



MINUTES

SPECIAL MEETING OF COUNCIL

RE: Reconsideration of the Deputy Mayor Roster for December 2022 and January - December 2023, and Calgary Police Commission's "Review of 1997 Police Misconduct Investigation"

**November 15, 2022, 1:00 PM
IN THE COUNCIL CHAMBER**

PRESENT: Councillor G-C. Carra (Remote Participation)
Councillor C. Walcott
Councillor E. Spencer
Councillor K. Penner
Councillor T. Wong
Councillor J. Wyness
Councillor J. Mjan
Councillor S. Sharp
Councillor R. Pootmans
Councillor P. Demong
Councillor D. McLean
Councillor R. Dhaliwal
Councillor A. Chabot
Councillor S. Chu
Mayor J. Gondek

ALSO PRESENT: City Manager D. Duckworth
City Solicitor and General Counsel J. Floen
City Clerk K. Martin
Legislative Advisor J. Palaschuk

1. CALL TO ORDER

Mayor Gondek called today's meeting to order at 1:04 p.m.

ROLL CALL

Councillor Carra, Councillor Walcott, Councillor Spencer, Councillor Penner, Councillor Wong, Councillor Wyness, Councillor Mian, Councillor Sharp, Councillor Pootmans, Councillor Demong, Councillor McLean, Councillor Dhaliwal, Councillor Chabot, Councillor Chu, and Mayor Gondek.

2. OPENING REMARKS

Mayor Gondek provided opening remarks and a traditional land acknowledgement.

Councillor Chabot introduced a group of Grade 6 students from Monsignor A. J. Hetherington School (Ward 10), along with their teacher, Dawn Fox.

Council recessed at 1:07 p.m. and reconvened at 1:08 p.m. with Mayor Gondek in the Chair.

City Clerk confirmed that Councillor Carra (Remote Member) was present in the meeting.

3. CONFIRMATION OF AGENDA

Moved by Councillor Pootmans
Seconded by Councillor Penner

That the Agenda for the 2022 November 15 Special Meeting of Council be confirmed.

Against: Councillor Chu

MOTION CARRIED

4. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

4.1 Reconsideration of the Deputy Mayor Roster for December 2022 and January - December 2023 (Verbal), C2022-1279

Moved by Councillor Demong
Seconded by Councillor Penner

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, in the Council Boardroom, at 1:14 p.m., to discuss confidential matters with respect to Item 4.1 Reconsideration of the Deputy Mayor Roster for December 2022 and January-December 2023 (Verbal), C2022-1279.

For: (15): Councillor Carra, Councillor Walcott, Councillor Spencer, Councillor Penner, Councillor Wong, Councillor Wyness, Councillor Mian, Councillor Sharp, Councillor Pootmans, Councillor Demong, Councillor McLean, Councillor Dhaliwal, Councillor Chabot, Councillor Chu, and Mayor Gondek

MOTION CARRIED

Council reconvened in public meeting at 1:34 p.m. with Mayor Gondek in the Chair.

ROLL CALL

Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wong, Councillor Wyness, and Mayor Gondek.

Moved by Councillor Walcott
Seconded by Councillor Demong

That Council rise and report.

MOTION CARRIED

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report C2022-1279:

Clerks: K. Martin and M. A. Cario. City Manager: D. Duckworth. Law. J. Floen

Moved by Councillor Penner

Seconded by Councillor Pootmans

That with respect to Verbal Report C2022-1279, the following be adopted:

That Council:

1. Accept Councillor Chu stepping down from the December 2022 and May 2023 Deputy Mayor role;
2. Appoint Councillor Chabot to serve as Deputy Mayor in December 2022 and Councillor Walcott in May 2023; and
3. Direct that the Closed Meeting discussions remain confidential pursuant to Sections 24 (Advice from officials) and 27 (Privilege information) of the *Freedom of Information and Protection of Privacy Act*, excluding Mayor Gondek's statement.

