



MINUTES

COMBINED MEETING OF COUNCIL

**February 8, 2021, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

Councillor S. Chu (Remote Participation)
Councillor J. Gondek (Remote Participation)
Councillor J. Farkas (Remote Participation)
Councillor J. Davison (Remote Participation)
Councillor S. Keating (Remote Participation)
Councillor P. Demong (Remote Participation)
Councillor D. Colley-Urquhart (Remote Participation)
Councillor D. Farrell (Remote Participation)
Councillor W. Sutherland (Remote Participation)
Councillor G. Chahal (Remote Participation)
Councillor E. Woolley (Remote Participation)
Councillor J. Magliocca (Remote Participation)
Councillor G.C. Carra (Remote Participation)
Mayor N. Nenshi

ALSO PRESENT:

City Manager D. Duckworth (Remote Participation)
City Solicitor and General Counsel J. Floen (Remote Participation)
A/General Manager S. Arthurs (Remote Participation)
A/General Manager K. Black (Remote Participation)
General Manager S. Dalgleish (Remote Participation)
Chief Financial Officer C. Male (Remote Participation)
A/General Manager D. Morgan (Remote Participation)
General Manager M. Thompson (Remote Participation)
Deputy City Clerk T. Mowrey
Legislative Coordinator M. A. Cario
Legislative Advisor G. Chaudhary
Legislative Advisor A. de Grood
Legislative Advisor J. Palaschuk

1. CALL TO ORDER

Deputy Mayor Gondek called today's Meeting to order at 9:32 a.m. on 2021 February 08.

ROLL CALL

Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Keating, Councillor Magliocca, Councillor Sutherland, Councillor Woolley, Councillor Carra, Councillor

Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Gondek, and Councillor Davison.

Absent for Roll Call: Mayor Nenshi

By General Consent, Council then dealt with Question Period following the Call to Order.

2. OPENING REMARKS

None

3. RECOGNITIONS

This item was dealt with following Question Period.

Councillor Chahal and Councillor Gondek took an opportunity to highlight the situation of protesting farmers in India to Council and Calgarians.

3.1 Boards, Commissions and Committees Retiring Public Members

Mayor Nenshi, on behalf of Council, recognized and thanked departing citizen members of various Boards, Commissions and Committees. A presentation showing the names of departing members was displayed.

3.2 Freedom to Read Week

Mayor Nenshi proclaimed Freedom to Read Week and Mark Asberg, Calgary Public Library Chief Executive Officer, addressed Council.

Council then returned to the Agenda to deal with Confirmation of Agenda.

4. QUESTION PERIOD

This item was dealt with following the Call to Order.

1. Councillor Davison

Topic: Safety measures on the LRT.

2. Councillor Chu

Topic: Use of shipping containers (sea cans) and requirements for development permits.

Mayor Nenshi assumed the Chair at 9:40 a.m. and Councillor Gondek returned to her regular seat in Council.

Council then returned to the Agenda to deal with Item 3.1.

5. CONFIRMATION OF AGENDA

This Item was dealt with following the Recognitions.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Carra

That the Agenda for today's meeting be amended by adding the following as an Item of Confidential Urgent Business, to be heard 2021 February 09, following Item 11.3.2:

- 14.3.1 Legal Update #2 and Amendments to City Solicitor Bylaw 48M2000, C2021-0231.

MOTION CARRIED

Moved by Councillor Farrell
Seconded by Councillor Davison

That the Agenda for the 2021 February 08 Combined Meeting of Council be confirmed,
as amended.

MOTION CARRIED

6. CONFIRMATION OF MINUTES

6.1 Minutes of the Combined Meeting of Council, 2021 January 18

Moved by Councillor Demong
Seconded by Councillor Farkas

That the Minutes of the 2021 January 18 Regular Meeting of the Combined Meeting of Council be confirmed.

MOTION CARRIED

7. CONSENT AGENDA

Moved by Councillor Chu
Seconded by Councillor Keating

That the Consent Agenda be adopted as follows:

7.1 DEFERRALS AND PROCEDURAL REQUESTS

7.1.1 Procedural Request to Change Report Back Directed in Report CPS2018-1256 from SPC on Community Protective Services Q2 2021 to Priorities and Finance Committee Q2 2021

7.2 BRIEFINGS

7.2.1 COVID-19 Service and Financial Impacts - January Update, C2021-0147, C2021-0147

7.3 City Planning and Policy Priorities and Workplan Report 2021, PUD2021-0046

7.4 Industry City Work Plan 2020 Year-End Report, PUD2021-0063

7.5 Summary of Current Proceedings, GPT2021-0054

7.8 Proposed Lease – (Downtown East Village) – Ward 07 (1 Dermot Baldwin WY SE), UCS2021-0137

7.10 External Auditor 2019 Management Letter Update, AC2021-0043

7.11 City Auditor's Office 4th Quarter 2020 Report, AC2021-0132

7.12 External Auditor - Provision of Additional Services for 2020 External Audit, AC2021-0144

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

7.6 Regulatory Update (Verbal), GPT2021-0131

This Item was dealt with in the Closed Meeting portion of the 2021 February 08 Meeting.

