

**TOWN OF LEGAL
BYLAW #10-2021
COUNCIL COMMITTEES**

A BYLAW OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING COUNCIL COMMITTEES FOR THE TOWN OF LEGAL.

WHEREAS under the provisions of the *Municipal Government Act, R.S.A. 2000 c.M.-26*, and amendments thereto, Council may pass a Bylaw for the purpose of establishing Council Committees within the Town of Legal;

AND WHEREAS the Council of the Town of Legal recognizes the value of committees to support and facilitate the achievement of the Town of Legal Strategic Plan;

NOW THEREFORE the Council of the Town of Legal, hereby enacts the Council Committees Bylaw as follows:

1.0 BYLAW TITLE

1.1 This Bylaw is to be cited as the "Council Committee Bylaw".

2.0 DEFINITIONS

2.1 In this Bylaw, the following terms shall have the following meanings, unless the context specifically requires otherwise:

- 2.1.1 "Act" means the *Municipal Government Act (MGA), R.S.A. 2000, c.M-26*, any regulations thereunder and any amendments or successor legislation thereto;
- 2.1.2 "Ad Hoc" means a committee that is formed for a specific purpose, usually appointed to solve a particular problem;
- 2.1.3 "Agency Member" means a member appointed by an agency bringing a level of knowledge or expertise to a Committee.
- 2.1.4 "Agenda" means the order of items of business for a Meeting and the associated reports, bylaws or other documents;
- 2.1.5 "Bylaw" is a Bylaw of the Town of Legal;
- 2.1.6 "Chair" means a person who has authority to preside over a Meeting;
- 2.1.7 "Committee" means any committee, board or other body established by Council under the *Municipal Government Act*;
- 2.1.8 "Council" means the Municipal Council of The Town of Legal;
- 2.1.9 "Council Representative" means a member of Council appointed annually to act as Council's liaison to that Committee and not as an advocate for the Committee.
- 2.1.10 "Councillor" means a member of Council not including the Mayor, as the Mayor is ex - officio of all Committees.
- 2.1.11 "Meeting" means a Meeting of Committee;
- 2.1.12 "Member" means an individual appointed under this Bylaw as a member of the Council Committee;
- 2.1.13 "Member at Large" means a member of the public appointed by Council to a Committee of Council;
- 2.1.14 "Minutes" are the record of proceedings of a Meeting recorded in English language without note or comment;
- 2.1.15 "Municipal Representative" is a Town Staff person who is functionally responsible for the work and provides administrative and technical support to the committee chair and its membership;
- 2.1.16 "Organizational Meeting" means the organizational meeting of Council as required under the *Municipal Government Act*.
- 2.1.17 "Public Meeting" means a meeting of committee at which members of the public may attend, but which is not a public hearing; and
- 2.1.18 "Quorum" is a majority of those members appointed and serving on Committee.
- 2.1.19 "Task Force" means a Committee established for a specified period of time and for a specific purpose.

3.0 ESTABLISHMENT

3.1 The following Committees are established:

- 3.1.1 Budget Committee
- 3.1.2 Community Services Advisory Board
- 3.1.3 Emergency Advisory Committee
- 3.1.4 Governance and Priorities Committee
- 3.1.5 Economic Development Committee

4.0 AUTHORITY OF COMMITTEES

- 4.1 Upon approval of Council, a Committee shall have the authority to form ad hoc committees from among its members, to assist in carrying out its objectives and responsibilities under this Bylaw.
- 4.2 Ad hoc committees established by a Committee shall report to the Committee in a manner determined by the Committee.
- 4.3 A Committee shall not have the power to pledge credit of the Town of Legal, to pass bylaws or to enter into any contractual agreements.

