

PUBLIC MINUTES EXECUTIVE COMMITTEE

Tuesday, December 8, 2015, 1:00 p.m. Council Chamber, City Hall

PRESENT: His Worship Mayor D. Atchison, Chair

Councillor C. Clark
Councillor R. Donauer

Councillor D. Hill

Councillor A. Iwanchuk @ 1:01 p.m.

Councillor Z. Jeffries Councillor M. Loewen

Councillor P. Lorje @ 1:01 p.m.

Councillor E. Olauson Councillor T. Paulsen

ABSENT: Councillor T. Davies

ALSO PRESENT: City Manager M. Totland

City Solicitor P. Warwick City Clerk J. Sproule

Committee Assistant J. Lorenz

1. CALL TO ORDER

The Chair called the meeting to order.

2. CONFIRMATION OF AGENDA

Councillor Lorje and Iwanchuk were not present for consideration of this matter.

Moved By: Councillor Hill

That the agenda be confirmed as presented.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Olauson and

Councillor Paulsen

3. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. ADOPTION OF MINUTES

Councillor Lorje and Iwanchuk were not present for consideration of this matter.

Moved By: Councillor Paulsen

That the minutes of the Public Meeting of Executive Committee held on November 16, 2015 be approved.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Olauson and

Councillor Paulsen

CARRIED UNANIMOUSLY

5. UNFINISHED BUSINESS

There was no unfinished business.

- 6. COMMUNICATIONS (requiring the direction of the Committee)
 - 6.1 Delegated Authority Matters
 - 6.2 Matters Requiring Direction
 - 6.2.1 City Clerk (City Council) Referral of Municipal Review

 Commission Report Elections Committee [File No. CK. 25518]

Communication along with referenced report from the Municipal Review Commission was provided.

Mr. Paul Jaspar, Chair of the Municipal Review Commission presented the report and responded to questions of the Committee.

Moved By: Councillor Hill

That the information be received and a report be forwarded to City Council recommending City Council adopt the following:

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Disclosure requirements Respecting Campaign Contributions and Expenses

Moved By: Councillor Loewen

1. That Bylaw No. 8491 be amended to require the disclosure of the names of campaign contributors whose cumulative donations exceed \$100 and that the statements of election expenses and contributions include an itemized list of all campaign expenses, a full accounting of contributions and expenses related to fundraising events, details relating to donations-in-kind, and details relating to loans received for the purposes of election campaigns.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Election Campaign Spending Limits

Moved By: Councillor Donauer

2. That City Council amend Bylaw No. 8491 to tie the campaign expense limits for mayoral candidates to the Consumer Price Index for Saskatoon using 2012 as the base year and that the allowable campaign expense per capita is adjusted based on CPI.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

The Accounting Records Respecting Campaign Contributions and Expenses

Moved By: Councillor Hill

3. That Bylaw No. 8491 be amended to lay out the specific records to be kept by candidates to bring them in line with those of other jurisdictions, including the requirements for the opening and exclusive use of campaign bank accounts, the issuance of receipts for contributions, and the requirement of receipts for expenses. The City Clerk (or other official appointed by City Council) shall have the authority to audit these records at any time.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Moved By: Councillor Hill

4. That Bylaw No. 8491 be amended to require candidates for the Office of Mayor be required to appoint an official agent who will be responsible for the financial records relating to the campaign. (A candidate may serve as his or her own official agent.)

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Moved By: Councillor Paulsen

5. That the costs associated with keeping the described specified records (opening bank accounts and issuance of receipts) that may be incurred by candidates (save for any remuneration provided to the official agent) be reported on the statement of

election expenses and contributions but not be subject to the expense limits established by Council.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

The Auditing of Candidates Statement of Campaign Contributions and Expenses.

Moved By: Councillor Hill

6. That Bylaw No. 8491 be amended to provide for the reimbursement of the costs of audits for mayoral campaigns where the expenses are \$5,000 or more at the rate currently established by the bylaw for expenses that exceed \$5,000.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Moved By: Councillor Hill

7. That the City continues the practice that city councillors do not require audited campaign revenues and campaign expenses.

