CHESTERMERE

Municipal Affairs Directives Progress Report #2

June 20, 2022

Directive 12: Council and CAOs to prepare and provide a report to the Minister, by the 20th of every 2nd month, summarizing council's progress to the end of the previous month on the directives issued, until such time that all directives have been completed to the Minister's satisfaction. In addition to other documents to be submitted as stated in any directive, the bi-monthly report shall also include all approved council meeting agendas (attachments not required) and approved, signed council meeting minutes for the relevant two-month period.

DIRECTIVE REQUIREMENTS AND ACTION PLAN	DUE DATE / STATUS
Directive #1 *Council / CAOs to review all recommendations made in the inspection report and provide a report to the Minister – to be discussed in open session of council and approved by council resolution, on the City's plan to address each recommendation in the inspection report or an explanation on why no action will be taken for any individual recommendation(s)* **Update/ Action Plan** • **Council is currently completing a full review of the Cuff Report and Directives** • **Legal to present report to Council during the June 20, 2023 Special Council Meeting**	June 30, 2023 IN PROGRESS
Directive #2 *The CAOs to provide printed copies of the inspection report to the public, on request, subject to the municipalities fees for photocopying and to place the inspection report on the city's website until all directives have been met to the Minister's satisfaction.* **Update/ Action Plan** • **Paper copies of the full inspection report are available to the Public at City Hall Reception for a fee of $10.00** • **Digital copy of the full inspection report is available on the City Website https://chestermere.ca/CivicAlerts.aspx?AID=1522**	Immediate COMPLETE
Directive #3A *Direct council to review its current procedural bylaw and determine what changes, if any, are warranted based on the findings of the inspection report, specifically taking into consideration the rotation of the deputy mayor, protocols for council meeting agenda development and use of requests for decisions, ensuring equal and concurrent access to*	August 31, 2023

information for all members of council, protocols for posting council meeting minutes and live recordings on the municipal website , and council roles and responsibilities. **Update/ Action Plan** **Legislative Services is conducting a full review of Procedure Bylaw #014-22. All matters listed in the directive and recommendations will be reviewed by Council for consideration.**	IN PROGRESS
Directive #3B *Council and CAOs to provide the Minister with an action plan, which has been discussed in open session of council and approved by council resolution, on the city's plan for implementing any changes to the procedural bylaw, or an explanation why no action will be taken.* **Update/ Action Plan** **Legislative Services is conducting a full review of Procedure Bylaw #014-22.**	September 30, 2023 IN PROGRESS
Directive #4A *Council to engage an experienced municipal consultant, who is independent third party and is not currently an employee or contractor of the city, to review and provide advice on the effectiveness of, and if warranted recommend changes to, the CAO structure and Strategic Advisory Group outlined in the designated officer bylaw* **Update/ Action Plan** **Corporate Services exploring and reviewing options on behalf of Council.**	July 31, 2023 IN PROGRESS
Directive #4B *The CAOs to provide the Minister with the municipal consultant's advice described in Directive 4 (a)* **Update/ Action Plan** **An action plan will be provided in and around the expected deadline**	August 31, 2023
Directive #4C *Council and CAOs to provide the Minister with an action plan, which has been discussed in open session of council and approved by council resolution, on the implementation of any recommendations provided, or rationale for not implementing recommendations from the advice from the municipal consultant as ordered in Directive 4 (a)* **Update/ Action Plan** **An action plan will be provided in and around the expected deadline**	August 31, 2023

Directive #5A *CAOs to provide the Minister with a report listing all the code of conduct complaints (both formal and informal as per the code of conduct bylaw) since October 21, 2021, including: reports, records, and / or documents that detail the description of the complaint(s), the record of the decisions for making determination on validity of the complaints, as well as descriptions of how each complaint was addressed and/or investigated.* **Update/ Action Plan** **Corporate Services to prepare code of conduct reports and submit before June 30, 2023. This is scheduled to be presented to Council on June 27, 2023 during closed session and the list will be provided to the Minister by June 30, 2023.**	June 30, 2023 IN PROGRESS
Directive #5B *Council to repeal and replace or amend the code of conduct bylaw to remove all provisions authorizing council to conduct preliminary reviews of code of conduct complaints, and to require the appointment of an independent third party, by council resolution, who is not currently an employee or contractor of the city, to handle all complaints, including receiving, conducting preliminary reviews, documenting, investigating and presenting the findings and recommending appropriate sanction to council for consideration.* **Update/ Action Plan** **March 28, 2023 Bylaw 003-19 Elected Officials Code of Conduct Bylaw was brought forward as a redline version, provided/reviewed by Legal, that addressed all requirements in the directive.** **April 4, 2023 Council gave 1st and 2nd Reading to Bylaw 005-23 being the Elected Officials Code of Conduct Amendment Bylaw. (M# 230404-16 & M# 230404-17)** **April 18, 2023 Council gave 3rd Reading to Bylaw 005-23 being the Elected Officials Code of Conduct Amendment Bylaw. (M # 230418-05)**	July 31, 2023 COMPLETE
Directive #5C *Council and CAOs to conduct the procurement of an independent 3rd party through a completive procurement process. I further direct council to ensure the individual has demonstrated municipal experience and is not currently an employee or contractor of the City.* **Update/ Action Plan** **RFP for the third-party investigator was posted on June 12, 2023.**	September 29, 2023 (on an ongoing basis if any changes are made) IN PROGRESS
Directive #5D *Advise the Minister in writing of the identity of the person appointed by Council*	September 29, 2023 (on an ongoing basis if any changes are made)

