REVISED PUBLIC AGENDA
GOVERNANCE AND PRIORITIES
COMMITTEE

Monday, August 24, 2020, 1:00 p.m.
Via Teleconference Hosted in the Council Chamber, City Hall

1. CALL TO ORDER

2. CONFIRMATION OF AGENDA

Recommendation

1. That the following correspondence be added to Item 6.1.:

- Request to Speak
  - Robert Clipperton, Bus Riders of Saskatoon, dated August 19, 2020,

- Submitting Comments
  - Shelley Hawes, dated August 20, 2020
  - Linda Lacoursiere, dated August 20, 2020
  - Marie Clipperton, dated August 20, 2020
  - Suzanne Nakagawa, dated August 20, 2020
  - Elysia Seager, dated August 20, 2020;
  - Tami Soltys, dated August 23, 2020; and
  - Colleen Christopherson-Cote, Saskatoon InterAgency Response to COVID19, dated August 24, 2020;
2. That the request to speak from Andrea Lafond, Meewasin Valley Authority, dated August 21, 2020, be added to Item 8.2.1.;

3. That the request to speak from Asit Sarkar, dated August 21, 2020, be added to Item 8.3.2.;

4. That the items with speakers be considered after adoption of the minutes, in the following order:

   - Item 8.2.1.
     - Andrea Lafond

   - Item 8.3.1 (with communications from Item 6.1.)
     - Marjaleena Repo
     - Robert Clipperton

   - Item 8.3.2.
     - Asit Sarkar; and

5. That the agenda be confirmed as amended.

3. DECLARATION OF CONFLICT OF INTEREST

4. ADOPTION OF MINUTES

   Recommendation
   That the minutes of the Governance and Priorities Committee meeting held on July 20, 2020, be adopted.

5. UNFINISHED BUSINESS
6. COMMUNICATIONS (requiring the direction of the Committee)

6.1 Mandating Masks (CK 270-7)

Correspondence from the following is attached:

- Sharon Powell, dated July 22, 2020
- Matthew Decker, dated July 23, 2020
- Vince Vandale, dated July 29, 2020
- Malika Sellami, dated August 2, 2020
- Aaron Chubb, dated August 2, 2020
- Katrina Kurpiela, dated August 3, 2020
- Jacqueline Berg, dated August 16, 2020
- Marjaleena Repo, dated August 18, 2020
- Shelley Hawes, dated August 20, 2020
- Linda Lacoursiere, dated August 20, 2020
- Marie Clipperton, dated August 20, 2020
- Suzanne Nakagawa, dated August 20, 2020
- Elysia Seager, dated August 20, 2020
- Tami Soltys, dated August 23, 2020; and
- Colleen Christopherson-Cote, Saskatoon InterAgency Response to COVID19, dated August 24, 2020;

Requests to Speak:

- Marjaleena Repo, dated August 19, 2020; and
- Robert Clipperton, Bus Riders of Saskatoon, dated August 19, 2020

Recommendation

That the information be received and considered in conjunction with Item 8.3.1.

6.2 Review of Saskatoon Airport Authority (SAA) / City of Saskatoon (COS) Nomination Protocol (CK 175-43)

Attached is an email dated July 30, 2020, from the Executive Assistant, Saskatoon Airport Authority, regarding the above.
Recommendation
That the information be received and included in the 2021 appointment review process.

7. REQUESTS TO SPEAK (new matters)

8. ADMINISTRATIVE AND LEGISLATIVE REPORTS

8.1 Information Reports

Recommendation
That the reports contained in Items 8.1.1 to 8.1.4. be received as information.

8.1.1 Roadmap to Recovery: City Council Chambers (CK 270-7 x 640-5)  
A report of the Fire Chief is attached.
A PowerPoint presentation will be provided.

8.1.2 Enterprise Resource Planning (Fusion) Program Update (CK 261-22)  
A report from the Administration is attached.
A PowerPoint presentation will be provided.

8.1.3 Motion - Councillor B. Dubois - Implementation of Non-Disclosure Agreements for Stakeholders (CK 372-1)  
A report from the Administration is attached.

