



## MINUTES

### EXECUTIVE COMMITTEE

**January 31, 2023, 9:30 AM  
IN THE COUNCIL CHAMBER**

**PRESENT:**

Mayor J. Gondek, Chair  
Councillor E. Spencer, Vice-Chair  
Councillor P. Demong (Councillor-at-Large) (Remote Participation)  
Councillor K. Penner (Community Development Committee Chair)  
(Remote Participation)  
Councillor R. Pootmans (Audit Committee Chair)  
Councillor S. Sharp (Infrastructure and Planning Committee Chair)  
Councillor C. Walcott (Councillor-at-Large)  
Councillor G-C. Carra (Remote Participation)  
Councillor A. Chabot  
Councillor S. Chu (Remote Participation)  
Councillor R. Dhaliwal (Remote Participation)  
Councillor D. McLean  
Councillor J. Mian (Remote Participation)  
Councillor T. Wong

**ALSO PRESENT:**

City Manager D. Duckworth  
City Solicitor and General Counsel J. Floen  
General Manager C. Arthurs  
General Manager K. Black  
General Manager S. Dalglish  
Chief Financial Officer C. Male  
General Manager D. Morgan  
General Manager M. Thompson  
City Clerk K. Martin  
Legislative Advisor J. Palaschuk

**1. CALL TO ORDER**

Mayor Gondek called the meeting to order at 9:33 a.m.

**ROLL CALL**

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

2. OPENING REMARKS

Mayor Gondek provided opening remarks and a traditional land acknowledgement.

3. CONFIRMATION OF AGENDA

**Moved by** Councillor Pootmans

That the Agenda be amended by setting:

1. Item 7.3 ENMAX 2023 Borrowing Request, EC2023-0025 to be dealt with immediately following Item 7.1 Green Line Board Report Q1 2023, EC2023-0067; and
2. Item 7.2 Approaches for Determining Local Access Fees, EC2023-0077 to be dealt with immediately following Item 8.2.2 Notice of Motion – Incentivizing Low Carbon Investments, EC2023-0131

**MOTION CARRIED**

**Moved by** Councillor Wong

That the Agenda for the 2023 January 31 Regular Meeting of the Executive Committee be confirmed, **as amended**.

**MOTION CARRIED**

4. CONFIRMATION OF MINUTES

- 4.1 Minutes of the Regular Meeting of the Executive Committee, 2022 December 14

**Moved by** Councillor Spencer

That the Minutes of the 2022 December 14 Regular Meeting of the Executive Committee be confirmed.

**MOTION CARRIED**

Committee then dealt with Item 7.1.

5. CONSENT AGENDA

- 5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

6. POSTPONED REPORTS

- 6.1 Integrity and Ethics Office Proposed Amendments to the Code of Conduct for Elected Officials Bylaw (26M2018), EC2022-1368

This item was dealt with following Item 10.1.2.

The following documents were distributed with respect to Report EC2022-1368:

- A Revised Attachment 1;
- A Revised Attachment 2;

- A Revised Attachment 3; and
- A Revised Presentation.

**Moved by** Councillor McLean

That with respect to Report EC2023-1368, the following amendment be approved:

In Attachment 1, Revised Proposed Bylaw 26M2018, the following words be deleted:

1. In Section 40.1 (1), delete “directly or indirectly”, and
2. In Section 77 (a) and (b), delete both instances of “directly or indirectly”.

**Moved by** Councillor McLean

That Councillor McLean be allowed to withdraw his proposed amendment.

For: (9): Councillor Spencer, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor McLean, and Councillor Wong

Against: (2): Mayor Gondek, and Councillor Penner

**MOTION CARRIED**

**Moved by** Councillor Chabot

That with respect to Report EC2022-1368, the following be approved, **after amendment**:

That Executive Committee recommend that Council give three readings to the proposed Bylaw to amend the Code of Conduct for Elected Officials Bylaw (26M2018), outlined in **Revised** Attachment 1.