Administration in attendance during the Closed Meeting discussions with respect to Report GPT2021-0131:

Clerks: T. Mowrey and M.A. Cario. City Manager: D. Duckworth. Law: J. Floen. Advice: C. Arthurs, K. Black, S. Dalglish, C. Male, M. Thompson, D. Morgan, and B. Whyte.

A confidential presentation entitled "Regulatory Update" was distributed with respect to Verbal Report GPT2021-0131.

Moved by Councillor Chu

Seconded by Councillor Farrell

That with respect to Verbal Report GPT2021-0131, the following be adopted:

That Council:

1. Direct Administration to make public the portions of this presentation that are not required to be kept confidential; and
2. Direct that the Closed Meeting discussions be held confidential pursuant to Sections 23 (Local public body confidences) and 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to be reviewed by 2026 February 08.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

7.7 Open-Pit Coal Mining in the Rocky Mountains Eastern Slopes Update (Verbal), UCS2021-0174

By General Consent, this Item was postponed to the Call of the Chair.

This Item was dealt with following the rise and report on Item 14.2.3.

Moved by Councillor Colley-Urquhart
Seconded by Councillor Sutherland

That the Administration Recommendations contained in Report UCS2021-0174 be amended by adding a new Recommendation 2, as follows:

2. Request the Mayor to write to the Government of Alberta in support of other Southern Alberta municipalities expressing our support for the full reinstatement of the 1976 Coal policy and significantly more public consultation, and advocating for the protection of the watershed through the cancelation or suspension of the coal mining leases granted after the 1976 coal mining policy was rescinded in June 2020.

For: (12): Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Sutherland
Seconded by Councillor Demong

That with respect to Report UCS2021-0174, the following be adopted, as amended:

That Council:

1. Direct Administration and other experts to make a presentation at the Standing Policy Committee on Utilities and Corporate Services no later than May 2021 on the Government of Alberta's decision to rescind the 1976 coal-mining policy that had protected the eastern slopes of the Rocky Mountains – and the headwaters that flow from them; and
2. **Request the Mayor to write to the Government of Alberta in support of other Southern Alberta municipalities expressing our support for the full reinstatement of the 1976 Coal policy and significantly more public consultation, and advocating for the protection of the watershed through the cancelation or suspension of the coal mining leases granted after the 1976 coal mining policy was rescinded in June 2020. .**

For: (12): Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Carra
Seconded by Councillor Woolley

That with respect to Report UCS2021-0174, the following Motion Arising be adopted:

That this item be added to the next agenda of the Intergovernmental Affairs Committee for consideration as a potential plebiscite question.

ROLL CALL VOTE:

For: (7): Councillor Farkas, Councillor Davison, Councillor Farrell, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (7): Councillor Chu, Councillor Gondek, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, and Councillor Magliocca

MOTION DEFEATED

Moved by Councillor Demong
Seconded by Councillor Farkas

That with respect to Report UCS2021-0174, the following Motion Arising be adopted:

That this item be added to the next agenda of the Intergovernmental Affairs Committee.

ROLL CALL VOTE:

For: (12): **Councillor Gondek**, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Magliocca

MOTION CARRIED

By General Consent, pursuant to Section 121 of the Procedure Bylaw 35M2017, Council granted Councillor Gondek's request to change her vote from the negative to the affirmative.

Council recessed at 6:17 p.m. on 2021 February 08, to reconvene at 1:00 p.m. 2021 February 09 to continue the Agenda at Item 11.3.2.

7.9 Annual Principal Corporate Risk Report, AC2021-0037

This Item was dealt with following the Consent Agenda.

A presentation entitled "Annual Principal Corporate Risk Report" was distributed with respect to Report AC2021-0037.

Moved by Councillor Woolley
Seconded by Councillor Farkas

That with respect to Report AC2021-0037, the following be adopted:

That Council receive Report AC2021-0037 and the presentation for the Corporate Record.

MOTION CARRIED

Council then dealt with Item 10.1.

8. PLANNING MATTERS FOR PUBLIC HEARING

8.1 CALGARY PLANNING COMMISSION REPORTS

8.1.1 Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at 2103 - 8 Street SE, LOC2020-0134, CPC2020-1355

This item was dealt with following the vote on Item 9.3.1.

A presentation entitled "LOC2020-0134 Policy Amendment and Land Use Amendment" was distributed with respect to Report CPC2020-1355.

The Public Hearing was called and the following speakers addressed Council with respect to Bylaws 8P2021 and 16D2021:

1. Alex Dobrin, Marcel Design Studio Ltd
2. Scott Clark

Moved by Councillor Carra
Seconded by Councillor Woolley

That with respect to Report CPC2020-1355, the following be adopted:

That Council:

1. Give three readings to the Proposed Bylaw 8P2021 for an amendment to the Ramsay Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the Proposed Bylaw 16D2021 for the redesignation of 0.05 hectares ± (0.12 acres ±) located at 2103 - 8 Street SE (Plan 4662R, Block 13, Lots 1 and 2) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District.

ROLL CALL VOTE:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That Bylaw 8P2021 be introduced and read a first time.

ROLL CALL VOTE:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That Bylaw 8P2021 be read a second time.