5.0 MEMBERSHIP

- 5.1 Committees may be comprised of a number of participants, both Councillors and Members at Large, as indicated in Schedule "A" - Committee Terms of Reference, as attached to this Bylaw.
- 5.2 All Members of a Committee shall be appointed by Council resolution, unless otherwise provided in the Committee Terms of Reference, and shall be a resident of the Town of Legal.
- 5.3 Where a Committee has a Council Representative, an alternate Councillor shall be appointed should the regular representative be unable to attend. It is the Councillor's responsibility to advise the alternate if not able to attend the meeting.
- 5.4 Members at Large shall be appointed by Council to a Committee for a term specified in the Committee Terms of Reference that becomes effective January 1 of each year.
- 5.5 The Mayor shall be an ex-officio member of all committees and the Mayor, as such member of the committees, shall have all the powers and privileges of any member of the same, including the right to vote upon all questions to be dealt with by such committees.
- 5.6 It shall be the duty of the Municipal Representative to give notice of all meetings to all members of each committee, to attend, and ensure accurate minutes are kept.
- 5.7 The Municipal Representative shall not be a member of a Committee and may not vote on any matter.

6.0 TERM

- 6.1 Unless otherwise stated in the Bylaw, Members are appointed at the annual Organizational Meeting of Council as follows:
 - 6.1.1 Council Representatives are appointed for one-year terms.
 - 6.1.2 Council Representatives are entitled to vote on appointed Committees unless otherwise noted.
 - 6.1.3 In order to ensure the continuity of membership appointments may be filled on a rotational basis.
 - 6.1.4 Members at Large shall be appointed by Council in staggered terms of one-year, two-year or three-year terms, or as otherwise specified in the Committee Terms of Reference to ensure there is a mix of experienced and new members.
 - 6.1.5 Members at Large shall be encouraged to serve no more than two (2) consecutive terms. Council may extend the term of the Member beyond six years in extraordinary circumstances, for a maximum of another three years.
 - 6.1.6 Members at large may resign from a Committee at any time by giving written notice to Council.
 - 6.1.7 By resolution Council may remove any Member at Large from a Committee at any time on the recommendation of the Mayor.
 - 6.1.8 By resolution Council may alter the terms of appointment of any Member at Large.
 - 6.1.9 Any Member at Large who is absent from three consecutive regular meetings of the Committee ceases to be a Member as of the date of the third meeting. Any person who ceases to be a Member due to unauthorized absence is eligible for reappointment in the future but not for the unexpired portion of the term which is forfeited.

- 6.1.10 Committees may request expertise from an Agency Member, who is appointed by the Agency for a period of one year.
- 6.1.11 The Town will notify in writing the applicable agency if an Agency Member is absent from three consecutive meetings.
- 6.1.12 Where a Committee position is left vacant for any reason, Council may appoint a replacement for the remainder of that term.
- 6.1.13 All Members will review and abide by the Town Code of Conduct Bylaw.

7.0 CHAIR

- 7.1 The Chair will be appointed annually after the Organizational Meeting of Council or as required, among the voting Members;
- 7.2 The Chair shall only hold office for one (1) year unless otherwise specified in the Committee Terms of Reference.
- 7.3 The Chair shall preside over all meetings for the Committee and decide on all points of order that arise.
- 7.4 In the absence of the Chair, one of the other Members shall be elected to preside and shall discharge the duties of the Chair during the Meeting, or until the arrival of the Chair.

8.0 COMMITTEE MEETINGS

- 8.1 At the first meeting of the Committee following the Organizational meeting of Council the committee will:
 - 8.1.1 Appoint a Chair and Vice Chair; and
 - 8.1.2 Create or review Committee Terms of Reference.
- 8.2 Committee meetings must be held in public and all agendas and minutes of the Committee meetings will be made routinely available to the public.
- 8.3 Council Committees may close all or part of the Committee Meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*, c.F-25 RSA 2000.
 - 8.3.1 When a Meeting is closed to the public no recommendation may be passed, except a recommendation to revert to a Meeting held in public.
 - 8.3.2 In accordance with the *Municipal Government Act*, all Members are required to keep in confidence matters discussed in closed session until the item is discussed at a Meeting held in public.
- 8.4 Quorum for Committee Meetings shall be the majority of voting Members unless otherwise stated.