For: (10): Mayor Gondek, Councillor Spencer, **Councillor Pootmans**, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor McLean, and Councillor Wong

Against: (1): Councillor Penner

**MOTION CARRIED**

By General Consent, pursuant to Section 121 of Procedure Bylaw 35M2017, Committee granted Councillor Pootmans' request to change his vote from "Against" to "For".

Committee then dealt with Item 12.

## **7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES**

### **7.1 Green Line Board Q1 2023 Report, EC2023-0067**

This item was dealt with following Item 4.1.

Councillor Walcott introduced a group of Grade 5 and 6 students from Richmond School (Ward 8), along with their teacher, Karen Alderson.

Councillor Penner (Remote Member) left the meeting at 10:00 a.m.

**Moved by** Councillor Pootmans

That with respect to Report EC2023-0067, the following be approved:

That Executive Committee:

1. Receive this report for the Corporate Record; and
2. Direct that Attachment 3 remain confidential pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body), and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, not to be released.

For: (13): Mayor Gondek, Councillor Spencer, Councillor Demong, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Dhaliwal, Councillor McLean, Councillor Mian, and Councillor Wong

**MOTION CARRIED**

Committee then dealt with Item 7.3.

7.2 Approaches for Determining Local Access Fees, EC2023-0077

This item was dealt with following Item 8.2.2.

**Moved by** Councillor Spencer

That pursuant to Sections 17 (Disclosure harmful to personal privacy), 19 (Confidential evaluations), and 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, Committee now move into Closed Meeting, at 10:58 a.m., in the Council Boardroom, to discuss confidential matters with respect to the following items:

- 7.2 Approaches for Determining Local Access Fees, EC2023-0077
- 10.1.1 City Manager 2022 Performance Review and 2023 Goals, Objectives and Personal Development Plan (Verbal), EC2023-0094
- 10.1.2 Budget Process Refinement (Verbal), EC2023-0059

For: (13): Mayor Gondek, Councillor Spencer, Councillor Demong, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Dhaliwal, Councillor McLean, Councillor Mian, and Councillor Wong

**MOTION CARRIED**

Committee recessed at 12:00 p.m. and reconvened at 1:05 p.m. in Closed Meeting with Mayor Gondek in the Chair.

Councillor Penner (Remote Member) joined the Closed Meeting at 1:05 p.m.

Councillor Dhaliwal (Remote Member) left the Closed Meeting at 1:26 p.m.

Councillor Dhaliwal (Remote Member) joined the Closed Meeting at 1:28 p.m.

Councillor Demong (Remote Member) left the Closed Meeting at 1:47 p.m.

Councillor Dhaliwal (Remote Member) left the Closed Meeting at 1:48 p.m.

Councillor Dhaliwal (Remote Member) joined the Closed Meeting at 2:02 p.m.

Councillor Dhaliwal (Remote Member) left the Closed Meeting at 2:46 p.m.

Councillor Mian (Remote Member) left the Closed Meeting at 3:15 p.m.

Committee recessed at 3:15 p.m. and reconvened at 3:48 p.m. in Closed Meeting with Mayor Gondek in the Chair.

Councillor Carra (Remote Member) left the Closed Meeting at 4:02 p.m.

Councillor Carra (Remote Member) joined the Closed Meeting at 4:14 p.m.

Committee reconvened in public meeting at 4:24 p.m. with Mayor Gondek in the Chair.

#### ROLL CALL

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

Absent from Roll Call: Councillor Demong

**Moved by Councillor Wong**

That Committee rise and report.

#### MOTION CARRIED

The following documents were distributed with respect to Report EC2023-0077:

- A Confidential presentation entitled "EC2023-0077 Approaches for Determining Local Access Fees"; and
- A Confidential document entitled "Confidential Distribution".

