

## BYLAW NO. 1919-19

### A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA TO ESTABLISH AND DEFINE THE FUNCTION OF THE COMMITTEE OF THE WHOLE

**WHEREAS**, pursuant to Section 145 of the *Municipal Government Act Chapter M-26 RSA 2000* a Council may pass bylaws to establish committees and define their function and roles; and

**WHEREAS**, the Council of the City of Wetaskiwin wishes to establish a Committee of the Whole to assist City Council with matters related to the operations of the City;

**NOW THEREFORE**, the Council of the City of Wetaskiwin, duly assembled, enacts:

#### 1. TITLE

1.1 This Bylaw may be cited as “The Committee of the Whole Bylaw”.

#### 2. DEFINITIONS

2.1 In this Bylaw:

- a) “Administrative Inquiry” is a request by a Council Member to the Chief Administrative Officer for the future provision of information;
- b) “Assistant Chief Administrative Officer” shall mean the person hired into the position of the Assistant Chief Administrative Officer and holds all responsibilities of the position;
- c) “Chief Administrative Officer” shall have the same definition and meaning as the *Municipal Government Act*;
- d) “Chair” means the Deputy Mayor or other person authorized to preside over a meeting;
- e) “Clerk” means the Legislative Officer for the City of Wetaskiwin;
- f) “Committee” means the Committee of the Whole as established by this Bylaw;
- g) “Council” means the municipal Council of the City of Wetaskiwin;
- h) “Council Member” means a Council Member who is duly elected and continues to hold office and includes the Mayor;
- i) “Council Committee” means any committee, board or other body established by Council by Bylaw pursuant to Section 145 of the *Municipal Government Act*;
- j) “Closed Session” means a portion of a meeting of Council without the presence of the public or City staff, except for those invited by Council, where the matter to be

discussed falls within one of the exceptions to disclosure in Division 2, of Part 1 of the *Freedom of Information and Protection of Privacy Act*;

“Deputy Mayor” means the Deputy Chief Elected Official of the City of Wetaskiwin, whom shall have the duties and obligations prescribed by the *Municipal Government Act*;

- k) “Meeting Procedural Bylaw” means Bylaw 1909-18 and includes any amendments or successor bylaws thereto;
- l) “Member” means a member of the Committee of the Whole and includes all Members of Council and senior administration, or designate;
- m) “Organizational Meeting” means a meeting of Council held pursuant to Section 192 of the *Municipal Government Act*.
- n) “Quorum” means the minimum number of Members that must be present at a meeting for business to be legally transacted.

### **3. Establishment**

- 3.1 A Council Committee is hereby established; the name of the Committee shall be the “Committee of the Whole”.

### **5. Committee Roles and Responsibilities**

- 5.1 The Deputy Mayor shall act as Chair.

- a) The Councillor who is next in line for Deputy Mayor rotation, as established by Council at the Organizational Meeting, shall act as Alternate.
- b) In case of a temporary absence of the Chair, the Alternate shall serve as Acting Chair.

- 5.2 Members shall:

- a) Read all agenda material and seek clarification from administration on any matters prior to meetings to make the most effective use of the Committee’s time;
- b) Have a broad awareness of the interrelationship of the City’s strategic initiatives and its operations;
- c) Understand the difference between the role of the Committee and the role of administration;
- d) Attend meetings and participate fully;
- e) Debate the issues in an open, honest and informed manner to assist the decision-making process;

- f) Actively contribute to the development of Committee recommendations and directions;
- g) Represent and advocate on behalf of constituents, keeping in mind the entire municipality when considering and addressing issues;
- h) Respect the role of Chair;
- i) Respect the role of administration; and
- j) Have a willingness to respectfully challenge administration when necessary.

5.3 The Committee may:

- a) Make recommendations to Council;
- b) Receive reports from administration or other Committees of Council;
- c) Receive, or provide input into, the development of financial reports, financial plans, or budgets;
- d) Approve audit plans;
- e) Refer any matter to Council for further discussion;
- f) Recommend amendments to draft policies, bylaws, or other governing documents; and
- g) Give direction to the Chief Administrative Officer; and
- h) Close the entire meeting or a portion of the meeting to discuss matters that are protected under the *Freedom of Information and Protection of Privacy Act*.