9.0 REPORTING TO COUNCIL

- 9.1 The Council Representative on a Committee shall report on key and/or major Committee activities during the "Council Representative Reports" portion of the Regular Meetings of Council.
- 9.2 Committee minutes maybe submitted for inclusion in the Regular Council Agenda Packages.
- 9.3 The Chair of Public Advisory Committees shall be expected to annually (or at the discretion of Council), present at a Regular Council Meeting, a summary or highlight report of activities.

10.0 GENERAL PROVISIONS

- 10.1 Each Committee hereby established that is deemed to be a Committee of Council shall be responsible and accountable to Council.
- 10.2 This Bylaw shall govern meetings of Committees hereby established by Council and shall be binding upon all Committee members whether Councillors or Members at Large.
- 10.3 Each Committee is hereby authorized to prepare a "Terms of Reference" document for recommendation to Council. The Terms of Reference must be approved by Council and will include, at a minimum, the requirements for quorum and voting, number and composition of membership, roles of members, process for preparation and circulation of an agenda and minutes, and a role of an appointment of the Chair of the Committee. The Terms of Reference may also provide guidance to roles, methods and frequency of communication between Council and Committees.
- 10.4 All members of the Committee, regardless of how they voted on an issue, should accept and support it as a Committee recommendation.

10.5 Committee Members who have a reasonable belief that they have a pecuniary interest (as defined in the *Municipal Government Act*) in any matter before a committee or any board, commission, committee or agency to which they are appointed as a representative of, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions and voting on any question relating to the matter. Members of Committee shall remove themselves from the meeting room until the matter is concluded. The minutes shall indicate the declaration of disclosure, the general nature of pecuniary interest, the time at which the member left the room and the time they returned.

10.6 Reports by all active committees may be made to Council on an annual basis.

10.6.1 The reports of all committees shall be made to the Council prior to the same being given to the public. The powers of the Committees established by this Bylaw are restricted to providing recommendations to Council, unless the Committee's approved Terms of Reference, or legislation, specifically provides otherwise.

10.7 Nothing included in this Bylaw shall restrict or prevent Council from creating or constituting further or other committees not referenced in this Bylaw.

11.0 SEVERABILITY

11.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

12.0 EFFECTIVE DATE

12.1 That this Bylaw shall come into force and take effect upon the date of third reading.

READ A FIRST TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor

Chief Administrative Officer

READ A SECOND TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor

Chief Administrative Officer

READ A THIRD TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor

Chief Administrative Officer

Schedule "A"

Terms of Reference

- A. Budget Committee
- B. Community Services Advisory Board
- C. Economic Development Committee
- D. Emergency Advisory Committee
- E. Governance and Priorities Committee

A. Budget Committee

1. NAME OF COMMITTEE

This Committee shall be referred to as the "Budget Committee".

2. PURPOSE

To provide financial policy leadership and assist in Council's decision making related to the financial operations of the Town.

3. MEMBERSHIP

The Budget Committee is an internal advisory committee, comprised of all members of Council.

4. RESPONSIBILITIES

The responsibilities of the Committee include:

- a. provide direction to be incorporated into the annual Budget Guidelines;
- b. assess alignment of service area budgets with Town priorities;
- c. assess resources required to fulfill services provided by the service areas and formulate suggestions for improving the service area's financial position;
- d. Reserve policies and reserve dollar levels to be reviewed each term.

The responsibilities of Administration include:

- a. Coordination of Committee meeting locations and setup.
- b. Preparation of meeting minutes and agendas.
- c. Circulation of Agenda Package to Committee members.

5. REPORT TO COUNCIL

The Budget Committee Chair shall, during regular council meetings, provide a written or oral report to Council and if there is any action required by administration, Council shall then provide direction to administration.

6. TERM

Committee membership is ongoing and shall be confirmed annually by Council ~~and~~ at the October Organizational Meeting, with an effective date of January 1, so as to coincide with the annual budgeting process.