8.2 Approval Reports

8.2.1 New Meewasin Master Agreement – Key Terms and Conditions (CK 180-6)  
A report from the Administration is attached.
Request to Speak - Andrea Lafond, Meewasin Valley Authority
Recommendation
That a report be submitted to City Council recommending:

1. That the proposed terms of the new Master Agreement between Meewasin and the City of Saskatoon, as outlined in the report of the General Manager, Community Services Department, dated August 24, 2020, be approved; and
2. That the Solicitor's Office be authorized to prepare the appropriate agreement for the Master Agreement; and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

8.2.2 Whistleblower Protection Policy (CK 4500-0)
A report of the City Manager is attached.

Recommendation
That the Governance and Priorities Committee recommend to City Council that the Draft Whistleblower Protection Policy, contained in Appendix 2 of the report of the City Manager dated August 24, 2020, be approved.

8.3 Decision Reports

8.3.1 The Use of Non-Medical Face Masks and Public Access to City Services (CK 270-7)
A report of the Fire Chief is attached.

The Communications received under Item 6.1. will be considered with this matter.
Recommendation
That the Governance and Priorities Committee recommend to City Council:

- That option 2 be implemented such that:
  - Effective September 1, 2020, the City requires all users of Saskatoon Transit services wear a non-medical face mask; and
  - Effective September 1, 2020, the City recommends that all persons accessing all City operated facilities and indoor City of Saskatoon services wear a non-medical face mask.

8.3.2 Governance Review – Other Bodies - Board of Revision (CK 175-6 x 175-1)

At its meeting held on May 19, 2020, the Governance and Priorities Committee considered a supplemental report of the Leadership Team Governance Subcommittee, tabling the attached report.

The Committee resolved:

1. That the report of the Leadership Team Governance Subcommittee dated May 19, 2020 entitled Governance Review – Other Bodies – Board of Revision, be tabled and considered at the August, 2020 meeting of the Governance and Priorities Committee; and

2. That the report be forwarded to the Board members for review and comment at the August, 2020 meeting of the Governance and Priorities Committee.

Also attached is a supplementary approval report of the City Solicitor dated August 24, 2020, presenting the engagement results for information, and recommending repeal of an outdated policy.

Request to Speak - Asit Sarkar
Recommendation
That the Governance and Priorities Committee recommend to City Council:

1. That Option 1 be pursued:
   a. That preferred qualifications advertised for potential appointees to the Board of Revision be amended to include:
      i. Previous real estate experience;
      ii. Previous assessment or property appraisal experience;
      iii. Previous experience on or with a quasi-judicial or an administrative tribunal;
      iv. The ability to be fair, open-minded and impartial;
      v. The ability to conduct themselves with integrity and consistency;
      vi. The ability to interpret and apply the relevant statutes and case law to complex scenarios; and
      vii. The ability to absorb and analyze complex material information and write comprehensive, intelligible decisions.
   b. That the compensation of members appointed to the Board of Revision be increased as of January 1, 2021 as outlined in this report;
   c. That advertising forums for Board of Revision vacancies be reviewed and expanded at the discretion of the City Clerk’s Office;
   d. That training options for both Board of Revision members and the Board of Revision Secretary be explored and mandatory training be implemented for 2021 appointments;
   e. That resources, including access to legal counsel for members appointed to the Board of Revision and the Secretary to the Board of Revision continue to be offered and the potential to increase access to those resources be further explored; and
f. That a process be established for the performance evaluation of appointed Board of Revision members for consideration by the Governance and Priorities Committee in advance of reappointments and to identify potential areas for further training and development; and

2. That Policy No, C01-011, *Remuneration – Members of Board of Revision* be repealed.

9. MOTIONS (notice previously given)

10. GIVING NOTICE

11. URGENT BUSINESS

12. VERBAL UPDATES (if required)

12.1 Council Members - His Worship the Mayor, FCM/SUMA, Boards, Committees and Commissions

12.2 Administration

12.2.1 Covid-19 Update

13. IN CAMERA SESSION

Recommendation
That the Committee move *In Camera* to consider the following items.

