



CITY OF YELLOWKNIFE

MUNICIPAL SERVICES COMMITTEE AGENDA

Monday, August 13, 2018 at 12:05 p.m.

Chairman: Mayor M. Heyck,
Councillor R. Alty,
Councillor A. Bell,
Councillor L. Bussey,
Councillor N. Konge,
Councillor S. Morgan,
Councillor J. Morse,
Councillor S. Payne, and
Councillor R. Silverio.

<u>Item</u>	<u>Description</u>
1.	Approval of the agenda.
2.	Disclosure of pecuniary interest and the general nature thereof.
ANNEX A	
3.	A memorandum regarding whether to establish a Council Remuneration Review Committee.
ANNEX B	
4.	A memorandum regarding whether to appoint Jeremy Humphrey as a Development Officer for the City of Yellowknife.
5.	An update regarding the Building By-law Review.
<u>IN CAMERA</u>	
ANNEX C	
6.	A legal matter.
7.	A personnel matter.
8.	Business arising from In Camera Session.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Municipal Services

DATE: August 13, 2018

DEPARTMENT: Administration

ISSUE: Whether to establish a Council Remuneration Review Committee.

RECOMMENDATION:

That Council adopt Terms of Reference for, and establish a Council Remuneration Review Committee.

BACKGROUND:

The Canada Revenue Agency has announced that the Municipal Officers' Expense Allowance (MOA) will be 100% taxable as of January 1, 2019. Although the MOA is intended as a reimbursement for expenses, it is paid bi-weekly without the requirement for receipts. Members of City Council currently receive a Municipal Officers' Allowance (MOA) which is 50% of their annual salary. This portion of their remuneration is not subject to taxation.

On January 22, 2018 Council passed motion #0023-18 directing Administration to investigate and present Council with options for disconnecting management, SAO and Council compensation from raises negotiated with unionized employees, and disconnecting Council's compensation from inflation.

On June 25, 2018 Council passed motion #0218-18 directing Administration to engage a qualified consultant to provide a recommended solution to refresh Council remuneration practices by September 15, 2018.

COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal:

- #1. Better Engagement with Stakeholders
- #5. Stronger Internal Working Relationships and Accountability

Council Motion #0023-18 That Council direct Administration to:

.... Investigate and present to Council options for disconnecting management, SAO and Council compensation from raises negotiated with unionized employees, and further that Council's compensation be disconnected from inflation.

Motion #0218-18

That Council direct Administration to engage a qualified consultant to provide a recommended solution to refresh Council remuneration practices by September 15, 2018.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

Cities, Towns and Villages Act;
Council Remuneration By-law No. 4422; and
Council Remuneration Review Committee Final Report 2005.

CONSIDERATIONS:

Legislation

Section 102 of the *Cities, Towns and Villages Act* provides for the indemnities and allowances to Council Members.

Current Framework

In 2005, Council accepted the Council Remuneration Review Committee Final Report which included, among other things, a 'Mechanism for Increases' for the annual review and adjustment of Mayor and Councillor remuneration. Recommendations from this Report were incorporated into Council Remuneration By-law No. 4422, which outlines the overall compensation for Mayor, Deputy Mayor and Council Members, and the Council Remuneration Review Policy.

The Policy outlines that the remuneration is to be reviewed annually and provides a formula that states the lesser of the following is to be added to the annual salary:

- a) the negotiated annual increment for City of Yellowknife PSAC Local X0345 or
- b) the calculated average of the Consumer Price Index (CPI) and the negotiated annual increment for City of Yellowknife Local X0345.

Procedural Considerations

The next municipal general election is scheduled for October 15, 2018 and the 2019 Budget will be adopted in December, 2018. The 2019 fiscal year is from January 1 – December 31. Therefore, amendments to Council's remuneration structure and review mechanisms should be finalized prior to the adoption of the 2019 Budget.

Municipal Officers Allowance

The Canada Revenue Agency has announced that the Municipal Officers' Expense Allowance (MOA) will be 100% taxable as of January 1, 2019. Currently, 50% of Council Member's salary is tax exempt.