Update/ Action Plan **The City will notify the Minister in writing of the identity of the person appointed by Council**	
Directive #5E *Undertake no investigations under the code of conduct bylaw until the Minister has been informed, in writing, of the appointment of the independent 3rd party investigator* **Update/ Action Plan** **Since the Directives was issued, the City has not conducted any code of conduct investigations.**	Ongoing
Directive #5F *CAO to publish the name of the independent 3rd party on the municipal website once the Minister has been advised of the identity of the independent 3rd party.* **Update/ Action Plan** **The name of the independent third party will be posted on the City's website once the minister has been advised of the identity of the independent third party.**	September 29, 2023 (on an ongoing basis if any changes are made)
Directive #6A *Council to engage an experienced municipal consultant, who is an independent 3rd party and is not currently an employee or contractor of the City, to provide advice and guidance in the development of protocols to address intra-council conflict and promote collaborative governance.* **Update/ Action Plan** **Corporate Services exploring and reviewing options on behalf of Council.**	November 30, 2023 IN PROGRESS
Directive #6B *All members of council to participate in the development and adoptions of the protocols described in 6a* **Update/ Action Plan** **Once an experienced municipal consultant is selected, Council will participate in the development of protocols to address intra-council conflict and promote collaborative governance.**	January 31, 2024
Directive #7 *Council to develop and complete a comprehensive strategic plan through one or more strategic planning sessions, and approved by resolution of council, to guide the direction of the municipality, including any tasks to be performed by Councillors, which includes*	October 31, 2023

opportunities for input and participation from every council member and an opportunity for public input in the development of the plan. **Update/ Action Plan** **Draft document has been created and is being reviewed by City Directors and Council in Strategic Planning Workshops, April 4th, Special Council Meeting April 18th, In-Camera Meeting, April 25th.** **In May 2023, three workshop with Council and City Directors was conducted. A draft Strategic Plan has been signed off by Council and presented to the Public via Social Media and Chestermere Today for feedback. Currently Corporate Services is waiting for the professional photographs of Council to be sent to C/Services to finalize the Strategic Plan. Final sign-off by Council will be in July 2023.**	IN PROGRESS
Directive #8A *Direct all members of council to discontinue exercising a power or function or performing any duties that are assigned to the CAO in accordance with Section 201 (2) of the MGA* **Update/ Action Plan – Council, through Directives, allows Councillors and Mayors to work on Specific Projects as shown below:** March 15, 2022 Council directs the Mayor and Administration to continue to work on the following projects and engage legal advice as needed. All projects will come to council for required approvals.	Ongoing IN PROGRESS
Directive #8B *All members of Council to attend a roles and responsibilities workshop conducted by Municipal Affairs* **Update/ Action Plan** **Council and City Directors participated in two half day Roles and Responsibilities workshops on June 13, 2023 and June 20, 2023 conducted by Municipal Affairs.**	September 30, 2023 COMPLETE
Directive #9 *Direct Council to only act by resolution or bylaw in accordance with Section 180 (1) of MGA* **Update/ Action Plan** **Council only acts by resolution or bylaw or in the case of an email straw vote** **Legislative Services will look at creating an internal process to align with this directive**	Ongoing IN PROGRESS

