

BYLAW NUMBER 49M2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO ESTABLISH A COUNCIL COMPENSATION
REVIEW COMMITTEE**

WHEREAS Council has considered C2023-1025 and has decided to pass a bylaw establishing a committee to review compensation for members of Council;

AND WHEREAS section 145 of the Municipal Government Act, RSA 2000, c M-26, as amended, empowers Council to pass bylaws establishing committees of Council;

AND WHEREAS Council has adopted the Members of Council Remuneration Policy (CC035);

**NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

PART I – INTERPRETATION AND DEFINITIONS

Short Title

1. This Bylaw may be cited as the “Council Compensation Review Committee Bylaw”.

Interpretation and Definitions

2. (1) In this Bylaw, unless context otherwise requires, the term:
 - (a) “Act” means the Municipal Government Act, RSA 2000, c M-26, as amended;
 - (b) “base salary” means the minimum fixed annual remuneration paid to *Members of Council*;
 - (c) “Chief Administrative Officer” means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
 - (d) “City” means the municipal corporation of the City of Calgary or the area contained within the boundaries of the City of Calgary where the context so requires;

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- (e) “*Committee*” means The City of Calgary Council Compensation Review Committee established by this Bylaw;
 - (f) “*Committee member*” or “*member*” means a person appointed pursuant to this Bylaw to serve on the *Committee*;
 - (g) “*Council*” means the municipal council of The City of Calgary;
 - (h) “*Councillors’ Assistants*” means a person employed directly by a Councillor as part of the Councillor’s ward staff, but does not include the Mayor’s Office staff, and for greater certainty has the same meaning in this Bylaw as that term is used in Council Policy PAC005, the Councillors’ Assistants Policy;
 - (i) “*family member*” includes a person’s parents, spouse or adult interdependent partner, child, parent of that person’s spouse or adult interdependent partner, and also includes any person within the meaning of “councillor’s family” or “spouse” in section 169 of the *Act*;
 - (j) “*general election*” has the same meaning as that term is used in the *Local Authorities Election Act*, RSA 2000, c L-21;
 - (k) “*Mayor*” means the chief elected official of the *City*; and
 - (l) “*Member of Council*” or “*Members of Council*” means all elected officials on *Council*, including the *Mayor*.
- (2) Where this Bylaw refers to any statute, regulation, bylaw or policy, that reference is to be read as the statute, regulation, bylaw or policy as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any statute, regulation, bylaw or policy that may be substituted in its place.

PART II – COMMITTEE

3. The Council Compensation Review Committee is hereby established.

Composition

4. (1) The *Committee* shall consist of five *members* who are appointed by resolution of *Council*.
- (2) The *Committee* shall, at its first meeting, elect one of its *members* to act as its Chair and one of its *members* to act as Vice-Chair.

- (3) The Vice-Chair shall act as the Chair of the *Committee* in the absence of the Chair.
- (4) Despite section A.14 of Appendix “A” of the Procedure Bylaw 35M2017, the *Mayor* is not an ex officio *member* of the *Committee* and there shall not be any ex officio *members* of the *Committee*.

Chair

- 5. The Chair shall:
 - (a) ensure the *Committee* abides by the terms of this Bylaw;
 - (b) be the spokesperson for the *Committee*;
 - (c) assign *Committee members* to assist the Chair with the work plan;
 - (d) present the *Committee’s* final report to *Council*; and
 - (e) ensure *Committee members* abide by the Code of Conduct for Public Members Appointed to Council Established Boards, Commissions and Committees (CP2022-05).

Term

- 6. (1) *Members* shall be appointed for a term that:
 - (a) starts on the date their appointment is made effective by resolution of *Council*; and
 - (b) ends on the date the *Committee* presents its final report to *Council*.
- (2) Vacancies on the *Committee* caused by resignation of a *member* may be filled by resolution of *Council* for the balance of that *member’s* term. The *Committee* may continue to operate and conduct business until vacancies are filled provided that the quorum requirement is met.
- (3) A *member* of the *Committee* may resign at any time upon written notice to the Chair and the City Clerk.

