



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, January 18, 2021 at 12:05 p.m.

Report of a meeting held on Monday, January 18, 2021 at 12:05 p.m. via videoconference. The following Committee members were in attendance:

Chair: Mayor R. Alty,
Councillor N. Konge,
Councillor S. Morgan,
Councillor J. Morse,
Councillor C. Mufandaedza,
Councillor S. Payne,
Councillor R. Silverio,
Councillor S. Smith, and
Councillor R. Williams.

The following members of Administration staff were in attendance:

S. Bassi-Kellett,
E. Bussey,
D. M. Gillard,
J. Elliott,
C. Greencorn,
G. Littlefair,
K. Penney,
G. White,
S. Woodward, and
S. Jovic.

<u>Item</u>	<u>Description</u>
	(For Information Only)
1.	There were no disclosures of pecuniary interest.
2.	Committee read a memorandum regarding whether to revise the Community Advisory Board on Homelessness Terms of Reference.



Committee noted that the City of Yellowknife has entered into a five-year funding Agreement with the Federal government under the Reaching Home – Canada’s Homelessness Strategy. The Agreement period is April 1, 2019 to March 31, 2024 with a contribution totaling \$6,034,850 dispersed over the five years. The Agreement, through the Directives indicates that as the designated Community Entity receiving the funds, a Community Advisory Board be established to coordinate efforts to address homelessness in the community through representation from key sectors.

Council initially adopted the Terms of Reference for the Community Advisory Board on Homelessness (CAB) in 2014 and revised it in 2016. The existing membership includes the Mayor and a member of Council that is the CAB Chair. There are several voting members from the community including representation from an Indigenous organization, sheltering agency, persons with disabilities organization, youth organization, senior’s organization, and a business. The existing membership list also indicates there is a representative of the GNWT Department of Health and Social Services, however this position was removed as voting member at the request of the GNWT.

Currently the NWT Housing Corporation, Department of Justice, Education, Culture & Employment, and Health and Social Services attend the CAB meetings as non-voting members.

The majority of current voting membership represent applicants for funding under the Federal funding program that the CAB is responsible for allocating. This has caused both direct and perceived conflict of interest issues when the CAB is discussing and voting on the allocation of funds and has been identified as a concern by the Federal representatives that regularly attend CAB meetings and oversee the allocation of the funds.

To address any conflict of interest issues, an amendment to the membership of the CAB is being proposed. The revised membership consists of a broad range of community members, some of which will continue to be organization serving individuals and families experiencing homelessness. The broad representation in the membership will provide for adequate voting members when a conflict of interest is declared.

Since the last amendment to the CAB Terms of Reference there has also been changes to the Council’s Procedure By-law No. 4975 and the name of the Federal funding program. These changes have been captured in the revised Terms of Reference and are included in the Recommendation section of this Memorandum to Committee.

Committee noted that Council’s policies, resolutions or goals include:

- GOAL #2: Delivering efficient and accountable government
- Objective 3.3 Work with partners to address pressing social issues
- Action 3.3.2 Focus on bringing partners and funding to support the implementation of the City’s 10-year plan to end homelessness



Motion #0007-16 That the Community Advisory Board on Homelessness Terms of Reference be amended by deleting sections 7, 8 and 11 and replacing therewith: ***Please see Council Minutes January 11, 2016 for the complete motion.

Motion #0187-14 That Council adopt the Terms of Reference for the development of a Community Advisory Board on Homelessness and direct Administration to proceed with advertising to fill the positions.

Committee noted that applicable legislation, by-laws, studies or plans include:

1. Council Procedures By-law No. 4975, as amended; and
2. *Cities, Towns and Villages Act.*

Committee noted the following considerations:

Legislative

Section 122 of Council Procedures By-law No. 4975, as amended, states:
Special Committees of Council

122. Where Council deems it necessary to establish a special committee to investigate and consider any matter, Council shall:

- (1) name the committee;
- (2) establish terms of reference;
- (3) appoint members to it;
- (4) establish the term of appointment of members;
- (5) establish requirements for reporting to Council or a standing committee;
and
- (6) allocate any necessary budget or other resources to it.

Procedural Considerations

Amendments to the Terms of Reference for a Special Committee of Council must be approved by Council.

Consistency

The proposed amendment to the CAB Terms of Reference aligns with the proposed membership as described in the Government of Canada Reaching Home: Canada's Homelessness Strategy Directives.