**6. Mandate**

6.1 The Committee's mandate defines its core areas of management and responsibility.

6.2 Leadership and Stewardship – the Committee shall:

- a) Consider risk management issues when debating options and recommendations;
- b) Ensure the Committee conducts its business consistent with Council's policies;
- c) Consider Wetaskiwin's commitment to sustainability in the areas of social, economic, cultural and environmental stewardship when developing recommendations;
- d) Recommend service reviews for the consideration of administration;

- e) Review the external auditor's proposed audit scope and approach, including coordination of audit effort with City administration;
  - (i) Review with management and the external auditors the result of the audit, including any difficulties encountered and all other matters required to be communicated to the Committee under Generally Accepted Auditing Standards;
- f) Consider the effectiveness of the City's internal control system for the safeguarding of assets, including information technology security and control, and the adequacy of policies and procedures;
- g) Review management and program performance regarding efficiency, effectiveness and economy in the use of resources;
- h) Recommend to Council special investigations and funding as required;
- i) Attend ongoing training and development that is provided to enhance the financial literacy of Committee members;
- j) Review and recommend governance principles, policies and guidelines with respect to strategic planning for Council approval;
- k) Ensure an effective strategic planning and priority setting process is implemented during each new term of Council and advise on necessary improvements;
- l) Review and recommend an annual strategic planning work plan for Council approval;
- m) Receive regular update reports on the status of priority initiatives to ensure appropriate progress;
- n) Receive regular updates on Key Performance Indicators related to the Strategic Plan;

6.3 Empowerment and Accountability – the Committee shall:

- a) Obtain regular updates from management and third parties (legal counsel, external auditors) regarding compliance with laws and regulations that have a material impact on internal policies or on the financial statements including:
  - (i) Tax and financial reporting laws and regulations,
  - (ii) Legal withholding requirements, and
  - (iii) Environmental protection laws and regulations.
- b) Review bylaws and policies specifically regulating the conduct of members of Council, administration, and suppliers;
- c) Review the findings of any examinations by regulatory agencies, and any auditor observations;

- d) Review the results of management investigations and follow-up for any instances of non-compliance;
- e) Review the effectiveness of established systems to ensure compliance;
- f) As new business and ventures are embarked on by the City, gain comfort that all appropriate processes have been put in place to evaluate feasibility of the new business and to ensure proper resources, both human and financial, have been provided;
- g) Receive and review recommendations for the development of strategic communications material to support community understanding of the City's financial standing and strategic directions.

6.4 Commitment, Engagement, and Transparency - the Committee shall:

- a) Recommend improvements to information flows for each service area;
- b) Regularly evaluate Committee meeting effectiveness and incorporate improvements as appropriate;
- c) Review significant accounting and reporting issues, including complex or unusual transactions, highly judgmental areas and recent professional and regulatory announcements, and understand their impact on the financial statements;
- d) Prior to the presentation of the annual financial statements to Council, review the financial statements and consider whether they are complete, consistent with information known to the Committee and reflect appropriate accounting principles;
- e) Recommend to Council the approval and distribution of the annual financial statements;
- f) Review and confirm the independence of the external auditor by obtaining statements from the auditor on relationships between the auditor and the City, including non-audit services, and discussing the relationships with the auditor; and
- g) Review and recommend changes to the Committee of the Whole Bylaw once per Council Member term and/or when substantive changes are proposed or warranted.

**7. Meetings and Rules of Procedure**

7.1 The Committee shall meet:

- a) As per the schedule approved by Council at the annual organizational meeting;
- b) As required, at the call of the Chair,
- c) By amending the schedule established at the annual organizational meeting by resolution of Council.

7.2 Meetings

- a) Committee meetings shall be held on the last Regular Council meeting day of each month prior to the Regular Council meeting. The time and location of the meeting shall be advertised prior to the meeting commencing.
- b) On months where there is only one Regular Council meeting, the Committee meeting shall be held on those days on which there are Regular Council Meetings.

7.3 Agendas for the meeting

- a) Items included on the Committee meeting agenda shall be the responsibility of the Assistant Chief Administrative Officer working in collaboration with the Mayor, the appropriate Chair and Legislative Services.

7.4 Notice of Meetings

- a) As per Section 195 of the *Municipal Government Act*, notice of Committee meetings shall be given 24 hours in advance and shall be advertised in City Hall as well as on the City website,
- b) Committee meetings shall be open to the public, however in the event that a Committee meeting or a portion of a Committee Meeting is closed from the public pursuant to any non-disclosure provision in the *Freedom of Information and Protection of Privacy Act*, the Committee shall approve, by resolution, the meeting closure, shall indicate the reason for closing the meeting or a portion of the meeting under Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*, and the City Manager shall record the names of those attending the closed meeting.

7.5 Minutes

- a) Meeting minutes will be recorded without note or comment in accordance with Section 208(1)(a) of the *Municipal Government Act*.

7.6 The Chair shall:

- a) Preside over the Committee meetings;
- b) Sign the minutes of the Committee proceedings along with the Chief Administrative Officer;
  - (i) In the event the Chief Administrative Officer is absent from the meeting, the Assistant Chief Administrative Officer shall sign the minutes.
- c) Liaise with Administration; and
- d) Report to Council on behalf of the Committee.

7.7 The Committee may, at any time, receive verbal and written presentations from members of the public on a specific item on the Committee's agenda or on any matter

within the responsibilities of the Committee without submitting a request prior to the meeting.