In Favour

Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Olauson and Councillor Paulsen

Against

His Worship the Mayor, Councillor Iwanchuk and Councillor Lorje

CARRIED

The Retention of Records Respecting Campaign Contributions and Expenses

Moved By: Councillor Loewen

8. That Bylaw No. 8491 be amended to require candidates to retain their records for the duration of the term of office for which they sought election.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

The Rules for Fundraising Events

Moved By: Councillor Hill

9. That the rules for fund-raising events be maintained but that Bylaw No. 8491 be amended to make explicit that all costs associated with fundraising events and all contributions received at fund-raising events be included as part of the Statement of Contributions and Expenses. (For the sake of clarity, this relates only to the reporting of all costs associated with fundraising. It is not recommended that the costs of fundraising events be included under the spending cap in place for candidates).

In Favour

His Worship the Mayor, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Lorje, and Councillor Olauson

Against

Councillor Clark, Councillor Jeffries, Councillor Loewen and Councillor Paulsen

CARRIED

The Reporting of Campaign Surpluses

Moved By: Councillor Loewen

- 10. 1. That Bylaw No. 8491 be amended to require surplus campaign funds be remitted to the municipality to be held in trust for the candidate in the event that the candidate registers to run in the next municipal election (or in a byelection held prior to the next general election); and
 - 2. That the matter outlined above be forwarded to the province to request an amendment to *The Local Government Election Act* to empower Council to adopt a bylaw accordingly.

In Favour Councillor Clark, Councillor Donauer, Councillor Loewen and Councillor Jeffries

Against His Worship the Mayor, Councillor Hill, Councillor Iwanchuk, Councillor Lorje, Councillor Olauson and Councillor Paulsen

DEFEATED

Moved By: Councillor Clark

11. That Bylaw No. 8491 be amended to stipulate that if the candidate fails to register to run in the next municipal election the surplus funds held in trust be paid to a charity of the candidate's choice and, failing that, the surplus funds shall become the property of the municipality; and that no tax receipt be issued to candidates for charitable contributions made under this new rule.

Against

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Iwanchuk, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

DEFEATED UNANIMOUSLY

Moved By: Councillor Hill

11. That the financial reporting be attached to the current report of excess funds (Schedule A of the Bylaw) provided to the City

Clerk after the election.

In Favour Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries,

and Councillor Loewen

Against His Worship the Mayor, Councillor Iwanchuk, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

DEFEATED

Moved By: Councillor Hill

11. That no tax receipt be accepted by candidates for charitable contributions made with surplus funds.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

> Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

Against Councillor Lorje and Councillor Olauson

CARRIED

The Committee recessed at 3:10 p.m. and reconvened at 3:25 p.m. The Committee agreed to re-order the consideration of the recommendations set out in the report of the Municipal Review Commission, thereby considering the Commission's recommendations 15 and 16 prior to recommendations 12, 13 and 14.

The Election Period

Moved By: Councillor Hill

15.1. That Bylaw No. 8491 be amended so that candidates cannot raise money nor spend money until they have been officially nominated as a candidate and to achieve this, the campaign contribution period, expense period, and nomination period be brought in line with one another so that they all begin on the same day. (The contribution and expense periods should

- end on the same day. The nomination period should end as prescribed by *The Local Government Act.*);
- That the City Clerk begin accepting nomination papers for candidates on the first business day of the year in which an election is to be held. Nomination papers will be accepted until the time prescribed by The Local Government Act.
- 3. The campaign period begin for a candidate once he or she has filed their nomination papers, and at that point, the candidate can begin raising and spending money for their campaign.

IN REFERRAL

Moved By: Councillor Clark

That the matter be referred back to the Municipal Review Commission for additional analysis.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

THE REFERRAL MOTION WAS PUT AND CARRIED UNANIMOUSLY

Moved By: Councillor Clark

16. That candidates be prohibited from accepting contributions or incurring expenses until they have officially filed their nomination papers.

IN REFERRAL

Moved By: Councillor Hill

That the matter be referred back to the Municipal Review Commission for additional analysis.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

THE REFERRAL MOTION WAS PUT AND CARRIED UNANIMOUSLY

The Reporting of Campaign Expenses Incurred outside the Election Expense Period.