VOTE WAS AS FOLLOWS:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That authorization now be given to read Bylaw 8P2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 8P2021 be read a third time.

VOTE WAS AS FOLLOWS:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That Bylaw 16D2021 be introduced and read a first time.

ROLL CALL VOTE:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That Bylaw 16D2021 be read a second time.

VOTE WAS AS FOLLOWS:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

That authorization now be given to read Bylaw 16D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 16D2021 be read a third time.

VOTE WAS AS FOLLOWS:

For: (10): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (4): Councillor Chu, Councillor Farkas, Councillor Demong, and Councillor Magliocca

MOTION CARRIED

8.1.2 Policy Amendment and Land Use Amendment in Altadore (Ward 8) at 5004 - 21 Street SW, LOC2020-0130, CPC2020-1356

A presentation entitled "LOC2020-0130 Policy Amendment and Land Use Amendment" was distributed with respect to Report CPC2020-1356.

The Public Hearing was called and the following speakers addressed Council with respect to Bylaws 7P2021 and 15D2021:

1. Lisa Ferreira, Professional Custom Homes Ltd.
2. Gursharan Pabla, Professional Custom Homes Ltd.
3. Todd Poland

By General Consent, pursuant to Section 90(2) of the Procedure Bylaw 35M2017, Council recalled the Applicant in order to ask additional questions of clarification.

Moved by Councillor Woolley
Seconded by Councillor Carra

That with respect to Report CPC2020-1356, the following be adopted:

That Council:

1. Give three readings to the Proposed Bylaw 7P2021 for an amendment to the South Calgary/Altadore Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the Proposed Bylaw 15D2021 for the redesignation of 0.07 hectares \pm (0.17 acre \pm) located at 5004 – 21 Street SW (Plan 1720AJ, Block 18, Lots 1 and 2) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade Oriented Infill (R-CG) District.

ROLL CALL VOTE:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 7P2021 be introduced and read a first time.

ROLL CALL VOTE:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 7P2021 be read a second time.

VOTE WAS AS FOLLOWS:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That authorization now be given to read Bylaw 7P2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 7P2021 be read a third time.

VOTE WAS AS FOLLOWS:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 15D2021 be introduced and read a first time.

ROLL CALL VOTE:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 15D2021 be read a second time.

VOTE WAS AS FOLLOWS:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

That authorization now be given to read Bylaw 15D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 15D2021 be read a third time.

VOTE WAS AS FOLLOWS:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Colley-Urquhart

MOTION CARRIED

8.1.3 Policy Amendment and Land Use Amendment in Beltline (Ward 8) at multiple addresses, LOC2020-0053, CPC2020-1352

A clerical correction was noted on page 5 of attachment 7 of Report CPC2020-1352 by removing Letter 3 and adding to Item 8.1.3, Report CPC2020-1355, Attachment 7.

The following documents were distributed with respect to Report CPC2020-1352:

- A presentation entitled "LOC2020-0052 Policy Amendment and Land Use Amendment"
- A document with formulas

The Public Hearing was called and the following speakers addressed Council with respect to Bylaws 10P2021 and 19D2021:

1. Brian Horton, O2 Planning + Design
2. Ryan O'Connor, Western Securities
3. Tammy Duncan

Moved by Councillor Woolley
Seconded by Councillor Farkas

That with respect to Report CPC2020-1352, the following be adopted:

That Council:

1. Give three readings to Proposed Bylaw 10P2021 for the amendments to the Beltline Area Redevelopment Plan (Attachment 2); and
2. Give three readings to Proposed Bylaw 19D2021 for the redesignation of 0.22 hectares \pm (0.55 acres \pm) located at 1409 and 1411 - 4 Street SW and 508, 512, and 514 - 15 Avenue SW (Plan A1, Block 106, Lots 24 to 30) from Centre City Commercial Corridor District (CC-COR), Centre City Multi-Residential High Rise District (CC-MH) and DC Direct Control District to DC Direct Control District to accommodate additional floor area and bonus incentives, with guidelines (Attachment 3).

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 10P2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 10P2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 10P2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 10P2021 be read a third time.

MOTION CARRIED

That Bylaw 19D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 19D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 19D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 19D2021 be read a third time.

MOTION CARRIED

Moved by Councillor Farkas

Seconded by Councillor Woolley

That with respect to Report CPC2020-1352, the following Motion Arising be adopted:

That Council direct the development authority to take all efforts to ensure that the William's Block is preserved at the development permit stage.

MOTION CARRIED

8.1.4 Land Use Amendment in Crestmont (Ward 1) at 47 Crestridge Way SW, LOC2020-0153, CPC2020-1371

A presentation entitled "LOC2020-0153 Land Use Amendment" was distributed with respect to Report CPC2020-1371.

The Public Hearing was called and Greg Oilund, addressed Council with respect to Bylaw 14D2021.