Committee noted that the current membership of the CAB mainly consists of members representing a variety of non-government organizations serving individuals and families experiencing homelessness. This has often led to a direct or perceived conflict of interest when addressing the allocation of funding provided under the Reaching Home – Canada's Strategy to End Homelessness funding program. A more broad-based membership is recommended to alleviate this issue and increase the effectiveness of the CAB.

In response to a question from Committee, Administration confirmed that CAB members with lived experience of homelessness are eligible to receive a stipend.



Committee recommended that:

1. s.7 of the Terms of Reference for the Community Advisory Board on Homelessness be amended as follows:

Proposed Membership:	Current Membership:
a. The Mayor of the City of Yellowknife - ex-officio, voting member;	a. The Mayor of the City of Yellowknife - ex-officio, voting member
b. One (1) Member of City Council ;	b. One (1) Member of City Council ;
c. Two (2) representatives who have lived experience of homelessness ;	
d. Two (2) representatives from Indigenous Peoples and organizations, Friendship Centres or Indigenous housing organizations ;	c. One (1) representative from an Aboriginal Organization ;
e. One (1) representative from a youth serving organizations, including non-government Child Welfare agencies ;	d. One (1) representative from an organization serving Youth ;
f. One (1) representative from an organization serving Persons with Disabilities ;	e. One (1) representative from an organization serving Persons with Disabilities ;
g. One (1) representative from an organization serving seniors ;	f. One (1) representative from an organization serving Seniors ;
h. One (1) representative from an organization serving women/families fleeing violence ;	g. One (1) representative from a Yellowknife sheltering agency ;
i. One (1) representative from non-government Health organizations, including hospitals and other public institutions, and organizations focused on mental health and addictions ; and	h. One (1) representative from the Department of Health and Social Services with a Clinical Mandate ;
j. One (1) representative from the public at large ;	
k. One (1) representative from the RCMP ;	
l. One (1) representative from a landlord associations and/or non-government housing sector ;	
m. One (1) representative from Veterans Affairs Canada or veterans-serving organizations .	
n. One (1) representative from a Yellowknife Business .	i. One (1) representative from a Yellowknife Business ;



2. **the Community Advisory Board on Homelessness Terms of Reference be amended by amending sections 2, 3, 6, 10, 17, 39, 40 to reflect changes to Reaching Home Canada's Strategy to End Homelessness Program and Council's Policy and Procedures By-law No. 4975.**

MOVE APPROVAL

- (For Information Only)
3. Committee heard a presentation from Ms. Margaret Kralt, a representative from Dillon Consulting, regarding the Zoning By-law Review.
- (For Information Only)
4. Councillor Silverio left the meeting at 1:27 p.m.
- (For Information Only)
5. Committee recessed at 1:27 p.m. and reconvened at 1:37 p.m.
6. **Committee read a memorandum regarding whether to present resolutions to the Northwest Territories Association of Communities ("NWTAC") for adoption at its annual general meeting ("AGM").**

Committee noted that the NWTAC has issued its Call for Resolutions. These resolutions are intended to address a topic or issue of concern that one or more communities feel requires action by other levels of government. Resolutions that are adopted serve to guide the NWTAC when it prioritizes its goals and objectives and subsequently allocates its limited resources.

The deadline for submissions is January 22, 2021 for the AGM which will take place virtually in late February, 2021.

Committee noted that Council's policies, resolutions and goals include:

- | | |
|---------|--|
| Goal #1 | Growing and Diversifying our Economy |
| Goal #2 | Delivering Efficient and Accountable Government |
| Goal #3 | Ensuring a High Quality of Life for All, Including Future Generations. |

Committee noted the following considerations:

Procedural

The deadline for the submission of Resolutions to the NWTAC is January 22, 2021, however, they have authorized an extension for the City until January 26, 2021.

Departmental Consultation

All departments have been consulted prior to the drafting of the resolutions for Council's consideration.



Committee noted that Resolutions submitted to the NWTAC will be reviewed by its Resolutions and Policies Committee who makes recommendations regarding the resolutions to the membership at their AGM. Resolutions pertain to issues of concern for one or more community governments and seek action from other levels of government. Resolutions endorsed by the Membership are an effective way to bring important issues to the attention of Territorial or Federal Governments or national agencies such as the Federation of Canadian Municipalities.