7. MEETINGS, STRUCTURE, DELIVERABLES

The committee will meet Semi-Annually for Budget and Spring Planning sessions, then only as required. The Committee will work towards consensus on recommendations and then present its recommendations to Council for adoption.

The Budget Committee meets each fall to discuss various financial matters (i.e. budgets, reserves, grants, debt, etc.) and make recommendations for the Utilities, Operating and Capital Budgets for the upcoming fiscal year.

A Spring Planning session is held to set the Mill Rate and discuss any amendments or outstanding budget items.

The Committee also strives to gain public input and may hold open houses in to gain public interest.

The Committee shall review the Terms of Reference annually at the Organizational Meeting. Recommended changes shall be brought forward to Council for consideration and approval.



8. **GOVERNANCE**

A majority of the voting members shall constitute a quorum at a meeting.

All voting members of the Committee, including the Chair, shall be required to vote on any motion before the Committee and, in the event of a tie, the motion shall be lost.

The Chair or Vice-Chair shall report to Council, regarding any required updates related to the Committee.

9. **LEGISLATIVE AUTHORITY**

Municipal Government Act, RSA 2000 c.M-26, as amended
Bylaw 10-2021, Council Committee

B. Community Services Advisory Board

1. NAME OF COMMITTEE

This Committee shall be referred to as the "Community Services Advisory Board".

2. PURPOSE

The Committee shall act in an advisory capacity on matters pertaining to the social well-being of Legal residents in Sport and Recreation, Family and Community Support Services, and Culture and Events.

Family and Community Support Services (FCSS) is an 80/20 funding partnership between the Government of Alberta and the Municipal Government. Through FCSS, many services, activities and programs are made available.

Under FCSS, communities design and deliver social programs that are preventable in nature to promote and enhance well-being among individuals, families and communities. Another major function is to promote, encourage and facilitate volunteers and the use of volunteers in our community.

3. MEMBERSHIP

The Community Services Advisory Board is an internal advisory committee, comprised of all members of Council.

4. RESPONSIBILITIES

Municipal representation will:

- a. provide activity updates to the committee on issues related to Sport and Recreation, Family and Community Services, Culture and Events.
- b. advise and provide recommendations to Council on policies related to areas as identified under "Purpose".
- c. advise Council on potential "gap areas" or barriers in the service areas as identified under "Purpose". Committee members have opportunity to bring areas of concern to Administration for consideration.
- d. Provide to the public opportunity for community sharing of information, ideas and feedback on trends and issues within our community for members of the public.

Feedback on this committee and their decisions will be provided through the Municipal representatives to Council.

Any communications approved by Council will be delivered to the CAO.

5. REPORT TO COUNCIL

Municipal representation shall provide oral and written reports of its proceedings and recommendations to Council on a monthly basis.

6. TERM

Committee membership is ongoing and shall be confirmed annually by Council and at the October Organizational Meeting with an effective date of January 1, of the following year, so as to coincide with the annual planning process.

7. MEETINGS, STRUCTURE, DELIVERABLES

The committee will meet as required.

The Committee shall review the Terms of Reference annually at the Organizational Meeting. Recommended changes shall be brought forward to Council for consideration and approval.

8. **GOVERNANCE**

A majority of the voting members shall constitute a quorum at a meeting.

All voting members of the Committee, including the Chair, shall be required to vote on any motion before the Committee and, in the event of a tie, the motion shall be defeated.

The Chair or Vice-Chair shall report to Council, regarding any required updates related to the Committee.

9. **LEGISLATIVE AUTHORITY**

Municipal Government Act, RSA 2000 c.M-26, as amended
Bylaw 10-2021, Council Committee

C. Emergency Advisory Committee

1. NAME OF COMMITTEE

This Committee shall be referred to as the "Emergency Advisory Committee".

2. PURPOSE

Under the terms of the provincial *Emergency Management Act*, a municipality is responsible for the direction and control of its emergency response and is required to appoint an Emergency Advisory Committee.