Moved by Councillor Sutherland

Seconded by Councillor Davison

That with respect to Report CPC2020-1371, the following be adopted:

That Council:

1. Give three readings to Proposed Bylaw 14D2021 for the redesignation of 0.06 hectares ± (0.14 acres ±) located at 47 Crestridge Way SW (Plan 0312036, Block 6, Lot 15) from DC Direct Control District to Residential – Contextual One Dwelling (R-C1s) District.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 14D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 14D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 14D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 14D2021 be read a third time.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Moved by Councillor Farkas
Seconded by Councillor Chu

That with respect to Report CPC2020-1371, the following Motion Arising be adopted:

That the Applicant be refunded the difference in fees paid by this applicant with someone in stock R-C1 District.

MOTION CARRIED

Moved by Councillor Sutherland
Seconded by Councillor Carra

That with respect to Report CPC2020-1371, the following Motion Arising be adopted:

That Council direct Administration to review its policy on fees charged in similar situations, returning to the Standing Policy Committee on Planning and Urban Development as soon as possible.

MOTION CARRIED

8.1.5 Policy Amendment and Land Use Amendment in Tuxedo Park (Ward 7) at 236 – 31 Avenue NE, LOC2020-0144, CPC2020-1364

A presentation entitled "LOC2020-0144 Policy and Land Use Amendment" was distributed with respect to Report CPC2020-1364.

The Public Hearing was called and the following speakers addressed Council with respect to Bylaws 9P2021 and 17D2021:

1. Wilson Ng
2. Stan Skoropad

By General Consent, pursuant to Section 6(1) of the Procedure Bylaw 35M2017, Council suspended Section 78(1)(b) in order to complete the Item prior to the afternoon recess.

Moved by Councillor Farrell
Seconded by Councillor Carra

That with respect to Report CPC2020-1364, the following be adopted:

That Council:

1. Give three readings to Proposed Bylaw 9P2021 for the amendment to the North Hill Area Redevelopment Plan (Attachment 2);
2. Give three readings to Proposed Bylaw 17D2021 for the redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 236 – 31 Avenue NE (Plan 3980AM, Block 66, Lots 3 and 4) from Residential – Contextual One / Two Dwelling (R-C2) District to Multi-Residential – Contextual Grade-Oriented (M-CGd75) District; and
3. Direct that Attachment 8 remain confidential pursuant to Section 17 (Disclosure to personal privacy) of the *Freedom of Information and Protection of Privacy Act*.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 9P2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 9P2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 9P2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 9P2021 be read a third time.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 17D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 17D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 17D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 17D2021 be read a third time.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Moved by Councillor Farrell
Seconded by Councillor Carra

That with respect to Report CPC2020-1364, the following Motion Arising be adopted:

That Council direct Administration to work with the developer at the development permit stage to provide all vehicular access from the laneway and to provide an internal court yard amenity area.

Against: Councillor Chu and Councillor Keating

MOTION CARRIED

Council recessed at 3:22 p.m. on 2021 February 08 and reconvened at 3:56 p.m. on 2021 February 08 with Mayor Nenshi in the Chair.

ROLL CALL

Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Keating, Councillor Magliocca, Councillor Woolley, and Mayor Nenshi.

Absent from Roll Call: Councillor Sutherland (rejoined the Remote Meeting at 4:00 p.m.)

8.1.6 Land Use Amendment in Stonegate Landing (Ward 5) at 12021 36 Street NE, LOC2018-0145-CPC2020-1429, CPC2020-1429

The following documents were distributed with respect to Report CPC2020-1429:

- A presentation entitled "Public Hearing of Council Agenda Item 8.1.6"; and
- A presentation from Carly Silver entitled "Land Use Amendment and Outline Plan LOC2018-0145".

The Public Hearing was called and Carly Silver, Stantec, addressed Council with respect to Bylaw 18D2021.

Moved by Councillor Chahal

Seconded by Councillor Gondek

That with respect to Report CPC2020-1429, the following be adopted:

That Council:

Give three readings to Proposed Bylaw 18D2021 for the redesignation of 41.57 hectares \pm (102.73 acres \pm) located at 12021-36 Street NE (SE1/4 Section 28-25-29-4) from Industrial - General (I-G) District and Special Purpose – School, Park and Community Reserve (S-SPR) District to Special Purpose – School, Park and Community Reserve (S-SPR), Industrial – Commercial (I-C) District, Industrial – Business f0.5 h16 (I-B f0.5h16) and Commercial – Corridor 3 f0.35h12 (C-COR3 f0.35h12) District.

MOTION CARRIED

That Bylaw 18D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 18D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 18D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 18D2021 be read a third time.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

8.1.7 Land Use Amendment in Mahogany (Ward 12) at multiple addresses, LOC2020-0137, CPC2020-1344

The following documents were distributed with respect to Report CPC2020-1344:

- A presentation entitled "LOC2020-0137 Land Use Amendment; and
- A presentation from Dennis Aucoin entitled "Jayman Built Multi Family Ltd".

The Public Hearing was called and the following speakers addressed Council with respect to Bylaw 20D2021:

1. Dennis Aucoin, Jayman Built
2. Bruce McKenzie, NORR

Moved by Councillor Keating
Seconded by Councillor Demong

That with respect to Report CPC2020-1344, the following be adopted:

That Council:

Give three readings to Proposed Bylaw 20D2021 for the redesignation of 5.48 hectares \pm (13.54 acres \pm) located at 520 and 640 Mahogany Road SE (Plan 1611399, Block 96, Lots 1 and 2) from Multi-Residential – High Density Medium Rise (M-H2) District and Multi-Residential – Medium Profile Support Commercial (M-X2) District to DC Direct Control District to accommodate low and medium density residential development, with guidelines (Attachment 2).

