

BYLAW NUMBER 31M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 28M2002,
THE CALGARY PARKING AUTHORITY BYLAW

WHEREAS Council has considered PFC2017-0474 and deems it necessary to amend Bylaw 28M2002, the Calgary Parking Authority Bylaw;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 28M2002, the Calgary Parking Authority Bylaw, as amended, is hereby further amended.
2. In section 2:
 - (1) subsection 2(b) is deleted and replaced with the following:
 - “(b) *“Calgary Parking Authority”* or *“Authority”* means the operational entity known as the Calgary Parking Authority and includes the General Manager and all staff reporting directly or indirectly to the General Manager;
 - (b.1) *“Calgary Parking Committee”* or *“Committee”* means the committee of Council established pursuant to this Bylaw;”;
 - (2) in subsection 2(h):
 - (a) the word *“Authority”* is deleted and replaced with *“Committee”*;
 - (b) the word *“Administration”* is deleted and replaced with *“administration”*;
 - (3) the following is added after subsection 2(h) as subsection 2(h.1):
 - (i) *“General Manager”* means the individual appointed by the Committee pursuant to this Bylaw;”;and
 - (4) in subsection 2(j):
 - (a) the word *“public”* is deleted; and
 - (b) the words *“that is owned or leased by the City and which has been designated by Council for management by the Authority”* are deleted.

3. In section 3:

- (1) The title "**ESTABLISHMENT OF THE PARKING AUTHORITY**" is deleted and replaced with "**ESTABLISHMENT AND MANDATE OF THE CALGARY PARKING COMMITTEE**";
- (2) In subsection 3(1):
 - (a) the word "Authority" is deleted and replaced with "Calgary Parking Committee";
 - (b) the word "with" is deleted and replaced with "as a committee of Council to oversee the Authority with respect to";
- (3) in subsection 3(1)(c), after the word "facilities" the words "that are owned or leased by the City and which have been designated by Council for management by the Authority" are added;
- (4) after subsection 3(1)(c), the following is added as subsection 3(1)(c.1):

"(c.1) provide parking services for parking facilities owned or leased by third parties, or manage and operate such parking facilities;"
- (5) after subsection 3(1)(d), the following is added as subsection 3(1)(d.1):

"(d.1) manage and operate municipal impound lots;"
- (6) in subsection 3(1)(h), after the word "effective;" the word "and" is deleted;
- (7) in subsection 3(1)(i), the "." after the word "Act" is deleted and replaced with a ",";
- (8) the following is added after subsection 3(1)(i) as subsections 3(1)(j), (k) and (l):
 - (j) manage parking permit programs;
 - (k) manage records of the Authority; and
 - (l) develop, maintain, utilize, enhance and/or commercialize parking-related technologies.;"
- (9) subsection 3(3) is deleted and replaced with the following:

"(3) To facilitate the mandate of the Committee, the Authority may, with the sole approval of the Committee:

 - (a) enter into parking contracts with its customers;
 - (b) enter into leases, licenses of occupation or rental agreements to lease, license or rent land or space to or from third parties;
 - (c) enter into agreements or joint ventures with other public agencies or private entities for the provision of services to or the

management or operation of third party owned parking facilities;
and

- (d) procure goods and services as authorized by the budget approved by Council and in accordance with the applicable Council policies, and issue purchase orders for such goods and services.”;

and

(10) the following is added after section 3(4) as sections 3(5) and (6):

- “(5) The Authority and senior members of City administration shall work together to identify and agree on the types and levels of services that City administration will provide to the Authority including, without limitation:
 - (a) legal services, as may be deemed appropriate by the City Solicitor;
 - (b) insurance and claims management;
 - (c) customer service and communications;
 - (d) information technology;
 - (e) real estate and development services;
 - (f) corporate security; and
 - (g) procurement and supply management.
- (6) The Committee may establish policies for the Authority but where it has not established a policy, the relevant Council or City administration policy will apply.”.