Town of Legal's Municipal Emergency Management Bylaw #05-2019, as amended from time to time, establishes this committee as well as including provisions for the other requirements as noted in the Emergency Management Act.

3. MEMBERSHIP

The Emergency Advisory Committee is an internal advisory committee, comprised of all members of Council.

4. RESPONSIBILITIES

The Committee has the Authority to:

- a. Establish the dates for each Committee meeting;
- b. Create or review Committee Terms of Reference (Council approval required);

The Committee shall:

- a. advise Council on the development of emergency plans and programs; and
- b. comply with the Emergency Management Bylaw, the Municipal Emergency Plan, the *Emergency Management Act* and the *Municipal Government Act*.

The responsibilities of Administration include:

- a. Coordination of Committee meeting locations and setup.
- b. Preparation of meeting minutes and agendas.
- c. Circulation of Agenda Package to Committee members.

5. TERM

Committee membership is ongoing and shall be confirmed annually by Council and at the October Organizational Meeting with an effective date of January 1, of the following year.

6. MEETINGS, STRUCTURE, DELIVERABLES

This Committee meets annually to review the Municipal Emergency Plan and will also be required to meet after any declared disaster to review the event.

The Committee shall:

- a. Review the Municipal Emergency Plan and related plans and programs on a regular basis;
- b. Advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year; and
- c. Recommend to Council any changes to the Municipal Emergency Plan if appropriate.

7. LEGISLATIVE AUTHORITY

Municipal Government Act, RSA 2000 c.M-26, as amended Section 145
Bylaw 10-2021, Council Committee
Emergency Management Act, RSA c.E-6.8
Bylaw #05-2019, as amended from time to time.



D. Governance and Priorities Committee

1. NAME OF COMMITTEE

This Committee shall be referred to as the "Governance and Priorities Committee".

2. PURPOSE

Serves as an advisory body to Council. Meetings serve as an opportunity for Council to be provided with information on governance and policy matters and as an opportunity for Council to seek clarification on matters relating to Council business.

3. MEMBERSHIP

The Governance and Priorities Committee is an internal advisory committee, comprised of all members of Council.

4. RESPONSIBILITIES

The Committee has the Authority to:

- a. Establish the dates for each Committee meeting at the Organizational meeting, and request additional Committee meeting dates as required at a regular Council meeting;
- b. Create or review Committee Terms of Reference (Council approval required); and
- c. Refer matters to Council for decision.

The Chief Administrative Officer (CAO) is the principal advisor to the Governance and Priorities Committee. Attendance of specific municipal staff is at the discretion of the CAO.

The responsibilities of Administration include:

- a. Coordination of Committee meeting locations and setup.
- b. Preparation of meeting minutes and agendas.
- c. Circulation of Agenda Package to Committee members.

5. TERM

Committee membership is ongoing and shall be confirmed annually by Council and at the October Organizational Meeting with an effective date of January 1, of the following year.

6. MEETINGS, STRUCTURE, DELIVERABLES

Meetings are held quarterly, being the 4th Monday of the month, with no meetings held in July and August.

The Governance and Priorities Committee enables Committee members to review upcoming and important issues and opportunities with members of Administration where deemed appropriate, where the focus is on understanding the broader policy implications of the items being considered.

The meetings are to be chaired by the Mayor, or in the Mayor's absence, the Deputy Mayor.

The Chair shall preside over all meetings of the Committee and decide all points of order that may arise; manage the process of the meeting; preside over the conduct of the meeting, including the preservation of good order and decorum; determine speaking order; and rule on all questions related to the orderly procedure of the meeting.

7. GOVERNANCE

The Committee is intended principally as a forum for discussion rather than a decision-



making venue.

The Committee may refer an item to the CAO for more information or clarification but must move the issue forward to Council for its consideration and decision upon receipt of the clarifying information.

The Committee meetings shall be a public meeting, unless the matter is within one of the exceptions to disclosure in the FOIP Act.