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 20D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 20D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 20D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 20D2021 be read a third time.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Council then returned to the agenda at Item 14.2.2.

8.2 OTHER REPORTS AND POSTPONEMENTS FOR PUBLIC HEARING

None

9. PLANNING MATTERS NOT REQUIRING PUBLIC HEARING

9.1 CALGARY PLANNING COMMISSION REPORTS

None

9.2 OTHER REPORTS AND POSTPONEMENTS NOT REQUIRING PUBLIC HEARING

9.2.1 Reconsideration of the Council Decision to Withhold Second and Third Readings of the Bylaws 14P2019 and 49D2019, C2021-0186

This item was dealt with following Item 10.1.

Moved by Councillor Farrell

Seconded by Councillor Farkas

That with respect to Report C2021-0186, the following be adopted:

That Council file the Administration Recommendations.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

9.2.2 Correction to the Bylaw Map associated with LOC2018-0279 - C2021-0058

Moved by Councillor Sutherland
Seconded by Councillor Davison

That with respect to Report C2021-0058, the following be adopted:

That Council:

1. Rescind Bylaw 156D2020.

2. Give three readings to Proposed Bylaw 13D2021 for the redesignation of 31.28 hectares \pm (77.29 acres \pm) located at 6125 - 117 Street NW (NE1/4 Section 6-25-2-5) from Special Purpose – Future Urban Development (S-FUD) District to Multi-Residential – Low Profile (M-1) District, Residential – One Dwelling (R-1) District, Residential – Low Density Mixed Housing (R-G) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – Community Reserve (S-SPR) District, Special Purpose – Urban Nature (S-UN) District and DC Direct Control District to accommodate mixed-use commercial with guidelines (Attachment 3).

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 13D2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 13D2021 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 13D2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 13D2021 be read a third time.

MOTION CARRIED

9.3 BYLAW TABULATIONS

9.3.1 Bylaw Tabulation 49P2020 Amendments to 24P2009 (PUD2020-1106), C2021-0203

Moved by Councillor Gondek
Seconded by Councillor Carra

That Bylaw 49P202 be read a second and third time.

For: (12): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Farkas

MOTION CARRIED

Moved by Councillor Gondek
Seconded by Councillor Carra

That Bylaw 49P2020 be amended in Schedule A and Schedule B as outlined in Attachment 4.

For: (12): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Farkas

MOTION CARRIED

That Bylaw 49P2020 be read a second time, **as amended**.

Against: Councillor Chu and Councillor Farkas

MOTION CARRIED

That Bylaw 49P2020 be read a third time, **as amended**.

Against: Councillor Chu and Councillor Farkas

MOTION CARRIED

Council then returned to the Agenda to deal with Item 11.3.1.

Following Item 14.2.1., Council returned to this Item to consider the following:

That Council rescind, by resolution, Council Policy TP012 (Calgary Transportation Plan).

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Council then returned to the Agenda to deal with Item 8.1.1.

10. POSTPONED REPORTS

10.1 Correcting Borrowing Bylaws 8B2020 and 9B2020, C2021-0124

This item was dealt with following Item 7.9.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Davison

That with respect to Report C2021-0124, the following be adopted:

That Council:

1. Repeal Bylaws 8B2020 and 9B2020; and
2. Give first readings to Bylaws 5B2021 and 6B2021 only.

For: (13): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

That Bylaw 5B2021 be introduced and read a first time.

MOTION CARRIED

That Bylaw 6B2021 be introduced and read a first time.

MOTION CARRIED

Council then returned to the Agenda to deal with Item 9.2.1.

11. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

11.1 CONSENT AGENDA ITEMS SELECTED FOR DEBATE

7.7 Open-Pit Coal Mining in the Rocky Mountains Easter Slopes Update (Verbal), UCS2021-0174

7.9 Annual Principal Corporate Risk Report, AC2021-0037

11.2 OFFICER OF COUNCIL REPORTS

None

11.3 ADMINISTRATION REPORTS

11.3.1 Bill 7 Property Tax Incentives (Verbal), C2021-0197

This item was dealt with following Item 9.3.1.

A Presentation entitled "11.3.1 Bill 7 Property Tax Incentives Update" was distributed with respect to Verbal Report C2021-0197.

Moved by Councillor Demong
Seconded by Councillor Gondek

That with respect to Verbal Report C2021-0197, the following be adopted:
 That Council direct Intergovernmental and Corporate Strategy to advance the approach described in the presentation and report back to the Intergovernmental Affairs Committee by Q3 2021.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Council then dealt with Item 12.1.1.

11.3.2 Update of the Calgary Metropolitan Region Growth and Servicing Plans, C2021-0116

Council reconvened at 1:03 p.m. on 2021 February 09 with Mayor Nenshi in the Chair.

Mayor Nenshi acknowledged the passing of Barry Pashak.