Comparative Information

The City has engaged a consultant to conduct an independent and arms-length review of the remuneration, allowances and benefits provided to the Mayor and Members of Council. The

consultant will collect data, review comparator information and provide their analysis and recommendations with respect to remuneration, benefits and review mechanism.

Public Input

City Council requested a public engagement component for this review; however, the Council Remuneration Review Consultant is unable to satisfy this component within the allotted timeframe. Therefore a Council Remuneration Review Committee is being proposed to scrutinize the Consultant's research, analysis and recommendations, prior to it being presented to Council.

ALTERNATIVES TO RECOMMENDATION:

That a Council Remuneration Review Committee not be struck and that the Council Remuneration Review Consultant's recommendations be provided directly to Council.

RATIONALE:

The appointment of a Council Remuneration Review Committee will provide for a review of the Consultation's recommendations with respect to best practices for Council remuneration, benefits and salary review mechanisms.

ATTACHMENTS:

Terms of Reference (DM#529873)

Prepared: August 3, 2018; DMG

Revised:



CITY OF YELLOWKNIFE

TERMS OF REFERENCE **Council Remuneration Review Committee**

Whereas, pursuant to Council Procedures By-law Council may establish a special committee to investigate and consider any matter; Yellowknife City Council hereby establishes a Special Committee to be known as the “**COUNCIL REMUNERATION REVIEW COMMITTEE**” with the following terms of reference:

INTRODUCTION

1. The City of Yellowknife has identified that there is a need to refresh Council remuneration practices and on June 25, 2018 Council passed motion #0218-18 directing Administration to engage a qualified consultant to provide a recommended solution to refresh Council remuneration practices by September 15, 2018.

BACKGROUND

2. The Canada Revenue Agency has announced that the Municipal Officers’ Expense Allowance (MOA) will be 100% taxable as of January 1, 2019. Although the MOA is intended as a reimbursement for expenses, it is paid bi-weekly without the requirement for receipts. Members of City Council currently receive a Municipal Officers’ Allowance (MOA) which is 50% of their annual salary. This portion of their remuneration is not subject to taxation. On January 22, 2018 Council passed motion #0023-18 directing Administration to investigate and present Council with options for disconnecting management, SAO and Council compensation from raises negotiated with unionized employees, and disconnecting Council’s compensation from inflation.

SCOPE

3. The purpose of the Council Remuneration Review Committee is to assist the City in an advisory capacity regarding Council’s remuneration, benefits and remuneration review mechanism.
4. The role of the Council Remuneration Review Committee is to review recommendations presented by the Council Remuneration Review Consultant and make recommendations to City Council based on best practices and research.

MEMBERSHIP:

Composition:

5. The Council Remuneration Review Committee shall consist of members appointed by Council and shall include the following:
 - a. A lawyer;
 - b. An accountant; and
 - c. A past Member of Yellowknife City Council.
6. A member of City Administration shall provide administrative support to the Council Remuneration Review Committee.
7. A Chair shall be selected from the membership.
8. No Member may appoint an alternate to represent that Member and act on their behalf during absences.
9. In the event that a Member is unable or unwilling to continue to serve on the Committee, for whatever reason, the Committee will inform City Administration of the vacancy so that it can commence the process to have a new member appointed by City Council.
10. If any Member misses two (2) consecutive meetings without approval of the Committee, the Member shall be struck from Committee membership and replaced by Council.
11. Council may remove any member of the Committee for any good and sufficient cause.

MEETINGS

12. The first meeting shall be called within 14 days of the appointments to the Committee being established.
13. Regular meetings of the Committee shall be held with the time and place to be determined by the Chair in consultation with the Committee. Special meetings of the Committee may be called at the request of the Chair.
14. A quorum of the Committee shall consist of a majority of the Members. Vacant positions do not count towards quorum.
15. The Committee may, in accordance with the City of Yellowknife Council Procedures By-law, conduct all or a portion of any meeting during an in camera session to discuss issues that fall within the permitted categories if it is determined, by resolution, to be in the public interest to do so.
16. The motion to move to an in camera session must identify the general nature of the topics to be discussed during the in camera session.