Moved By: Councillor Hill

12. That Bylaw No. 8491 be amended to stipulate that campaign expenses may only be incurred during the campaign period.

IN REFERRAL

Moved By: Councillor Hill

That the matter be referred back to the Municipal Review Commission for additional analysis.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

THE REFERRAL MOTION WAS PUT AND CARRIED UNANIMOUSLY

The Publication of Candidates Election Expenses and Contributions

Moved By: Councillor Hill

13. That no amendments be made to Bylaw No. 8491 with respect to the publication of the Statements of Expenses and Contributions.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

The Rules for Deferring Election Expenses

Moved By: Councillor Hill

14. That Bylaw No. 8491 be amended to include a specific prohibition on the carrying forward of campaign expenses.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

The Election Period

Moved By: Councillor Hill

17. That the matter of requiring a candidate or their agent to open a bank account prior to filing of nomination papers, and such information being provided as part of the official filing of nomination papers, be forwarded to the Province to request an amendment to *The Local Government Election Act* to empower City Council to adopt a bylaw accordingly.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen,

Councillor Lorje and Councillor Paulsen

Against Councillor Olauson

CARRIED

The Appointment of a Returning Officer other than the City Clerk

Moved By: Councillor Paulsen

18. That the City Solicitor prepare a bylaw to separate the role of The Returning Officer from the Office of the City Clerk.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

The Enumeration of the Names of Electors and the Preparation of a Voter's List

Moved By: Councillor Iwanchuk

19. That the matter be referred to Administration to report back.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

Councillor Iwanchuk excused herself from the meeting at 4:28 p.m.

The Offences and Penalties for Candidates in Contravention of The Campaign Disclosure and Spending Limits Bylaw, 2006, Including the Role and Duties of the Election Disclosure Complaints Officer

Moved By: Councillor Paulsen

20. That City Council request the Province to amend *The Cities Act* to apply the penalties for breaches of Bylaw No. 8491 to defeated candidates as well as elected candidates and that upon the passage of this amendment by the Province, Bylaw No. 8491 be amended to incorporate this language as well.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

The Public Financing of Municipal Election Campaigns
Including Reimbursement of Candidates Expenses for Specific
Forms of Spending, Tax Benefits for Contributors and
Allowances to Candidates for Expenses

Moved By: Councillor Hill

22. a) That there be a provision for a limit on the total amount that individuals may contribute to candidates for municipal office.

In Favour Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries

and Councillor Loewen

Against His Worship the Mayor, Councillor Lorje, Councillor Olauson and

Councillor Paulsen

CARRIED

Moved By: Councillor Hill

22. b) That there be a provision for donations to candidates for municipal office from corporations and trade unions to be eliminated.

In Favour Councillor Clark, Councillor Hill, Councillor Jeffries and Councillor Loewen

Against His Worship the Mayor, Councillor Donauer, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

DEFEATED

Moved By: Councillor Hill

22. c) That there be a provision to restrict donations to municipal candidates to those that come only from individuals normally resident in Saskatchewan.

In Favour Councillor Clark

Against His Worship the Mayor, Councillor Donauer, Councillor Hill, Councillor

Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and

Councillor Paulsen

DEFEATED

Moved By: Councillor Loewen

21. That City Council request that the Province amend *The Local Government Act* to empower Council to adopt a bylaw to establish limits on contributions to candidates for municipal office.

In Favour Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries,

Councillor Loewen and Councillor Lorje

Against His Worship the Mayor, Councillor Olauson and Councillor Paulsen

CARRIED

The Meeting recessed at 5:00 p.m. and reconvened at 5:32 p.m. with the following members of Executive Committee in attendance: His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

6.2.2 Raymond Louie, FCM President - Membership [File No. CK. 155-2]

Communication and Invoice were provided.

Moved By: Councillor Hill

That a report be forwarded to City Council recommending that the 2016-2017 membership in the Federation of Canadian Municipalities in the amount of \$32,001.93 be paid.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

6.2.3 2015 Capital Budget Adjustment Request - Saskatchewan Combined Forces Special Enforcement Unit - Saskatoon Office Relocation - Board of Police Commissioners [File No. CK. 2006-2]

Moved By: Councillor Hill

- That a 2015 Capital Budget expenditure adjustment of \$300,000 for one-time purchase for the necessary security improvements and renovation costs of the CFSEU Saskatoon site be approved; and
- 2. That the Capital Budget adjustment request be forwarded to City Council for approval.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

6.2.4 Notice of Special General Meetings - The Saskatoon Gallery and Conservatory Corporation; The Art Gallery of Saskatchewan Inc. [File No. CK. 175-27]