ROLL CALL:

Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Keating, Councillor Magliocca, Councillor Sutherland, Councillor Woolley, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, and Mayor Nenshi.

The following documents were distributed with respect to Report C2021-0116:

- A presentation entitled "CMRB Growth and Servicing Plan: Member Municipality Council Presentations"; and
- A confidential presentation

Moved by Councillor Colley-Urquhart
Seconded by Councillor Keating

That pursuant to Sections 21 (Disclosure harmful to intergovernmental relations), 23 (Local public body confidences) and 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting at 2:33 p.m. on 2021 February 09, in the Council Boardroom, to discuss confidential matters with respect to the following Item:

- 11.3.2 Update of the Calgary Metropolitan Region Growth and Servicing Plans, C2021-0116
- 14.3.1 Legal Update #2 and Amendment to City Solicitor Bylaw 48M2000, C2021-0231

ROLL CALL VOTE:

For: (11): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Administration in attendance during the Closed Meeting discussions with respect to Report C2021-0116:

Clerks: T. Mowrey and A. Degrood. City Manager: D. Duckworth. Law: J. Floen. Advice: D. Morgan, C. Arthurs, M. Kuzmak, M. Atkinson, C. Blaschuk, I. Campbell, K. Cote, S. Dagleish, C. Ferguson, A. Eaton, C. Male, D. Mercer, H. Oh, M. Rac, D. Shearer, N. Younger, S. Snell, M. Sheldrake, N. Zoldak, H. Galbraith, and M. Van Ham.

Council recessed at 3:20 p.m. on 2021 February 09 and reconvened in Public Meeting at 3:52 p.m. on 2021 February 09 with Mayor Nenshi in the Chair.

ROLL CALL:

Councillor Gondek, Councillor Keating, Councillor Magliocca, Councillor Sutherland, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, and Mayor Nenshi.

Absent from Roll Call: Councillor Woolley (rejoined the Remote Meeting at 3:57 p.m. on 2021 February 09) and Councillor Farrell.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Demong

That Council rise and report on Item 11.3.2.

MOTION CARRIED

Moved by Councillor Carra

Seconded by Councillor Chahal

That with respect to Report C2021-0116, the following be adopted:

That Council:

1. Receive the public and confidential presentations for the Corporate Record; and

2. Direct that the Closed Meeting presentation, Attachment 1 and discussion remain confidential under Sections 21 (Disclosure harmful to intergovernmental relations), 23 (Local public body confidences) and 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to be reviewed 2031 February 8.

ROLL CALL VOTE:

For: (9): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Carra, and Mayor Nenshi

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Council then dealt with Item 14.3.1.

11.4 COMMITTEE REPORTS

None

12. ITEMS DIRECTLY TO COUNCIL

12.1 BYLAW TABULATIONS

12.1.1 ENMAX Bylaws 1B2021, 2B2021, 3B2021, 4B2021 and 5M2021, C2021-0207

This item was dealt with following Item 11.3.1.

Moved by Councillor Demong
Seconded by Councillor Keating

That with respect to Report C2021-0207, the following be adopted:

That Council give:

1. Borrowing Bylaw 1B2021 first, second and third readings; and
2. Borrowing Bylaws 2B2021 to 4B2021 inclusive and Loan Bylaw 5M2021 first reading.

For: (13): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (1): Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 1B2021 be introduced and read a first time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 1B2021 be read a second time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

That authorization now be given to read Bylaw 1B2021 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 1B2021 be read a third time.

For: (13): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (1): Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 2B2021 be introduced and read a first time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 3B2021 be introduced and read a first time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 4B2021 be introduced and read a first time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

That Bylaw 5M2021 be introduced and read a first time.

Against: Councillor Colley-Urquhart

MOTION CARRIED

12.2 MISCELLANEOUS BUSINESS

None

13. URGENT BUSINESS

None

14. CONFIDENTIAL ITEMS

Moved by Councillor Gondek

Seconded by Councillor Chahal

That pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials) and 27 (Privileged Information) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting at 11:22 a.m. on 2021 February 08, in the Council Boardroom, to discuss confidential matters with respect to the following Items:

- 7.6 Regulatory Update (Verbal)
- 14.2.1 Legal Update (Verbal), C2021-0196

And further, that Council recess at 12:00 p.m. on 2021 February 08, to reconvene in Public Meeting at 1:15 p.m. on 2021 February 08.

For: (14): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

MOTION CARRIED

Council reconvened in public meeting at 1:20 p.m. on 2021 February 08 with Mayor Nenshi in the Chair.

ROLL CALL

Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Magliocca, Councillor Sutherland, Councillor Keating, Councillor Woolley, and Mayor Nenshi

Moved by Councillor Farrell

Seconded by Councillor Colley-Urquhart

That Council Rise and Report. Council first reported on Item 7.6, followed by 14.2.1.

MOTION CARRIED

14.1 CONSENT AGENDA ITEMS SELECTED FOR DEBATE

- 7.6 Regulatory Update (Verbal), GPT2021-0131

14.2 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 14.2.1 Legal Update (Verbal), C2021-0196

Administration in attendance during the Closed Meeting discussions with respect to Report C2021-0196:

Clerks: T. Mowrey and M.A. Cario. City Manager: D. Duckworth. Law: J. Floen. Advice: C. Arthurs, K. Black, S. Dalglish, C. Male, D. Morgan, and M. Thompson.