17. The Chair may cancel any scheduled meeting of the Committee if it is felt that a quorum will not be achieved or if there are no items for the agenda.
18. All decisions of the Committee shall be in the form of resolutions duly passed by a majority of its Members present.
19. If, within 10 (ten) minutes from the time appointed for a meeting, a quorum is not present, the meeting will be terminated and re-scheduled for another date and time that falls within four weeks of the terminated meeting.
20. The rules of procedure for the Committee shall be governed by the City of Yellowknife Council Procedures By-law No. 4250 insofar as it may be applicable.

REMUNERATION

21. The Members of the Committee, including the Chair, shall serve in a volunteer capacity only, with no remuneration.

FINANCE, ADMINISTRATION AND TECHNICAL SUPPORT

22. The Committee shall have no authority to expend or commit financial resources of the City of Yellowknife.
23. Administration shall, in cooperation with the Chair, prepare all meeting agendas and distribute them to Committee Members at least five (5) days in advance of the meeting or as soon thereafter as is possible.
24. Administration shall prepare minutes of all meetings of the Committee and distribute them within one week to the Committee members.
25. Administration shall forward all original approved minutes and recommendations of the Committee to the City Clerk for retention and forwarding to the appropriate Standing Committee of Council.

REPORTING RELATIONSHIPS

26. The Committee shall make recommendations to the appropriate Standing Committee of Council.
27. All communications from the Committee in relation to educational materials or media releases shall be reviewed by the Chair and forwarded to City Administration for review and approval prior to being published or released.

DUTIES

28. The Chair's responsibilities will be as follows:
- a. Chair meetings;
 - b. Assist with agenda/meeting preparation in conjunction with the Administrative Support person;
 - c. Monitor attendance; contact members as necessary re: absences;
 - d. Vote in the case of a tie;
 - e. Represent the Council Remuneration Review Committee when presenting recommendations to City Council for approval; and
 - f. Present a written report to the appropriate Standing Committee of Council with the Committee's recommendations.
29. The Committee Members' responsibilities will be as follows:
- a. To attend all regular meetings of the Committee;
 - b. To discuss issues pertaining to the Committee without breach of confidentiality; and
 - c. Where it deems advisable, to make recommendations, reached by the majority of its membership, to City Council.

CONFIDENTIALITY

30. Committee members are responsible for maintaining the confidentiality of all proprietary or privileged information that they are privy to while serving as a Committee member.

TIMELINE

31. The term of the Council Remuneration Review Committee will conclude upon forwarding their final report to City Council through the appropriate Standing Committee of Council, which shall be on or before November 5, 2018.

TERMINATION

32. The Committee shall be considered dissolved upon completion of their task of delivering their final report to the appropriate Standing Committee of Council.
33. Notwithstanding the above, Council may, by resolution, dissolve the Committee at any time, or amend these Terms of Reference.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Municipal Services

DATE: August 13, 2018

DEPARTMENT: Administration

ISSUE: Whether to appoint Jeremy Humphrey as a Development Officer for the City of Yellowknife.

RECOMMENDATION:

That:

1. Pursuant to s. 2.2 of Zoning By-law No. 4404, as amended, Jeremy Humphrey be appointed as a Development Officer for the City of Yellowknife; and
2. The term of appointment shall expire upon termination of employment with the City of Yellowknife.

BACKGROUND:

Pursuant to the Zoning By-law No. 4404, as amended, Development Officers must be appointed by resolution of Council.

Jeremy Humphrey has been hired as a Development Officer for the City of Yellowknife, thus necessitating a resolution to appoint him as a Development Officer.

COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal #5 Stronger Internal Working Relationships and Accountability

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

Community Planning and Development Act; and
Zoning By-law No. 4404, as amended.

CONSIDERATIONS:

Legislation

Pursuant to the Zoning By-law No. 4404, as amended, Development Officers must be appointed by resolution of Council.

Public Service

The timely appointment of Development Officers helps ensure that proper levels of staffing and resources are achieved.

ALTERNATIVES TO RECOMMENDATION:

No viable alternative has been identified.

RATIONALE:

The timely appointment of Development Officers helps ensure that proper levels of staffing and resources are achieved.

ATTACHMENTS:

N/A

Prepared: August 2, 2018; DMG