Directive #10A *Council to work with administration to hire and audit firm using a competitive procurement process*	June 30, 2023
Update/ Action Plan • **March 16, 23 | Procurement + Finance have prepared and listed the RFP for an Auditor on Alberta Purchasing Connection https://vendor.purchasingconnection.ca/Opportunity.aspx?Guid=15ddb126-2080-1364-1614-39c2ed490000** • **We have to post for 30 days so the RFP will close on April 19** • **Review and present to audit committee by end of April 30.** • **Go to council for approval May 16 to award the contract.** • **May 30, 2023 - Motion that Council appoint Gregory Harriman and Associate LLP to be the City Auditor and allow the City Director of Corporate Services to sign the contract for the duration of 2022 – 2026. (M #230530-23)**	COMPLETE
Directive #10B *Council and CAOs to develop and submit to the Minister a timeline and implementation plan for completing and reporting to the ministry the audited financial statement for 2021, and the upcoming audited financial statements for 2022*	April 30, 2023
Update/ Action Plan **1. The Finance Department is working on this and will have the report ready for review by Wednesday, April 26 - for submission to MA on Friday, April 28th. Yes**	
2. Update – Timeline for Audit 2021 & 2022: • **2021 audit field work June 6 -13** • **2021 Project completion date is July 14.** • **Present to audit committee July 19-20** • **Present to council to for approval on July 27 council meeting.** • **2022 audit field work start July 26 -Aug 4** • **2022 audit review and completed August 25** • **2022 audit draft financial statement present to audit committee August 29** • **2022 audit FS present to council Sept 12.**	IN PROGRESS
Directive #11 *CAOs to provide the Minister a list of all municipal land sales since October 2021, the market values for each parcel of land, the date when the market value was determined, copies of the associated advertisements including the date and method of advertising, copies of associated council resolution, the sale price of each parcel of land, any rationale for selling land below market value (if applicable), the date of the sale, the identity of the purchase, and any other related information.*	July 31, 2023
Update/ Action Plan	IN PROGRESS

Finance to prepare report by on or before July 26th and submit to Director Corporate Services for review. Director of Corporate Services to submit to MA by July 31st - latest **We have not had any land sales since October 2021. We will update MA by July 31st if this status has or has not changed.**	
Directive #12A *Council and CAOs to prepare and provide a report to the Minister, by the 20th of every 2nd month, summarizing council's progress to the end of the previous month on the directives issued, until such time that all directives have been completed to the Minister's satisfaction. In addition to other documents to be submitted as stated in any directive, the bi-monthly report shall also include all approved council meeting agendas (attachments not required) and approved, signed council meeting minutes for the relevant two-month period.* **Update/ Action Plan** **Update to be provided on the 20th of every other month**	Ongoing every 2 months until all directives have been completed IN PROGRESS/ ONGOING
Directive #12B *CAO's to make these reports publicly available by posting them on the city website within seven days of sending them to the Minister.* **Update/ Action Plan** **This report will be posted on the City website on or before April 27, 2023.** **Report #2 will be posted on the City website on or before June 27, 2023.**	Ongoing IN PROGRESS/ ONGOING

Council Meeting Agendas, Approved Meeting Minutes and Bylaws

Timeframe: April 5, 2023 – June 20, 2023

Tuesday April 18, 2023 Agenda Package

Regular Council Meeting
https://chestermere.civicweb.net/filepro/document/9012/Regular%20Meeting%20of%20Council%20-%2018%20Apr%202023%20Agenda.pdf?widget=true

Special Council Meeting

https://chestermere.civicweb.net/document/9152/

Adopted Minutes April 18, 2023

Regular Council Meeting

https://chestermere.civicweb.net/filepro/document/9441/Regular%20Meeting%20of%20Council%20-%2018%20Apr%202023%20Adopted%20Minutes.pdf?widget=true

Special Council Meeting

https://chestermere.civicweb.net/document/9444/

Tuesday April 25, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/9238/Regular%20Meeting%20of%20Council%20-%2025%20Apr%202023%20Agenda.pdf?widget=true

Adopted Minutes April 25, 2023

https://chestermere.civicweb.net/filepro/document/9445/Regular%20Meeting%20of%20Council%20-%2025%20Apr%202023%20Adopted%20Minutes.pdf?widget=true

Tuesday May 2, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/9329/Regular%20Meeting%20of%20Council%20-%2002%20May%202023%20Agenda.pdf?widget=true

Adopted Minutes May 2, 2023

https://chestermere.civicweb.net/filepro/document/10876/Regular%20Meeting%20of%20Council%20-%2002%20May%202023%20Adopted%20Minutes.pdf?widget=true

Tuesday May 16, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/9521/Regular%20Meeting%20of%20Council%20-%2016%20May%202023%20Agenda.pdf?widget=true

Adopted Minutes May 16, 2023

https://chestermere.civicweb.net/filepro/document/10879/Regular%20Meeting%20of%20Council%20-%2016%20May%202023%20Adopted%20Minutes.pdf?widget=true

Tuesday May 30, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/10590/Regular%20Meeting%20of%20Council%20-%2030%20May%202023%20Agenda.pdf?widget=true

Adopted Minutes May 30, 2023

https://chestermere.civicweb.net/filepro/document/11066/Regular%20Meeting%20of%20Council%20-%2030%20May%202023%20Adopted%20Minutes.pdf?widget=true

Tuesday June 6, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/10786/Regular%20Meeting%20of%20Council%20-%2006%20Jun%202023%20Agenda.pdf?widget=true

Adopted Minutes June 6, 2023

https://chestermere.civicweb.net/filepro/document/11071/Regular%20Meeting%20of%20Council%20-%2006%20Jun%202023%20Adopted%20Minutes.pdf?widget=true