Moved by Councillor Chu
Seconded by Councillor Farrell

That with respect to Verbal Report C2021-0196, the following be adopted:
That Council:

Direct that the closed meeting discussions remain confidential pursuant to Sections 24 (Advice from officials) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

For: (13): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (1): Councillor Woolley

MOTION CARRIED

Council then returned to the Agenda at Item 8.1.

14.2.2 Addressing Racism (Verbal), C2021-0202

This item was dealt with following Item 8.1.7.

Moved by Councillor Gondek
Seconded by Councillor Chu

That pursuant to Sections 24 (Advice from officials) and 27 (Privileged information) of the Freedom of Information and Protection of Privacy Act, Council now move into Closed Meeting at 4:29 p.m. on 2021 February 08, in the Council Boardroom, to discuss confidential matters with respect to the following Items:

- 14.2.2 Addressing Racism (Verbal), C2021-0202
- 14.2.3 Labour Relations Update (Verbal), C2021-0211

MOTION CARRIED

Council reconvened in Public Meeting at 5:54 p.m. on 2021 February 08 with Mayor Nenshi in the Chair.

ROLL CALL:

Councillor Sutherland, Councillor Woolley, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Gondek, Councillor Keating, Councillor Magliocca, and Mayor Nenshi

Absent from Roll Call: Councillor Farrell (rejoined the Remote Meeting at 5:56 p.m.)

Moved by Councillor Colley-Urquhart
Seconded by Councillor Farrell

That Council rise and report.

MOTION CARRIED

By General Consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, Council suspend Section 78(1)(c) of the Procedure Bylaw in order to complete Items 14.2.2, 14.2.3 and 7.7 prior to the evening recess.

Administration in attendance during the Closed Meeting discussions with respect to Report C2021-0202:

Clerks: T. Mowrey and A. Degrood. City Manager: D. Duckworth. Law: J. Floen. Advice: C. Arthurs, K. Black, C. Male, D. Morgan, M. Hulsker, S. Dongworth, K. Sveinungsgaard, K. Mbolekwa, D. Hamilton, C. Sutherland, M. Munroe, R. Lehr, F. Chartrand, A. Unger, and A. Wedderburn.

A Presentation entitled "Addressing Racism (Verbal) C2021-0202" was distributed with respect to Report C2021-0202.

Moved by Councillor Colley-Urquhart
Seconded by Councillor Gondek

That with respect to Verbal Report C2021-0202, the following be adopted:

That Council:

1. Receive the presentation for the Corporate Record; and
2. Direct that the Closed Meeting discussions be held confidential pursuant to Section 24 (Advice from officials) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

For: (13): Councillor Chu, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, Councillor Carra, and Mayor Nenshi

Against: (1): Councillor Gondek

MOTION CARRIED

Moved by Councillor Carra
Seconded by Councillor Farrell

That with respect to Report C2021-0202, the following Motion Arising be adopted:

That Council:

Direct Administration to provide a public presentation at the 2021 February 10 Standing Policy Committee on Community and Protective Services.

MOTION CARRIED

14.2.3 Labour Relations Update (Verbal), C2021-0211

Administration in attendance during the Closed Meeting discussions with respect to Report C2021-0211:

Clerks: T. Mowrey. City Manager: D. Duckworth. Law: J. Floen. Advice: K. Black, C. Male, D. Morgan, D. Hamilton.

Moved by Councillor Sutherland

Seconded by Councillor Davison

That with respect to Verbal Report C2021-0211, the following be adopted:
That Council:

Direct that the closed meeting discussions remain confidential pursuant to Sections 24 (Advice from officials) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

For: (12): Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Farrell, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Carra, and Mayor Nenshi

Against: (2): Councillor Chu, and Councillor Magliocca

MOTION CARRIED

Council then dealt with Item 7.7.

14.3 URGENT BUSINESS

14.3.1 Legal Update #2 and Amendment to City Solicitor Bylaw 48M2000, C2021-0231

This Item was dealt with following the rise and report on Item 11.3.2.

Mayor Nenshi and Councillor Farrell each declared a Pecuniary Interest due to potential financial implications and abstained from voting and discussion with respect to Report C2021-0231. Mayor Nenshi and Councillor Farrell left the Remote Meeting at 3:55 p.m. on 2021 February 09.

Deputy Mayor Gondek assumed the Chair at 3:55 p.m. on 2021 February 09.

The following documents were distributed upon rise and report with respect to Report C2021-0231:

- A Cover Report entitled "Report re Legal update and amendment to City Solicitor Bylaw 48M2000";
- An Attachment 1 entitled "Proposed Bylaw 8M2021";
- An Attachment 2 entitled "Council Policy CC010";
- An Attachment 3 entitled "Bylaw Number 48M2000", and
- An Attachment 4 entitled "Citation: Terrigno v Calgary (City), 2021 ABQB 41".

