living Standing Committee

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WHEREAS Section 145 of the *Municipal Government Act* empowers a council to create council committees and prescribe their functions and procedures;

AND WHEREAS it is deemed advisable to create a standing council committee in St. Albert to be known as the Community Living Committee with functions and procedures as set forth in this bylaw;

NOW THEREFORE the municipal council of the City of St. Albert duly assembled ENACTS AS FOLLOWS:

#### Title

1. This Bylaw may be referred to as the "Community Living Standing Committee Bylaw".

#### Definitions

2. Any word or expression defined in the *Municipal Government Act* and not otherwise defined in this bylaw, has the meaning set out in the Act.
3. In this bylaw:
  - a. "Act" means the Municipal Government Act;
  - b. "Agenda" and "Agenda Package" have the meanings set out in the *Procedure Bylaw*.
  - c. "Chief Administrative Officer" or "CAO" means the person appointed by Council to the position of chief administrative officer under section 205 of the *Municipal Government Act* and pursuant to the Chief Administrative Officer Bylaw;



- d. "Citizens Committee" means the Environmental Advisory Committee, the Seniors Advisory Committee, the Youth Advisory Committee, the Arts and Heritage Committee, the Community Services Advisory Committee and the Policing Committee and also includes any other board, committee or other body that Council may by bylaw or resolution designate as a Citizen's Committee for the purposes of this bylaw;
- c. "City" means the City of St. Albert;
- d. "Council" means the municipal council of the City;
- e. "Councillor" means an elected official of the City, not including the Mayor;
- f. "Council Member" means an elected official of the City, including the Mayor;
- g. "Committee" means the Community Living Standing Committee established by this bylaw;
- h. "Member" means a member of the Committee.

#### **Committee Establishment**

- 4. A council committee is established to be called the Community Living Committee.

#### **Committee Mandate, Responsibilities and Terms of Reference.**

- 5. The mandate of the Committee is to:
  - (a) consider items that are of a governance or primarily governance nature or are legally required to be dealt with by Council, arising from the City's activities in respect of:
    - (i) environmental matters;
    - (ii) social and cultural matters;
    - (iii) housing issues;
    - (iv) protective services;
    - (v) recreation facilities and services



and

- (b) bring recommendations or information to Council in respect of items considered by the Committee.

6. In addition to its mandate as set out in section 5, the Committee shall:

- (a) receive reports or submissions from the Citizens Committees as may be required under a bylaw establishing a Citizens Committee or as may be requested to be presented by a Citizens Committee and approved by the Chair for presentation;
- (b) include minutes from Citizens Committee meetings in the Agenda Package for a Committee meeting as soon as reasonably practicable after the minutes are available;
- (c) consider any request or recommendation for Council action arising from the minutes of a Citizens Committee and transmit the request or recommendation to Council together with the Committee's own recommendation to Council as to a response to the request or recommendation; and
- (d) deal with any other matter referred to it by Council.

7. The Committee shall recommend for Council approval its terms of reference not inconsistent with this bylaw, including provisions to welcome and encourage members of the public to have input into the deliberations of the Committee.

### **Membership, Appointment, Term and Administrative Support**

- 8. (a) The Members of the Committee shall be three Councillors, appointed by Council on the recommendation of the Mayor at the 2019 organizational meeting for a one-year term, and again appointed by Council on the recommendation of the Mayor at the 2020 organizational meeting for a one year term. A Member may advise the Mayor of their preference to be appointed to a different standing committee after the initial one-year appointment, and such preference shall be reflected in standing committee appointments made at the 2020 organizational meeting, if possible taking into account the willingness of other Councillors to either remain on the same standing committee or switch to a different standing committee at that time.



- (b) At the first meeting of the Committee following the 2019 Council organizational meeting, then again at the first meeting following the 2020 organizational meeting, the Members shall choose from among themselves a Chair and a Vice Chair act in place of the Chair when the Chair is absent or unable to act, each to serve in those capacities for one year. The Vice Chair has all the rights and duties of the Chair under this or any other bylaw, when acting in place of the Chair.
  - (c) If a Member ceases to be a Councillor and a by-election is held, the person elected as a Councillor in the by-election will take the place of the departing Member on the Committee. If a Member ceases to be a Councillor and a by-election is not held, or if the Member is otherwise unable or unwilling to continue as a Member, Council may appoint another Councillor to replace the departing Member.
  - (d) If a departing Member was a Chair or Vice Chair at the time of leaving the Committee, then at the first Committee meeting following appointment of a replacement Member the Members shall choose from among themselves a new Chair or Vice Chair as the case may be.
9. The CAO shall provide the Committee administrative and other support as required to facilitate the Committee fulfilling its mandate as set out in this bylaw.