Moved By: Councillor Donauer

That a report be forwarded to City Council recommending that the City of Saskatoon, being a member of The Saskatoon Gallery and Conservatory Corporation and The Art Gallery of Saskatchewan Inc., appoint Donald Atchison or in his absence, Tiffany Paulsen or Charlie Clark of the City of Saskatoon, in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Special General Meetings of the members of The Saskatoon Gallery and Conservatory Corporation and The Art Gallery of Saskatchewan Inc., to be held on the 15th of December, 2015, or at any adjournments thereof.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

6.3 Requests to Speak (new matters)

7. REPORTS FROM ADMINISTRATION

7.1 Delegated Authority Matters

7.1.1 Membership - Hudson Bay Route Association and Trans-Canada Yellowhead Highway Association [File No. CK. 155-7 x 155-5]

Moved By: Councillor Jeffries

That the information set out in the report with respect to the Hudson

Bay Route Association be received.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries and Councillor Loewen and Councillor Paulsen.

Against Councillor Lorje and Councillor Olauson

CARRIED

Moved By: Councillor Jeffries

That the information set out in the report with respect to the Trans-

Canada Yellowhead Highway Association be received.

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

7.2 Matters Requiring Direction

8. LEGISLATIVE REPORTS

8.2 Matters Requiring Direction

8.2.1 Appointments to Governance and Priorities Committee - 2016

Moved By: Councillor Hill

That a report be forwarded to City Council recommending the 2016 appointments for Executive Committee be transferred to the Governance and Priorities Committee.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

8.2.2 Deferral Report - Municipal Governance - Practices and Procedures for the Reporting Out of In Camera Items [File No. CK. 255-2]

Moved By: Councillor Olauson

That the report of the Leadership Team Governance Subcommittee respecting practices and procedures for the reporting out of *In Camera* items be deferred until the January 18, 2016 meeting of the Governance and Priorities Committee.

In Favour

His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

9. URGENT BUSINESS

10. MOTIONS (Notice Previously Given)

11. GIVING NOTICE

12. IN CAMERA AGENDA ITEMS

Moved By: Councillor Hill

That the Committee move In Camera to consider the following items:

In Favour His Worship the Mayor, Councillor Clark, Councillor Donauer, Councillor

Hill, Councillor Jeffries, Councillor Loewen, Councillor Lorje, Councillor

Olauson and Councillor Paulsen

CARRIED UNANIMOUSLY

12.1 Board Appointment [File No. CK. 180-11]

[In Camera - Personal Information]

12.2 Board Reappointment [File No. CK. 175-43]

[In Camera - Personal Information]

12.3 Board Appointment [File No. CK. 255-18]

[In Camera - Personal Information]

12.4 Governance Matter [File No. CK. 255-18]

[In Camera - Personal Information]

12.5 Governance Matter [File No. CK. 620-4]

[In Camera - Personal Information]

12.6 Project Update [File No. CK. 262-21]

[In Camera - Negotiations/Legal Matters]

12.7 Legal Report [File No. CK. 4705-1]

[In Camera - Solicitor/Client Privilege]

12.8 Legal Report [File No. CK. 4705-1]

[In Camera - Solicitor/Client Privilege]

12.9 Board Appointment [File No. CK. 175-28]

[In Camera - Personal Information]

12.9.1 Board Resignation [File No. CK. 175-28]

[In Camera - Personal Information]

12.10 Board Appointment [File No. CK. 175-19]

[In Camera - Personal Information]

12.11 Board Appointment [File No. CK. 225-9]

[In Camera - Personal Information]

12.12 Board Appointment [File No. CK. 175-6 x 175-56]

[In Camera - Personal Information]

12.13 Board Appointment [File No. CK. 225-27]

[In Camera - Personal Information]

12.14 Verbal Updates

12.14.1 Council Members

12.14.1.1 His Worship the Mayor

12.14.1.2 FCM/SUMA

12.14.1.3 Boards and Commissions

12.14.2 Administration

12.14.2.1 City Manager

[Sections 13, 14(1), 15(1), 16(1), 17(1), 18(1), 19, 20, and 21 - LAFOIPP]

13. ADJOURNMENT

The meeting adjourned at 5:40 p.m.