Committee Member Eligibility and Qualifications

7. (1) A person must be 18 years of age or older and be a resident of Calgary in order to be eligible for appointment to the *Committee*.
- (2) Special consideration will be given to candidates with experience in one or more of the following areas:
 - (a) municipal government;
 - (b) human resources;
 - (c) compensation;
 - (d) business; or
 - (e) law.
- (3) Special consideration will also be given to candidates who have the professional skills, experience and willingness to engage in activities that promote the *City's* equity, diversity, inclusion and belonging efforts.
- (4) A person who previously was a municipally elected official is not eligible for appointment to the *Committee* unless two years have past since the last day the person held office and the date that person is appointed.
- (5) The following persons are not eligible to be appointed as a *member* of the *Committee*:
 - (a) *Members of Council*;
 - (b) an employee of the *City* or a *Councillor's Assistant*; or
 - (c) a *family member* of any person listed above.

Selection and Appointment of Committee Members

8. (1) Except as otherwise provided in this Bylaw, the following steps will be made in accordance with the Council Policy on Governance and Appointments of Boards, Commissions and Committees (CP2016-03):
 - (a) the recruitment and application process for appointment to the *Committee*; and
 - (b) the selection and appointment of *members* to the *Committee*.

- (2) When appointing *members* to the *Committee*, *Council* shall strive to ensure that the *Committee* composition is diverse, inclusive and reflective of Calgary's population.

Committee Meetings and Resources

9. (1) The *Committee* shall meet as often as necessary and at the call of the Chair.
- (2) The quorum of the *Committee* is three *members*.
- (3) *Committee* meetings shall be conducted in accordance with the Procedure Bylaw 35M2017 except that section C.7(1) of Appendix C does not apply as *Members of Council* may not attend *Committee* meetings.
- (4) Remote participation at *Committee* meetings may be allowed at the discretion of the Chair in accordance with the Procedure Bylaw 35M2017.
- (5) *Administration* will provide the *Committee* with a City Clerk's Office resource for legislative support and a resource from its Human Resources Business Unit for its meetings.
- (6) *Committee members* must abide by the Code of Conduct for Public Members Appointed to Established Boards, Commissions and Committees (CP2022-05).

Reimbursement of Committee-related Expenses

10. (1) *Committee members* are volunteers and will not be paid an honorarium, salary or any such compensation.
- (2) *Committee members* will be reimbursed for reasonable *Committee* related expenses as determined by the *Chief Administrative Officer*.

Further Direction

11. The *Committee* may provide an interim report to Executive Committee during its term if challenges arise in the delivery of its mandate that require *Council* resolution or direction.

External Communications and Public Information Updates

12. The *Committee* may provide information to the public only to the extent that such public information updates or media communications do not disclose or discuss the content of the *Committee's* final report to *Council* prior to the start of the meeting of *Council* where the final report will be presented.

PART III - MANDATE

Mandate Statement

13. (1) The mandate of the *Committee* is to conduct an impartial review and assessment of the following:
 - (a) the compensation package that *Members of Council* receive; and
 - (b) the compensation provided to *Councillors' Assistants*.
- (2) The *Committee* shall make recommendations on matters within its mandate in a final report submitted to *Council*.
- (3) The *Committee* may also review and make recommendations in its final report on any matter listed in Part IV and Part V of this Bylaw.
- (4) The following are not part of the *Committee's* mandate or work plan:
 - (a) the *Committee* shall not undertake any public engagement activities outside of providing public information updates pursuant to section 12; and
 - (b) the *Committee* shall not undertake any review of, or make recommendations on, any compensation or benefits package relating to any persons outside of *Members of Council* and *Councillors' Assistants* such as, but not limited to, employee compensation or benefits received by the Mayor's Office or *City Administration*.