Administration in attendance during the Closed Meeting discussions with respect to Report EC2023-0077:

Clerks: K. Martin, M. A. Cario, and C. Doi. Law: J. Floen. Advice: D. Duckworth, C. Arthurs, K. Black, S. Dalglish, C. Male, D. Morgan, C. Stewart, M. Thompson, and O. Shyllon.

**Moved by Councillor Walcott**

That with respect to Report EC2023-0077, the following be approved, **after amendment:**

That Executive Committee recommend that Council:

#### **2. Approve the recommendation in Confidential distribution;**

For: (10): Mayor Gondek, Councillor Spencer, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chu, Councillor McLean, and Councillor Wong

Against: (1): Councillor Chabot

**MOTION CARRIED**

**Moved by** Councillor Walcott

That with respect to Report EC2023-0077, the following be approved, **after amendment**:

That Executive Committee recommend that Council:

1. Receive this report for the Corporate Record;
3. Direct that any closed meeting discussions, **the Confidential presentation, Confidential distribution**, and attachments be held confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act* to be reviewed by 2028 January 31; and
4. Direct that notwithstanding recommendations 3, the Confidential distribution may be released to the Executive Leadership Team, to be further shared with Administration only where required to support next steps.

For: (11): Mayor Gondek, Councillor Spencer, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor McLean, and Councillor Wong

**MOTION CARRIED**

Committee then dealt with Item 10.1.1.

7.3 ENMAX 2023 Borrowing Request, EC2023-0025

This item was dealt with following Item 7.1.

**Moved by** Councillor Chabot

That with respect to Report EC2023-0025, the following be approved:

That Executive Committee recommend that Council:

1. Give first reading to Bylaws 1B2023, 2B2023, 3B2023, 4B2023, authorizing The City of Calgary ("The City") to borrow a maximum of \$214.176 million for financing capital projects for ENMAX Corporation ("ENMAX"), and as further defined by the proposed Bylaws attached to this report and summarized as:
  - a. 1B2023 – 5 Years - \$21.977 million – Acquisition of Technology and Support Services;
  - b. 2B2023 – 10 Years - \$5.598 million – Acquisition of Fleet Equipment and Capital Tools;
  - c. 3B2023 – 20 Years - \$10.229 million – Non-Residential Development;

- d. 4B2023 – 25 Years - \$176.372 million – Electric System and Building Improvements;
2. Give first reading to Bylaw 1M2023 – Authorizing Municipal Loans to ENMAX that The City has borrowed pursuant to Borrowing Bylaws 1B2023, 2B2023, 3B2023 and 4B2023, to a maximum sum of \$214.176 million to fund the regulated operations of ENMAX;
3. Withhold second and third readings of Bylaw 1M2023 until the advertising requirements have been met; and
4. Should the proposed Bylaws be fully approved by Council, direct Administration to amend any existing agreements between The City and ENMAX as applicable and in accordance with the Credit Documentation – Loans and Loan Guarantees Policy and Procedures.

For: (13): Mayor Gondek, Councillor Spencer, Councillor Demong, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Dhaliwal, Councillor McLean, Councillor Mian, and Councillor Wong

**MOTION CARRIED**

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

- 8.2.1 Notice of Motion - Strengthening Provincial Regulations to Improve Safety of Unlicensed Private Day Homes, EC2023-0090

**Moved by** Councillor Walcott

That with respect to Notice of Motion EC2023-0090, the following be approved:

That Notice of Motion EC2023-0090 be forwarded to the 2023 February 14 Regular Meeting of Council for consideration.

For: (13): Mayor Gondek, Councillor Spencer, Councillor Demong, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor Dhaliwal, Councillor McLean, Councillor Mian, and Councillor Wong

**MOTION CARRIED**

8.2.2 Notice of Motion - Incentivizing Low Carbon Investments, EC2023-0131

**Moved by** Councillor Spencer

That with respect to Notice of Motion EC2023-0131, the following be approved:

That Notice of Motion EC2023-0131 be forwarded to the 2023 February 14 Regular Meeting of Council for consideration.