- 7.8 Unless the Committee directs otherwise, verbal presentations from the public shall be limited to five (5) minutes in length for each speaker requesting to be heard by the Committee.
- 7.9 Except as modified by specific provisions of this Bylaw, the Committee shall conduct itself in accordance with the Meeting Procedural Bylaw and, if necessary, with regard to the most recent edition of *Robert's Rules of Order*, with the following exceptions:
- a) A Member may speak about a matter before the Committee even without a motion on the floor;
  - b) The only instance in which a motion must be made is when the Committee moves to close a portion of, or the entire meeting, to discuss matters protected under the *Freedom of Information and Protection of Privacy Act*.
  - c) A Member may speak more than once about a matter before the Committee,
  - d) With permission of the Chair, persons other than Members may be seated at the table and participate in the discussions;
  - e) A Member does not need to provide notice of any motion provided that the motion is related to the agenda item under consideration at that time; and
  - f) The Chair may make a motion on any matter without relinquishing the chair.
- 7.10 The procedures for receiving, reviewing and tracking items received by the Committee shall follow the process outlined in "Schedule A" as attached to and forming part of this Bylaw.
- 7.11 The procedures for managing stakeholder participation shall follow the process outlined in "Schedule B" as attached to and forming part of this Bylaw.
- 8. Severability:**
- 8.1 If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of the Bylaw, and the remaining provisions shall continue to be valid and enforceable.
- 9. Date of Effect:**
- 9.1 This bylaw shall come into full force upon third and final reading and signature thereof.

Read for a first time this 25 day of February, 2019.

Read for a second time this 11 day of March, 2019.

Read a third time and passed this 11 day of March, 2019.

ORIGINAL SIGNED

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Tyler Gandam, Mayor

ORIGINAL SIGNED

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Sue Howard, Acting City Manager



“Schedule A”

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*Additional Details to Assist Stakeholders with Role and Responsibilities*

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“RACI Chart”

A RACI chart is used to quickly identify roles and responsibilities; the following RACI is specific to City of Wetaskiwin meetings.

- R** Responsible for Project: Indicates the Stakeholder responsible for getting the work done. They may not be a decision maker, but drives the group to make decisions in a timely manner.
- A** Approver: Gives final approval for and accepts the outcome of this activity; they makes decisions.
- C** Must be consulted: As work is performed, this stakeholder contributes information. They do not make decisions, but are asked for input prior to decisions.
- I** Informed after a decision is made: They want to stay updated on progress of this activity.

Activity	Responsible	Approver	Consulted	Informed
<b>Planning</b>				
Manage Meeting forecast	Clerk	CAAO	Mayor/ Chair/CAO	
Manage outside list of actions & motions	Clerk/CAAO	Council	ES/CAO	
Agenda planning & preview	CAAO/Clerk	Mayor/Chair/CAO		
<b>Meetings</b>				
Submit agenda material	Clerk	CAAO	CAO/DS	
Distribute agenda packages	Clerk	CAO		IS/ES
Chair Meetings	Chair	Council		
Draft Minutes	Clerk	CAO	CAAO	
Approve Minutes	Clerk	Council		IS/ES

CAO – Chief Administrative Officer  
 ACAO – Assistant Chief Administrative Officer  
 DS – Designated Staff  
 IS/ES – External and Internal Stakeholders

“Schedule B”

*Committee Participation of Stakeholders during Meetings*

<b>City of Wetaskiwin Council Committee Guidelines on Participation During Committee Meetings</b>				
<b><i>Obligations and Expectations of Stakeholders Participating in Committee of the Whole Meetings</i></b>				
<b>Principles:</b>				
<ol style="list-style-type: none"> <li>1. <b>Input is received in writing or in person during scheduled times in the Committee Meetings.</b></li> <li>2. <b>Committee Meeting minutes capture the delegations who spoke to Committee.</b></li> <li>3. <b>Commitment to fair, effective, and efficient decision-making practices.</b></li> </ol>				
<b>Activity</b>	<b>Mayor/Chair</b>	<b>Committee Members</b>	<b>Staff</b>	<b>Delegations and Public</b>
Receiving background material, staff reports	All Committee Members receive Committee agendas, staff reports, and public correspondence		Create staff reports	May download from City website
Contacting staff to ask questions prior to a Committee Meeting	Yes	Yes	N/A	Yes
Attending meetings:				
Open Sessions	Yes	Yes	Yes	Yes
Closed Sessions	Yes	Yes	As req'd	No
Engaging in Committee discussion and deliberation. Engaging in decision making.	Lead their appropriate portion of agenda and keep Committee focused, on task, and close the meeting.	Yes Yes	Yes Yes	No No
Offer opinion to Committee through the Chair:				
In advance	Yes	Yes	Yes	Yes
At meeting	Yes	Yes	Yes	Yes
Review written input	Yes	Yes	Yes	Yes
Listen to public delegations	Yes	Yes	Yes	Yes
Ask questions of delegations	Yes	Yes	No	No
Ask questions directly to staff	Yes	Yes	No	No
Request through the Chair for additional information prior to a Council Meeting	N/A	Yes	N/A	Yes