### **Quorum, Meetings, and Rules of Procedure**

10. Quorum for a Committee meeting is two Members. If quorum would not otherwise be achieved, the Chair may appoint any Councillor present at a Committee meeting as an alternate, and in such case the current deputy Mayor (if present) will have first priority for appointment and the next scheduled Councillor on the deputy Mayor roster (if present) will have second priority for appointment. A Councillor appointed as an alternate will count toward quorum and may debate, make motions and vote as if the Councillor were a Member.
11. The Mayor is an *ex officio* Member, and when sitting in that capacity has full voting rights and shall be counted toward quorum. The Mayor may also choose to attend a Committee meeting not in an *ex officio* capacity as Mayor but as a Council Member and in that case the Mayor shall have the same rights, privileges and constraints as a Councillor who is not a Member attending a Committee meeting, as set out in section 12 of this bylaw.



12. All meetings of the Committee shall be open to the public except when the Committee passes a motion to close all or a portion of a Committee meeting to the public as and when permitted under the Act.
13. Public notice of meetings of the Committee shall be given by posting a notice on the City's website.
14. The CAO or designate may attend any Committee meeting, including a meeting or part of a meeting that is closed to the public.
15. A Councillor who is not a Member may attend Committee meetings, including meetings or parts of meetings that are closed to the public, and shall be recognized by the Chair to participate in debate or discussion on a matter before the Committee but may not make motions or vote and will not be counted toward quorum.
16. Regular meetings of the Committee shall occur once per month on the second Tuesday of a month, at times established by resolution of Council.
17. The Chair may call a special meeting of the Committee at any time if the Chair is of the belief that a matter requires the Committee's attention sooner than the next regular meeting of the Committee.
18. Minutes shall be taken at each Committee meeting. Minutes do not become official until approved by the Committee at a subsequent meeting, but the Chair has the authority to cause unapproved minutes or an extract from unapproved minutes of a Committee meeting be used for the purpose of complying with section 20 of this bylaw in order to ensure that Council is advised of the deliberations of the Committee and any recommendations arising therefrom in a timely fashion.
19. Except as otherwise provided in this Bylaw the rules governing the procedures of the Committee are as follows, listed in rank order commencing with the most authoritative:
  - a. any procedural requirements specified in the *Municipal Government Act* or other provincial legislation or regulations;
  - b. the *Procedure Bylaw*, interpreted as required to be applicable to the proceedings of the Committee;
  - c. any rules of procedure for Committee meetings that have been adopted by the Committee;
  - d. any Committee terms of reference adopted by resolution of Council;



- e. Council or CAO approved policies, procedures, and guidelines specifically applicable to the Committee; and
- f. the most up-to-date available edition of *Robert's Rules of Order, Newly Revised*.

In the event of a conflict or inconsistency between documents on a procedural question, the more authoritative document in the hierarchy set out in this section shall prevail to the extent of the conflict or inconsistency.

### **Communication with Council**

- 20. The minutes of every Committee meeting, together with the Agenda and Agenda Package that relate to those minutes, shall be an item on the Agenda and in the associated Agenda Package for a subsequent Council meeting as soon as reasonably practicable following the Committee meeting or at a specific Council meeting as directed by the Committee.
- 21. When the Committee's meeting minutes are dealt with at a Council meeting the Committee Chair and/or another Member shall speak to the motions made by the Committee at that meeting (whether passed or defeated) and in so doing shall respond to Councillors' questions concerning such motions. If the Committee minutes include a motion to recommend that Council take or authorize any action, the Committee Chair and/or another Member shall briefly summarize the Committee's rationale for making the recommendation.

### **Review of Committee**

- 22. It is the intention of the Council that the Committee shall function on a pilot basis for a period of two years and that the effectiveness of the Committee in contributing to good governance of the City and the desirability of continuing the Committee beyond the general municipal election of 2021 shall be evaluated by the Council not later than September 30, 2021 on the basis of an evaluation matrix adopted by Council by the end of the 2d quarter of 2020.



### Coming Into Force

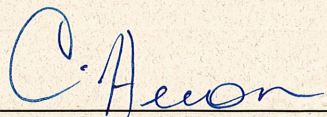
23. This bylaw comes into effect when it is passed.

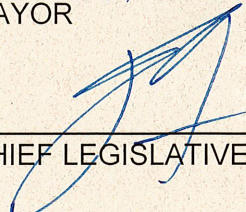
READ a First time this 4<sup>th</sup> day of November 2019.

READ a Second time this 4<sup>th</sup> day of November 2019.

READ a Third time this 4<sup>th</sup> day of November 2019.

SIGNED AND PASSED this 4<sup>th</sup> day of November 2019.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CHIEF LEGISLATIVE OFFICER

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