Tuesday June 13, 2023 Agenda Package

https://chestermere.civicweb.net/filepro/document/10894/Regular%20Meeting%20of%20Council%20-%2013%20Jun%202023%20Agenda.pdf?widget=true

Adopted Minutes June 13, 2023

NOT APPROVED IN A COUNCIL MEETING UNTIL JUNE 27, 2023. WILL BE PROVIDED ON THE NEXT UPDATE

Bylaw 003-23 Clearwater Park ASP Minor Amendments

https://www.chestermere.ca/DocumentCenter/View/20359/Bylaw-003-23_1

Bylaw 004-23 Dawson's Landing Phases 6 & 7 Minor Land Use Amendments

https://www.chestermere.ca/DocumentCenter/View/20360/Bylaw-004-23

Bylaw 006-23 Off-Site Levy Bylaw

https://www.chestermere.ca/DocumentCenter/View/20419/Bylaw-006-23-Off-site-Levy-Bylaw

Bylaw 007-23 Traffic Control Bylaw Amendment

Disallowed by the OA (See bylaw 010-23)

Bylaw 010-23 Traffic Control Amending Bylaw

Has not been approved by the Official Administrator (OA) at the time of this report. Will post on the bylaws section of our website as soon as the OA signs off and will be included in the next update

Bylaw 012-23 Animal Control Amending Bylaw

Has not been approved by the Official Administrator (OA) at the time of this report. Will post on the bylaws section of our website as soon as the OA signs off and will be included in the next update

Bylaw 013-23 Tax Mill Rate Bylaw

https://www.chestermere.ca/DocumentCenter/View/20417/Bylaw-013-23-Mill-Rate-Tax-Bylaw-1?bidId=

Additional Directives in Ministerial Order 022/23

1. That Doug Lagore is appointed as Official Administrator and Erica Thomas is appointed as Alternate Official Administrator for the City of Chestermere to supervise the municipality and its Council.
   -No action required by the City of Chestermere
2. That Erica Thomas will supervise the municipality and its council only when Doug Lagore is not present. Mr. Lagore will provide written notice of any absence to the ministry of Municipal Affairs and the City of Chestermere's CAO(s).
   -No action required by the City of Chestermere
3. That these appointments shall remain in effect until December 31, 2023
   -No action required by the City of Chestermere
4. That an Official Administrator shall attend regular, special, and organizational meetings of Council
   -No action required by the City of Chestermere
5. That the City of Chestermere CAO(s) is required to provide the Minister and the Official Administrator the same amount of notice of any meetings of Council as provided to Mayor and Council, such that the Official Administrator may attend.
   -The City Director of Corporate Services and Legislative Services will ensure the Official Administrator or their alternate will be invited, and provided the same notice as provided to Council, to all Regular, Special and Organizational meetings of Council
6. That an Official Administrator shall attend all closed sessions of Council, save for when matters subject to legal privilege are discussed
   -An OA will attend all closed sessions of Council, except those of legal privilege
7. That the City of Chestermere CAO(s) is required to provide the Minister and the Official Administrator, no later than 72 hours following the conclusion of any meetings of Council, the unapproved council meeting minutes, and any related documents, including passed bylaws and supporting agenda packages
   - The City Director of Corporate Services and Legislative Services will ensure that the OA and the Minister are provided the unapproved council meeting minutes within 72 hours following the meeting.
8. That the City of Chestermere CAO(s) is required to provide the Minister and the Official Administrator, no later than the seventh day of the month, all financial institution account reconciliations for every City financial institution account, as well as supporting documentation for transactions executed in the previous calendar month.
   - The City Director of Corporate Services and Finance Department will ensure that the OA and the Minister are provided all financial institution account reconciliations for every City financial institution account, as well as supporting documentation for transactions executed in the previous calendar month, no later that the seventh day of the month.
9. That provision of the financial institution account reconciliations and supporting documentation for the previous calendar month shall commence seven days after the signing of this order.
   -No action required by the City of Chestermere, see # 8 response.
10. That this order shall take effect upon the date of signing or upon the effective date of the contract with Transitional Solutions Inc. for the services of Doug Lagore and Erica Thomas, whichever is the latest.
    -No action required by the City of Chestermere

Presentation:

Directive #1, Recommendation #2, First 10 3i's

Inspection Report August 2022

17.1.2 – Pervasive Attitude of Non-Trust in Management

17.1.3 – Approach and Impact of the Mayor

17.2.1 – Chestermere Council Split

17.5.2,8) - Implications of a Strategic Advisory Group

17.5.3, 8th dot– Our Findings

17.10.2 – Possible Code Violations

- 4.5, 3rd dot
- 4.6
- 4.12, 1st Dot
- 4.12, 3rd Dot
- 4.12, 4th Dot