For: (10): Mayor Gondek, Councillor Spencer, Councillor Demong, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Dhaliwal, Councillor Mian, and Councillor Wong

Against: (3): Councillor Chabot, Councillor Chu, and Councillor McLean

**MOTION CARRIED**

Committee then dealt with Item 7.2.

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1 City Manager 2022 Performance Review and 2023 Goals, Objectives and Personal Development Plan (Verbal) EC2023-0094

This Item was dealt with following Item 7.2.

Administration in attendance during the Part 1 Closed Meeting discussions with respect to Confidential Verbal Report EC2023-0094:  
Clerks: K. Martin.

Administration in attendance during the Part 2 Closed Meeting discussions with respect to Confidential Verbal Report EC2023-0094:  
Clerks: K. Martin. City Manager: D. Duckworth.

**Moved by** Councillor Sharp

That with respect to Confidential Verbal Report EC2023-0094, the following be approved:

That the Executive Committee:

1. Approve the City Manager 2022 Performance Review, and continue to build the 2023 Goals, Objectives and Personal Development Plan;
2. Recommend that Council endorse the use of an external resource to support Executive Committee in modernizing the City Manager's performance planning process, and request that the Mayor provide an update to the Executive Committee no later than 2023 March 22; and



3. Direct that the Closed Meeting discussions and confidential attachments remain confidential pursuant to Sections 17 (Disclosure harmful to personal privacy) and Section 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*.

For: (11): Mayor Gondek, Councillor Spencer, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor McLean, and Councillor Wong

**MOTION CARRIED**

#### 10.1.2 Budget Process Refinement (Verbal), EC2023-0059

A confidential presentation entitled "Budget Process Refinement: Building and Delivering on Plans and Budgets" was distributed with respect to Confidential Verbal Report EC2023-0059.

Administration in attendance during the Closed Meeting discussions with respect to Confidential Verbal Report EC2023-0059.

Clerks: K. Martin, M. A. Cario, and C. Doi. Law: J. Floen. City Manager: D. Duckworth. Advice: C. Arthurs, K. Black, S. Dalgleish, C. Male, D. Morgan, C. Stewart, M. Thompson, H. Domzal, and M. Jankovic.

**Moved by Councillor Chabot**

That with respect to Confidential Verbal Report EC2023-0059, the following be approved:

That Executive Committee:

1. Receive the confidential attachments and presentation for the Corporate Record; and
2. Direct that the Closed Meeting discussions, confidential presentation, and attachments be held confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to be reviewed no later than 2023 December 31.

For: (11): Mayor Gondek, Councillor Spencer, Councillor Penner, Councillor Pootmans, Councillor Sharp, Councillor Walcott, Councillor Carra, Councillor Chabot, Councillor Chu, Councillor McLean, and Councillor Wong

**MOTION CARRIED**

Committee then dealt with Item 6.1.

#### 10.2 URGENT BUSINESS

None

11. BRIEFINGS

None

12. ADJOURNMENT

This item was dealt with following Item 6.1.

**Moved by** Councillor Sharp

That this meeting adjourn at 5:19 p.m.

**MOTION CARRIED**

The following items have been forwarded to the 2023 February 14 Regular Meeting of Council:

CONSENT:

- Approaches for Determining Local Access Fees, EC2023-0077
- City Manager 2022 Performance Review and 2023 Goals, Objectives and Personal Development Plan (Verbal), EC2023-0094

ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

COMMITTEE REPORTS

- Integrity and Ethics Office Proposed Amendments to the Code of Conduct for Elected Officials Bylaw (26M2018), EC2022-1368
- ENMAX 2023 Borrowing Request, EC2023-0025
- Notice of Motion - Strengthening Provincial Regulations to Improve Safety of Unlicensed Private Day Homes, EC2023-0090
- Notice of Motion - Incentivizing Low Carbon Investments, EC2023-0131

The next Regular Meeting of the Executive Committee is scheduled to be held on 2023 February 28 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

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CHAIR

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CITY CLERK