Moved by Councillor Colley-Urquhart

Seconded by Councillor Demong

That pursuant to Section 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting at 4:01 p.m. on February 09, in the Council Boardroom, to discuss confidential matters with respect to the following Item:

- 14.3.1 Legal Update #2 and Amendment to City Solicitor Bylaw 48M2000, C2021-0231

ROLL CALL VOTE:

For: (9): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Administration in attendance during the Closed Meeting discussions with respect to Report C2021-0231:

Clerks: T. Mowrey and A. Degrood. City Manager: D. Duckworth. Law: J. Floen. Advice: E. Laidlaw, D. Lewis, and C. Male.

By General Consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, Council suspended Section 78(c) in order to complete the item prior to the dinner recess.

Council reconvened in Public Meeting at 6:34 p.m. on 2021 February 09 with Deputy Mayor Gondek in the Chair.

ROLL CALL:

Councillor Sutherland, Councillor Woolley, Councillor Carra, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong,

Councillor Farkas, Deputy Mayor Gondek, Councillor Keating, and Councillor Magliocca.

Absent from Roll Call: Mayor Nenshi and Councillor Farrell.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Demong

That Council rise and report.

MOTION CARRIED

The Chair ruled Councillor Farkas' proposed amendment to the amendment was out of order.

"Moved by Councillor Farkas

Seconded by Councillor Magliocca

That the proposed amendment to replace recommendation 2 be amended by adding the following:

The \$175,000.00 would not apply to the claims related to Councillor misconduct from June 2020."

Councillor Farkas challenged the Chair's ruling.

The Chair put the question:

"That the ruling of the Chair be upheld."

ROLL CALL VOTE:

For: (9): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Woolley

Seconded by Councillor Demong

That with respect to Report C2021-0231, Recommendation 2 be amended by replacing Recommendation 2 in its entirety with the following:

That Council:

"2. Confirm and approve retroactively the expenditure of external legal fees and disbursement of approximately \$175,000.00 that were approved by the City Solicitor and General Counsel to defend Council Members pursuant to the March 2016 Policy Amendment.

As an added measure of accountability, the City Manager is to confirm the expenditures were due to The City's duty to defend, and if not, advise Council of next steps."

ROLL CALL VOTE:

For: (8): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (4): Councillor Chu, Councillor Farkas, Councillor Sutherland, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Woolley

Seconded by Councillor Demong

That with respect to Report C2021-0231, the following be adopted, **as amended:**

That Council:

1. Give three readings to the Proposed Bylaw 8M2021 in Attachment 1 to amend Bylaw 48M2000, the City Solicitor and General Counsel Bylaw.

2. Confirm and approve retroactively the expenditure of external legal fees and disbursement of approximately \$175,000.00 that were approved by the City Solicitor and General Counsel to defend Council Members pursuant to the March 2016 Policy Amendment.

As an added measure of accountability, the City Manager is to confirm the expenditures were due to The City's duty to defend, and if not, advise Council of next steps.

3. Direct that the Report and Attachments be held confidential pursuant to Section 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, until such time as Council rises and reports on this matter.

4. Direct that the Closed Meeting discussions be held confidential pursuant to Section 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

ROLL CALL VOTE:

For: (8): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (4): Councillor Chu, Councillor Farkas, Councillor Sutherland, and Councillor Magliocca

MOTION CARRIED

That Bylaw 8M2021 be introduced and read a first time.

ROLL CALL VOTE:

For: (8): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (4): Councillor Chu, Councillor Farkas, Councillor Sutherland, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Sutherland
Seconded by Councillor Carra

That Bylaw 8M2021, be amended in Section 2 (D), by adding the words "or Council must be informed" following the word "necessary".

For: (12): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, and Councillor Carra

MOTION CARRIED

That Bylaw 8M2021 be read a second time, **as amended.**

ROLL CALL VOTE:

For: (9): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

That authorization now be given to read Bylaw 8M2021 a third time, **as amended.**

MOTION CARRIED

That Bylaw 8M2021 be read a third time, **as amended.**

ROLL CALL VOTE:

For: (9): Councillor Gondek, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, and Councillor Carra

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Councillor Woolley rose on a Point of Order.

The Chair ruled on the Point of Order.

Moved by Councillor Sutherland

Seconded by Councillor Colley-Urquhart

That with respect to Report C2021-2031, the following Motion Arising be adopted:

That Council:

Direct the City Manager and City Solicitor to develop a protocol to ensure accountability for decisions made to expend funds for external legal fees and disbursements in defending Council Members in legal proceedings, including reimbursement of such funds where appropriate, and report back to Council no later than the end of July 2021.

For: (12): Councillor Chu, Councillor Gondek, Councillor Farkas, Councillor Davison, Councillor Keating, Councillor Demong, Councillor Colley-Urquhart, Councillor Sutherland, Councillor Chahal, Councillor Woolley, Councillor Magliocca, and Councillor Carra

MOTION CARRIED

15. ADMINISTRATIVE INQUIRIES

None

16. ADJOURNMENT

Moved by Councillor Keating

Seconded by Councillor Davison

That this Council adjourn at 7:38 p.m. on 2021 February 09 with Deputy Mayor Gondek in the Chair.

MOTION CARRIED

MAYOR

CITY CLERK