The Committee may hear from delegations and/or refer delegations to Council. Delegations may make presentations to the Governance and Priorities Committee by appointment only.

The Committee shall consider matters placed on the agenda by the CAO, by other members of Council (as determined by a resolution of Council) and ensure that all such matters are referred to the CAO for a report.

The Committee may:

- a. Make recommendation(s) on matters which it considers are within current policy.
- b. Refer any matter on to a Regular Meeting of Council which is not the subject of current policy (including new statements of policy).

8. LEGISLATIVE AUTHORITY

Municipal Government Act, RSA 2000 c.M-26, as amended
Bylaw 10-2021, Council Committee



E. Economic Development Committee

1. NAME OF COMMITTEE

This Committee shall be referred to as the "Economic Development Committee".

2. PURPOSE

Serves as an advisory body to Council and Administration on policies, potential actions or advice related to the strategic goals and objectives that support economic development initiatives.

3. MEMBERSHIP

The Economic Development Committee is an advisory committee, comprised of

- a. 2 members of Council;
- b. Maximum 3 Members at Large.

Staff member shall be available to provide support, but is not appointed to the Committee.

4. RESPONSIBILITIES

The Committee has the authority to:

- a. Establish the dates for each Committee meeting;
- b. Create or review Committee Terms of Reference (Council approval required);
- c. Review and provide recommendations to Council on economic development policies;
- d. Recommend and participate in the development of programs that align with the strategic outcomes and goals established by the Committee and approved by Council; and
- e. Review the Town of Legal Strategic Plan on an annual basis and recommend policies that support economic development initiatives for Council's consideration.

Councillors appointed to the Economic Development Board shall be responsible to keep Council informed as to the Committee activities.

Committee members shall only speak on behalf of the Economic Development Committee when formally given such authority by Council or the Committee for a specific defined purpose. In such instances, the Chair, or in their absence, Vice Chair will be the key spokesperson.

Committee does not have the authority to approve expenditures without referring matters to the CAO and gaining approval from Council.

The responsibilities of Administration include:

- a. Coordination of Board meeting locations and setup.
- b. Preparation of meeting minutes and agendas.
- c. Circulation of Agenda Package to committee members.

5. TERM

Public members are appointed on a two (2) year term (calendar rotation by resolution of Council.)

Public members shall not serve more than three (3) consecutive terms unless no other applications are received.

Council members are appointed annually at the Organizational meeting.



Council may request resignation of any Committee Member at any time prior to the expiry of the member's term of office, and any member of the Committee may resign at any time upon sending notice to the Chief Administrative Officer (CAO).

The municipal representative shall not be a member of the Committee and may not vote on any matter; this includes any staff attending the meeting.

Any member of the Economic Development Committee who is absent from two (2) consecutive meetings of the Committee shall forfeit their office, unless there is a resolution of the Committee accepting a valid reason for their absence.

6. MEETINGS

The Committee shall hold meetings two (2) times per year or as determined by the Economic Development Committee. Ad Hoc meetings as required will be at the call of the Chair, or in the absence of the Chairperson, at the call of the Vice-Chair.

At the first meeting each year, the Committee shall elect a Chair and Vice-Chair from among its voting members.

The Chair shall hold office for the remainder of the calendar year from the date of appointment. The Chair shall preside over all meetings of the Committee and decide all points of order that may arise; manage the process of the meeting; preside over the conduct of the meeting, including the preservation of good order and decorum; determine speaking order; and rule on all questions related to the orderly procedure of the meeting.

7. GOVERNANCE

A majority of the voting members shall constitute a quorum at a Committee meeting.

All voting members of the Committee, including the Chair, shall be required to vote on any motion before the Committee and, in the event of a tie, the motion shall be lost.

The Chair or Vice-Chair will report to Council, regarding economic development initiatives and activities related to the Committee; but may otherwise determine that additional reporting is necessary.

8. LEGISLATIVE AUTHORITY

Municipal Government Act, RSA 2000 c.M-26, as amended
Bylaw 10-2021, Council Committee