

Bylaw 15797

Edmonton Homeless Commission Bylaw

Purpose

The purpose of this Bylaw is to continue the Edmonton Homeless Commission with a refreshed mandate and the official appointment of its Executive Director.

Readings

Bylaw 15797 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 15797 be considered for third reading."

Position of Administration

Administration supports this Bylaw.

Report Summary

Bylaw 15797, Edmonton Homeless Commission Bylaw, reflects the governance model recommended by the Edmonton Homeless Commission and repeals the existing establishing bylaw, Bylaw 15155.

Previous Council/Committee Action

At the October 19, 2011, Executive Committee meeting, Bylaw 15797 was forwarded to City Council for the appropriate readings.

At the September 8, 2010, Executive Committee meeting, the following motion was passed:

That the August 16, 2010,
Edmonton Homeless
Commission report 2010CAHC01

be referred to Administration to assist the Commission to draft the amending bylaw.

Report

- The Edmonton Homeless Commission was established under Bylaw 15155, on February 4, 2009.
- Under Bylaw 15155, the Commission was directed to provide a report to Council prior to July 31, 2010, with a long-term governance model for the Edmonton Homeless Commission.
- The Commission reported and recommended that the governance model continue to be that of a council committee and recommended changes to be made to the establishing bylaw.
- Administration worked with the Executive Director to the Commission to ensure that the bylaw reflects the mandate, functions and duties of the Commission as they have evolved since its creation and the Commission's recommendations.
- Due to the number of changes made to the bylaw, a replacement bylaw was developed instead of an amending bylaw. A comparison of the bylaw changes are set out in Attachment 2.

Key Changes

- The bylaw addresses the key changes requested by the Commission, including:
 1. Remaining a committee of Council.
 2. Commission recommends members for appointment by Council.
 3. Commission appoints chair and vice-chair.
 4. Commission is supported by a full-time Executive Director; however, while the Executive

- Director will take direction from, and work on behalf of, the Commission, the Executive Director is a City employee and will be responsible to the City.
- In addition to the changes formally recommended by the Commission, in its August 16, 2010, report to Executive Committee, the following have also been addressed in the bylaw:
 1. The Commission sees a need to be able to connect with relevant organizations.
 2. Wording has been included that will allow Council to extend terms beyond the normal maximum limit of six years.
 3. Appointment of a Freedom of Information and Protection of Privacy Head – Council committees are separate public bodies from the City under *Freedom of Information and Protection of Privacy Act* and must have their own Freedom of Information and Protection of Privacy Head; the Executive Director has been assigned the duties of Freedom of Information and Protection of Privacy head; the Chair of the Commission could assume this responsibility but this is an administrative function that would detract from the Chair's working time.

Policy

Bylaw 15155, Edmonton Homeless Commission Bylaw

Corporate Outcomes

- Strategic Plan: Conditions of Success – Sound Management Practices and Processes.

- Strategic Goal: Improve Edmonton's Livability – Improve Community Engagement and Participation Public Consultation.

Legal Implications

- Council may, by bylaw, create Council committees which contain provisions governing their conduct and procedures.
- Council may, by bylaw, delegate its powers, duties, or functions to Council committees, the City Manager or designated officers, except as expressly restricted by legislation.
- Passage of this bylaw will continue the Edmonton Homeless Commission as a Council committee with a refreshed mandate, and officially appoint a designated officer to assist the Commission in fulfilling its duties.

Attachments

1. Bylaw 15797
2. Proposed Amendments – Bylaw Comparison

Others Reviewing this Report

- R. G. Klassen, General Manager, Sustainable Development