Council Compensation Package Recommendations

14. The *Committee* shall make recommendations to *Council* on the compensation package received by *Members of Council* which includes, but is not limited to:
 - (a) the *base salary* for *Members of Council* and adjustments to *base salaries*, based on the *Committee's* determinations of the criteria in Part IV of this bylaw;
 - (b) a mechanism to determine adjustments to *Members of Council's base salary* over the course of a *Council* term;
 - (c) other compensation, which may include Deputy Mayor honorarium and/or *Council* committee attendance honorariums;
 - (d) benefit plans, including group life, health, dental, short- and long-term disability insurance and related premiums;

- (e) taxable benefits, which may include annual car allowance, special permits, and parking;
 - (f) Workers Compensation Board plan;
 - (g) pension plan; and
 - (h) any other form of remuneration, pension, benefits, or other forms of compensation or the levels thereof that *Members of Council* receive or could receive.
15. The *Committee* shall make recommendations to *Council* on the salaries, or salary ranges, received by *Councillors' Assistants*.

PART IV – COMMITTEE WORK PLAN

Final Report Determinations

16. In reviewing the *Members of Council's* compensation package and developing its recommendations the *Committee* shall make the following determinations in its final report:
- (a) review the current compensation package and determine whether it is competitive and can attract municipal candidates who are reflective of Calgary's population;
 - (b) determine if the current compensation package is competitive and fair based on market research;
 - (c) determine if the compensation package reflects the responsibilities, time commitments and accountability of *Members of Council* expected by the public;
 - (d) determine and define the criteria to be used to determine the *base salary* for *Members of Council*;
 - (e) benchmark and assess if *Members of Council's* compensation package is comparable to equivalent municipally elected positions elsewhere in Canada.

Third-Party Service Provider

17. The *Committee* may, subject to the approval of the *Chief Administrative Officer*, engage a third-party service provider specializing in compensation to assist the *Committee*.

PART V – ADDITIONAL RECOMMENDATIONS

Policy and Bylaw Recommendations

18. (1) The *Committee* may review and recommend changes or amendments to:
 - (a) the Elected Officials Benefit and Pension Policy (CC038);
 - (b) the Maternity and Parental Leave for Members of Council Bylaw 38M2018;
 - (c) The Councillors' Assistants Policy (PAC005);
 - (d) The Assistant's Severance Policy (CC030); or
 - (e) this Bylaw and / or the process and procedure of future *Council* compensation reviews.
- (2) Recommendations made under section 18(1)(e) may include the recommendation that a third-party service provider be retained to conduct future reviews but shall not recommend a specific third-party service provider.

Public Engagement Recommendations

19. (1) The *Committee* may make recommendations that *Council* consider undertaking public engagement activities on matters related to the *Committee's* mandate.
- (2) Any recommendations made under section 19(1) must define the scope and type of public engagement activities being recommended.

PART VI – FINAL REPORT

20. (1) Any and all recommendations to change the compensation package, or any and all other recommendations the *Committee* may make pursuant to this Bylaw, must be included in the *Committee's* final report to *Council*.
- (2) The *Committee* shall provide its final report in the form of a written report to *Council*.
- (3) The final report shall include an analysis and finding on the determinations the *Committee* is required to make pursuant to Part IV and V of this Bylaw.
- (4) The *Committee* shall present its final report to *Council* no later than December 31st of the year prior to the year of a *general election*.
- (5) *Council* shall consider the final report of the *Committee* when making decisions on its compensation package and related policies and bylaws.

Repeal

21. Bylaw Number 30M2019 is hereby repealed.

Coming into Force

22. (1) This Bylaw comes into force on the day it is passed.
- (2) This Bylaw ceases to be in force, and the *Committee* is disbanded, upon the presentation of its final report to *Council*.

READ A FIRST TIME ON OCTOBER 24, 2023

READ A SECOND TIME ON OCTOBER 24, 2023

READ A THIRD TIME ON OCTOBER 24, 2023



MAYOR
SIGNED ON OCTOBER 24, 2023



CITY CLERK
SIGNED ON OCTOBER 24, 2023