Committee recommended that that the following resolutions be presented for adoption by Council and forwarded to the NWT Association of Communities in response to its call for resolutions:

- 1. Resolution regarding an amendment to the *Property Assessment and Taxation Act* to grant a municipality the authority to reduce or rebate a portion of the property taxes when fire damages or destroys an improvement and renders it unfit for further use; and**
- 2. Resolution regarding accessibility legislation to establish comprehensive accessibility legislation that enables all persons to participate fully in society without barriers by providing clarity of requirements and standards to be met throughout the Northwest Territories.**

Property Tax Forgiveness When Property is Destroyed by Fire

WHEREAS in the event that an improvement is damaged or destroyed by fire and the damage or destruction is so significant as to render the taxable property unfit for further use or occupation, the *Property Assessment and Taxation Act* grants the Council of a municipal taxing authority to enact a by-law to reduce or rebate a portion of the property taxes, upon application by the assessed owner;

AND WHEREAS the ability to reduce or rebate a portion of the property taxes when fire damages or destroys an improvement and renders it unfit for further use is a reasonable action;

AND WHEREAS the current requirement to enact a by-law to effect the reduction or rebate of a portion of the property taxes under these circumstances introduces additional burden and potentially significant time delays, and unnecessarily brings public attention to what can be a very personal tragedy;

AND WHEREAS the reduction or rebate of a portion of the property taxes on a specific property under these conditions is largely prescriptive and can be achieved administratively without requiring policy direction from the Council of a municipal taxing authority;



NOW THEREFORE BE IT RESOLVED THAT the Northwest Territories Association of Communities urge the Government of the Northwest Territories to consider amending the *Property Assessment and Taxation Act* to enable the Senior Administrative Officer of a municipal taxing authority to approve, upon application by the assessed owner, the reduction or rebate of a portion of the property taxes when an improvement is damaged or destroyed by a fire that has rendered it unfit for further use or occupation.

Accessibility Legislation

WHEREAS accessibility in Canada is about creating communities, workplaces and services that enable everyone to participate fully in society without barriers.

WHEREAS according to the 2017 Canadian Survey on Disability, more than 6 million Canadians aged 15 and over (22% of the population) identify as having a disability

WHEREAS the Canadian Charter of Rights and Freedoms protects a number of our rights and freedoms, including banning the discrimination of people with a mental or physical disability.

WHEREAS the Canadian *Human Rights Act* and the Northwest Territories *Human Rights Act* prohibits the discrimination or harassment of people on a number of grounds, including disability.

WHEREAS the provinces of Ontario, Nova Scotia and Manitoba have provincial accessibility legislation and British Columbia has introduced provincial accessibility legislation;

WHEREAS the *Accessible Canada Act* received Royal Assent on June 21, 2019 and came into force on July 11, 2019 and many provinces are expected to adopt mirroring legislation;

WHEREAS Canada joined the United Nations (UN) *Convention on the Rights of Persons with Disabilities* in 2010. The Convention protects and promotes the rights and dignity of persons with disabilities without discrimination and on an equal basis with others.

WHEREAS Courts and Human Rights Tribunals have determined that meeting the *National Building Code* is not always adequate for individuals and building owners to ensure they are meeting accessibility requirements under Human Rights Acts.

WHEREAS there is no clear guidance for in the Northwest Territories on how to address accessibility in facilities and services.



NOW THEREFORE BE IT RESOLVED THAT the Government of the Northwest Territories establish comprehensive accessibility legislation that enables all persons to participate fully in society without barriers by providing clarity of requirements and standards to be met throughout the Northwest Territories.

MOVE APPROVAL

- (For Information Only)
7. Committee accepted for information the Minutes of the Homelessness Commission meeting of December 15, 2020.
- (For Information Only)
8. Committee accepted for information the Minutes of the Community Advisory Board on Homelessness meeting of November 26, 2020.
- (For Information Only)
9. Councillor Smith moved,
Councillor Morse seconded,

That Committee move in camera at 1:50 p.m. to discuss a memorandum regarding whether to appoint a Deputy Mayor, a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness, a legal matter, and a personnel matter.

MOTION CARRIED UNANIMOUSLY

10. (For Information Only)
Committee discussed a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness.
- (For Information Only)
11. Councillor Morgan declared a conflict of interest with respect to a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness as she is a Board Member of the Yellowknife Women's Society and excused herself from the meeting at 1:54 p.m.
12. (For Information Only)
Committee continued its discussion regarding a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness.
13. (For Information Only)
Councillor Morgan returned to the meeting at 1:59 p.m.
- (For Information Only)
14. Committee discussed a legal matter.