4. In section 4:

- (1) the title **“COMPOSITION OF THE AUTHORITY”** is deleted and replaced with **“COMPOSITION OF THE COMMITTEE”**;
- (2) the word “Authority” is deleted wherever it appears and replaced with “Committee”;
- (3) in subsection 4(1), the word “electors” is deleted and replaced with “Elector-members”;
- (4) subsection 4(3) is deleted;
- (5) in subsection 4(4):
 - (a) the words “elector members” is deleted and replaced with “Elector-members”;

- (b) the words “, except that the first term of an elector shall be for one year only” are deleted;
- (6) the following is added after subsection 4(4) as subsection 4(4.1):
 - “(4.1) Despite subsection (4), an Elector-member may serve until his or her successor is appointed. The service of an Elector-member beyond the appointed term shall not count toward the limit on the length of service as set out in subsection (5)(a) if the additional service is one year or less.”;
- (7) in subsection 4(5):
 - (a) subsection 4(5)(a) is deleted and replaced with the following:
 - “(5) (a) Elector-members may only be appointed for a maximum of three consecutive terms, for a total of six years.”;
 - (b) subsection 4(5)(c) is deleted and replaced with the following:
 - “(c) Despite subsection (5)(a), an Elector-member may serve more than six consecutive years if authorized by a two-thirds vote of Council.”;
- (8) in subsection 4(8):
 - (a) the words “a member” are deleted and replaced with “any member”;
 - (b) the word “terms” is deleted and replaced with “term”;and
- (9) the following is added after subsection 4(8) as subsection 4(8.1):
 - “(8.1) When an appointment is made to fill an Elector-member vacancy pursuant to subsection (8):
 - (a) if the balance of the term to be served is one year or less, that service shall not count toward the limit on the length of service, set out in subsection (5)(a); and
 - (b) If the balance of the term to be served is more than one year, that service shall count toward the limit on the length of service set out in subsection (5)(a).”.

5. In section 5:

- (1) the title "**OFFICERS OF THE AUTHORITY**" is deleted and replaced with "**OFFICERS OF THE COMMITTEE**";
 - (2) the word "Authority" is deleted wherever it appears and replaced with "Committee";
- and
- (3) in subsection 5(7):
 - (a) the words "elector member" are deleted and replaced with "Elector-member"; and
 - (b) after the words "one thousand five hundred dollars per year" the words ", or such other amount as directed by Council," are added

6. In section 6:

- (1) in subsection 6(1):
 - (a) the word "Authority" is deleted and replaced with "Committee";

and

 - (b) the word "engage" is deleted and replaced with "appoint, oversee and ensure the accountability of"
 - (2) in subsection 6(2), the words "as established by the Authority" are deleted and replaced with "as established by the Committee";
 - (3) in subsection 6(3), the word "Authority" is deleted and replaced with "Committee";
- and
- (4) the following is added after subsection 6(3) as subsections 6(4) and (5):
 - "(4) The Committee may delegate any of its powers, duties and functions to the General Manager, except the Committee's powers pursuant to section 5 and subsections 6(1) and 6(3).
 - (5) The General Manager may further delegate powers, duties and functions to any person directly or indirectly reporting to the General Manager."

7. In section 7:

- (1) in subsection (1):
 - (a) the word "Authority" is deleted and replaced with "Committee";

- (b) the words “in accordance with” are deleted and replaced with “subject to”;
- (2) subsection 7(2) is deleted and replaced with the following:
 - “(2) The Committee shall provide for the cost of management and operation of the Authority in accordance with policies established by Council.”;
- (3) in subsection 7(3), the words “The Authority shall” are deleted and replaced with “The Committee shall”;
- and
- (4) in subsection 7(3)(b):
 - (a) the words “it’s operations” are deleted and replaced with “the Authority’s operations”;
 - and
 - (b) after the word “auditor” the words “, in a form acceptable by the City” are added.
- 8. In section 8:
 - (1) in subsection 8(1), after the words “parking facilities” the words “owned by the City” are added;
 - (2) in subsection 8(2), the word “Authority” is deleted and replaced with “Committee”;
 - and
 - (3) subsection 8(3) is deleted and replaced with the following:
 - “(3) All proposed acquisitions and dispositions of parking facilities, other than a lease, license of occupation or rental agreement pursuant to subsection 3(3)(b), are subject to the approval of Council.”.
- 9. In section 9:
 - (1) in subsection 9(1), the words “the Authority shall allow” are deleted and replaced with “the Committee shall allow”;
 - and
 - (2) in subsection 9(2), the words “The Authority shall assist” are deleted and

replaced with "The Committee shall assist".

10. This bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS ___ DAY OF _____, 2017.

READ A SECOND TIME THIS ___ DAY OF _____, 2017.

READ A THIRD TIME THIS ___ DAY OF _____, 2017.

MAYOR
SIGNED THIS ___ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ___ DAY OF _____, 2017.