For: (15): Councillor Carra, Councillor Walcott, Councillor Spencer, Councillor Penner, Councillor Wong, Councillor Wyness, Councillor Mian, Councillor Sharp, Councillor Pootmans, Councillor Demong, Councillor McLean, Councillor Dhaliwal, Councillor Chabot, Councillor Chu, and Mayor Gondek

MOTION CARRIED

- 4.2 Calgary Police Commission's "Review of 1997 Police Misconduct Investigation" (Verbal), C2022-1280

Moved by Councillor Walcott

Seconded by Councillor Sharp

That with respect to Verbal Report C2022-1280, the following be adopted:

Respecting that the Calgary Police Commission review entitled "Review of 1997 Police Misconduct Investigation", dated August 18, 2022, clearly states on Pages 1 and 2 that this review COULD NOT:

- Evaluate whether the criminal investigation and decision not to lay criminal charges were correct. The Commission does not have the legal authority to review criminal investigations.
- Lay new charges. The Commission does not have the legal power to criminally charge people and only has the power to lay police misconduct charges against the current police chief.
- Re-investigate and publicly report on the actions of former Constable Sean Chu.

- Determine former Constable Sean Chu's fitness for public office.

That Council request the Mayor to share the review document with the Premier and respectfully request that the Government of Alberta determine:

- a. whether any further action should be taken in light of the findings outlined in the document; and
- b. explain the process of determining what action, if any, should be taken in a manner that is transparent for members of the public that continue to reach out to Calgary City Council about this matter.

For: (15): Councillor Carra, Councillor Walcott, Councillor Spencer, Councillor Penner, Councillor Wong, Councillor Wyness, Councillor Mian, Councillor Sharp, Councillor Pootmans, Councillor Demong, Councillor McLean, Councillor Dhaliwal, Councillor Chabot, Councillor Chu, and Mayor Gondek

MOTION CARRIED

Councillor Carra rose on a Question of Privilege.

The Chair ruled on the Question of Privilege.

Councillor Carra declared a Pecuniary Interest and abstained from discussion.

Councillor Carra (Remote Member) left the meeting at 2:21 p.m.

Councillor Carra (Remote Member) joined the meeting at 2:23 p.m.

Moved by Councillor Sharp

Seconded by Councillor Wyness

That Council add the following as an Item of Urgent Business to the 2022 November 15 Special Meeting of Council:

Councillor Conduct: Investigation Report 2 (C2022-0843) (Verbal), C2022-1283

For: (10): Councillor Spencer, Councillor Wong, Councillor Wyness, Councillor Sharp, Councillor Pootmans, Councillor Demong, Councillor McLean, Councillor Chabot, Councillor Chu, and Mayor Gondek

Against: (5): Councillor Carra, Councillor Walcott, Councillor Penner, Councillor Mian, and Councillor Dhaliwal

MOTION CARRIED

4.3 URGENT BUSINESS

4.3.1 Councillor Conduct: Investigation Report 2 (C2022-0843) (Verbal), C2022-1283

Council recessed at 2:23 p.m. and reconvened at 2:41 p.m. with Mayor Gondek in the Chair.

ROLL CALL

Councillor McLean, Councillor Mian, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wong, Councillor Wyness, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, and Mayor Gondek.

Councillor Chabot rose on a Question of Privilege.

The Chair ruled on the Question of Privilege.

Moved by Councillor Sharp
Seconded by Councillor Wyness

That with respect to Verbal Report C2022-1283, the following be adopted:

That Council reconsider its decision regarding Notice of Motion EC2022-0889, 11.4.3 Notice of Motion: Investigation Report 2 (C2022-0843).

For: (9): Councillor Spencer, Councillor Wong, Councillor Wyness, Councillor Sharp, Councillor Demong, Councillor McLean, Councillor Chabot, Councillor Chu, and Mayor Gondek

Against: (6): Councillor Carra, Councillor Walcott, Councillor Penner, Councillor Mian, Councillor Pootmans, and Councillor Dhaliwal

MOTION DEFEATED

5. CONFIDENTIAL ITEMS

None

6. BRIEFINGS

None

7. ADJOURNMENT

Moved by Councillor Chabot
Seconded by Councillor Wong

That this Council adjourn at 3:01 p.m.

MOTION CARRIED

MAYOR

CITY CLERK