

MAYOR'S DEFERRAL OF EXECUTIVE AND SPC REPORTS

EXECUTIVE SUMMARY

The Procedure Bylaw 44M2006, as amended, Section 48(1.1) and 48(1.2) provides for the Mayor to defer Executive Reports and SPC Reports on a Council Agenda for a period of up to four weeks, or until the next Regular Business Meeting, whichever is later. These sections in the Procedure Bylaw are in effect between 2011 October 24 and the 2013 Organizational Meeting. Council is requested to consider whether the Mayor's authority to defer Executive Reports and SPC Reports should be extended, or whether to allow this clause in the Procedure Bylaw to lapse.

CITY CLERK RECOMMENDATIONS

1. With respect to the Mayor's authority to defer Executive Reports and SPC Reports under Sections 48(1.1) and (1.2) of the Procedure Bylaw 44M2006, as amended, Council approve one of the options contained in Recommendations 1(a), 1(b) or 1(c), as follows:
 - (a) That the Mayor's authority be permitted to lapse and that the Procedure Bylaw 44M2006 be amended by deleting Sections 48(1.1) and (1.2) in their entirety; or
 - (b) That the Mayor's authority be extended until 2014 and that the Procedure Bylaw 44M2006 be amended in Section 48(1.1) and (1.2) by deleting the phrase "2011 October 24 and the 2013 Organizational Meeting Day" and by substituting with the phrase "2013 November 04 and the 2014 Organizational Meeting Day"; or
 - (c) That the Mayor's authority be extended indefinitely and that the Procedure Bylaw 44M2006, be amended in Section 48(1.1) by deleting the phrase "taking place between 2011 October 24 and the 2013 Organizational Meeting Day"; and
2. Further, that Council direct the City Solicitor to return to the 2013 November 18 Combined Meeting of Council with an amending Bylaw to amend the Procedure Bylaw 44M2006, as amended, reflecting Council's decision on the three options.

PREVIOUS COUNCIL DIRECTION / POLICY

Council, at the 2011 October 24 Organizational Meeting, gave three Readings to Bylaw 60M2011, as amended, Being a Bylaw of The City of Calgary to Amend Bylaw 44M2006, The Procedure Bylaw. Contained within Bylaw 60M2011 is authorization for the Mayor to defer Executive Reports and SPC Reports on a Council Agenda, between 2011 October 23 and the 2013 Organizational Meeting.

At the 2011 May 16 Regular Meeting, Council adopted Legislative Governance Task Force Report LGT2011-01 as follows:

"That Council:

1. Approve the Mayor have the discretion, after consultation with the Chairs of the Standing Policy Committees, to defer agenda items from the "items from

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Administration and Committees (SPC's)" section of a Council Agenda, for a maximum of up to 4 (four) weeks or the next Council (Regular or Combined) meeting, whichever is longer; and

2. Give 3 Readings to Bylaw 38M2011."

On a trial basis Bylaw 38M2011 gave authorization to the Mayor to defer Executive Reports and SPC Reports on a Council Agenda, between 2011 May 16 and 2011 October 12.

BACKGROUND

Pursuant to Section 48(1) of the Procedure Bylaw 44M2006, as amended, items on the Agenda for a Regular Business Meeting shall be approved by the Mayor and City Clerk a minimum of ten days prior to the Meeting. Reports required to go to Council from a Committee must go to the next Regular Business Meeting that is a minimum of 10 days following the Committee meeting. Exceptions to this must be made by motion of the Committee and passed by a majority of members.

In order to waive the appropriate Sections of the Procedure Bylaw 44M2006, as amended, and implement the direction to defer these reports on a trial basis, an amending Bylaw (Bylaw 38M2011) was given three readings.

Further, an extension of the Mayor's power of deferral, Bylaw 60M2011, was given three Readings at the 2011 October 24 Organizational Meeting. This extension will expire at the Organizational Meeting on 2013 November 04.

In the past year the Mayor has deferred Executive Reports and SPC Reports on two occasions.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Three options have been provided for Council's consideration:

Option 1(a)

Should Council decide to allow the authority for the Mayor to defer Executive Reports and SPC Reports to lapse, the Procedure Bylaw 44M2006 will require an amendment to delete Section 48(1.1) and (1.2). The Mayor would no longer have the authority to defer reports to future regular meetings of Council.

Option 1(b)

Should Council decide to extend the Mayor's authority to defer Executive Reports and SPC Reports for a limited period of time then Section 48(1.1) of the Procedure Bylaw would require an amendment. The City Clerk is recommending that Section 48(1.1) be amended by deleting the phrase "2011 October 24 and the 2013 Organizational Meeting Day" and by substituting with the phrase "2013 November 04 and the 2014 Organizational Meeting Day", or to an Organizational Meeting Day of Council's choice.

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Option 1(c)

Should Council decide to extend the Mayor's authority to defer Executive Reports and SPC Reports indefinitely then the time restriction in Section 48(1.1) should be deleted from the Procedure Bylaw.

All three options require amendments to the Procedure Bylaw 44M2006, as amended. The City Clerk is recommending that the City Solicitor be directed to prepare an amending bylaw to the 2013 November 18 Combined Meeting of Council in order for an amendment to take effect..

Stakeholder Engagement, Research and Communication

N/A

Strategic Alignment

N/A

Social, Environmental, Economic (External)

N/A

Financial Capacity

Current and Future Operating Budget:

N/A

Current and Future Capital Budget:

N/A

Risk Assessment

N/A

REASON(S) FOR RECOMMENDATION(S):

Sections 48(1.1) and (1.2) of the Procedure Bylaw 44M2006, as amended, will expire at the 2013 Organizational Meeting. Council is being asked to consider whether they wish to extend the Mayor's power of deferral of Executive Reports and SPC Reports, or whether to allow this clause in the Procedure Bylaw to expire.

ATTACHMENT(S)

None