- (For Information Only)
15. Councillor Smith left the meeting at 2:30 p.m.
- (For Information Only)
16. Committee continued its discussion regarding a legal matter.
- (For Information Only)
17. Committee discussed a personnel matter.
- (For Information Only)
18. Committee discussed a memorandum regarding whether to appoint Deputy Mayor.

That Committee return to an open meeting at 3:14 p.m.

MOTION CARRIED UNANIMOUSLY

Business arising from In Camera session

19. **Committee read a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness.**

Committee noted that there are vacancies on the Community Advisory Board on Homelessness for a representative from an organization serving Seniors and a representative of an Indigenous organization. The City of Yellowknife has advertised the vacancies.

Committee noted that Council's policies, resolutions or goals include:

Council Goal #2 Delivering efficient and accountable government.

Motion #0459-96, as amended by #0460-96, #0462-96 and #0273-09:

"The following policy be adopted with respect to appointments to municipal boards and committees:

- i) The maximum consecutive years that an individual may serve on any one board or committee is six.
- ii) Individuals who have served the maximum six-year period on one municipal board or committee shall be eligible to be appointed to another board or committee.
- iii) No individual shall be precluded from serving concurrent terms on more than one municipal board or committee.
- iv) Notwithstanding that an individual appointee has served less than six years on a particular board or committee, Council may, after the expiration of the first or subsequent terms of that appointee, advertise for applicants to fill a vacancy on that board or committee.
- v) Notwithstanding clause (i.) of this policy, should the City receive no applications to fill a vacancy on any particular board or committee,



the six year maximum limitation may, at the discretion of City Council, be waived.

Should the City receive no applications to fill a vacancy on any particular board or committee, City Council may appoint a member of the public at their discretion.

Committee noted that applicable legislation, by-laws, studies or plans include: Council Procedures By-law No. 4975, as amended.

Committee noted the following considerations:

Legislation

Section 122 of Council Procedures By-law No. 4975 states:

Special Committees of Council

120. Where Council deems it necessary to establish a special committee to investigate and consider any matter, Council shall:

- (1) name the committee;
- (2) establish terms of reference;
- (3) appoint members to it;
- (4) establish the term of appointment of members;
- (5) establish requirements for reporting to Council or a standing committee; and
- (6) allocate any necessary budget or other resources to it.

Procedural Considerations

All appointments to Special Committees must be approved by Council.

The composition of the Committee was structured so that various segments of the community are represented.

Committee noted that the Committee members will assist the City in an advisory capacity regarding homelessness issues within the municipal boundaries of the City of Yellowknife. Appointing a full complement of Members will ensure that the work of the committee is completed in a timely fashion.

Committee recommended that Council appoint the following members to serve on the Community Advisory Board on Homelessness (CAB) commencing January 26, 2021 and ending January 25, 2023:

Name	Representing
Suzette Montreuil	One (1) representative from an organization serving Seniors
Wilbert Cook	One (1) representative from an Indigenous organization

20. **Committee read a memorandum regarding whether to appoint a Deputy Mayor.**

Committee noted that Section 7(3) of Council Procedures By-law No. 4975, as amended,



states that the appointment of the Deputy Mayor shall be made, on the recommendation of the Mayor, at the first meeting of Council following a General Election and reviewed annually.

Committee noted Council's policies, resolutions and goals include:

Goal #2 Delivering efficient and accountable government

Committee noted that applicable legislation, by-laws, studies or plans include:

Cities, Towns and Villages Act; and

Council Procedures By-law No. 4975, as amended.

Committee noted the following considerations:

Legislation

Section 39 of the *Cities, Towns and Villages Act* states that Council, on the recommendation of the Mayor, may appoint a Councillor to be the Deputy Mayor.

Section 7(3) of Council Procedures By-law No. 4975, as amended, states that the appointment of the Deputy Mayor shall be made, on the recommendation of the Mayor, at the first meeting of Council following a General Election and shall be reviewed annually.

Committee noted that the Deputy Mayor performs the duties of the Mayor during absences. The appointment of a Deputy Mayor will ensure that there is coverage during these absences and that the business of the City will continue.

Committee recommended that Council appoint Councillor Payne as Deputy Mayor.

MOVE APPROVAL

21. The meeting adjourned at 3:15 p.m.