13.1 Event Update (CK 1870-15 x 270-7)

*[In Camera - Third Party Information - Section 18 LAFOIP]*

13.2 Land Matter (CK 175-2 x 5700-1)

*[In Camera - Economic/Financial - Land - Section 17(1)(d) and (e) - LAFOIP]*

13.3 Land Acquisition Matter (CK 4020-1 x 613-2)

*[In Camera - Economic/Financial - Land - Section 17(1)(d) and (e) - LAFOIP]*
13.4 Land Acquisition Matter (CK 4020-1)

[In Camera - Economic/Financial - Land - Section 17(1)(d) and (e) - LAFOIP]

13.5 Letter re: Update and Appointments - Saskatoon Municipal Review Commission (CK 255-18)

[In Camera - Consultations/Deliberations; Personal Information - Sections 16(1)(b) and (d) and 28 LAFOIP]

13.6 Email - Request for Leave from Appeals Boards (CK 175-6 x 175-56, 175-21)

[In Camera - Consultations/Deliberations; Personal Information - Sections 16(1)(b) and (d) and 28 LAFOIP]

13.7 Verbal Updates (if required)

13.7.1 Council Members - His Worship the Mayor; FCM/SUMA; Boards, Committees & Commissions; Personnel Subcommittee

13.7.2 Administration

14. RISE AND REPORT

15. ADJOURNMENT
PUBLIC MINUTES  
GOVERNANCE AND PRIORITIES COMMITTEE  
Monday, July 20, 2020, 1:00 p.m.  
Via Teleconference Hosted in the Council Chamber, City Hall

PRESENT:  
His Worship Mayor C. Clark, Chair  
Councillor C. Block  
Councillor R. Donauer  
Councillor B. Dubois  
Councillor S. Gersher  
Councillor H. Gough  
Councillor D. Hill  
Councillor A. Iwanchuk  
Councillor Z. Jeffries  
Councillor M. Loewen

ABSENT:  
Councillor T. Davies

ALSO PRESENT:  
City Manager J. Jorgenson  
City Solicitor C. Yelland  
City Clerk J. Sproule  
Committee Assistant J. Hudson

1. CALL TO ORDER

The Chair called the meeting to order at 1:00 p.m. on Treaty 6 Territory and the Homeland of the Métis People.

Roll call was taken.

2. CONFIRMATION OF AGENDA

Moved By: Councillor Dubois  
1. That the request to speak from Colleen Christopherson-Cote, Saskatoon InterAgency response to COVID19, dated July 16, 2020, be added to Item 8.2.1;  
2. That the request to speak from Dean Dodge, Saskatoon Family YMCA, dated July 16, 2020, be added to Item 8.2.2;  
3. That the above items with speakers be considered following adoption of minutes; and  
4. That the agenda be confirmed as amended.
3. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. ADOPTION OF MINUTES

Moved By: Councillor Gersher
That the minutes of the following Governance and Priorities Committee meetings be adopted:
- Regular meeting held on June 22, 2020; and
- Special/Joint meeting held on June 24, 2020

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

Items with speakers, 8.2.1 and 8.2.2, were considered next.

5. UNFINISHED BUSINESS

6. COMMUNICATIONS (requiring the direction of the Committee)

6.1 Police Services - Calls to Action (CK 1711-2)

Report of the City Clerk:

"The following correspondence addressed to City Council will also be forwarded to the Board of Police Commissioners for further handling at its meeting on August 27, 2020. Copies are being provided to the Governance & Priorities Committee.

- Amielle Christopherson, dated June 25, 2020;
- Colleen Miller, dated July 8, 2020;
- D.W. Mario, dated July 10, 2020; and
Moved By: Councillor Donauer
That the information be received and included in the file.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

7. REQUESTS TO SPEAK (new matters)

8. ADMINISTRATIVE AND LEGISLATIVE REPORTS

8.1 Information Reports

8.1.1 New Saskatoon North Partnership for Growth Planning District – Joint Public Hearing (CK 4250-2)

A report from the Administration was provided. Lesley Anderson, Director of Planning and Development, presented the report and answered questions of Committee.

8.1.2 2019 Report on Service, Savings and Sustainability (CK 430-75)

A report from the Administration was provided, and introduced by City Manager Jorgenson. Chief Strategy and Transformation Officer Anger presented the report.

8.1.3 Council Communications and Constituency Relations Allowance - Update to June 30, 2020 (CK 230-4)

A report of the City Clerk was provided, and presented by City Clerk Sproule.

Moved By: Councillor Donauer
That the reports contained in Items 8.1.1 to 8.1.3 be received as information.
In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

Item 8.2.3 was considered next.

8.2 Approval Reports

8.2.1 Canadian Medical Association Foundation – COVID 19 Community Response Fund for Vulnerable Populations (CK 1860-1 X 270-7)

A report from the Administration was provided. General Manager, Community Services Department Lacroix presented the report and answered questions of the Committee.

Colleen Christopherson-Cote, Saskatoon InterAgency Response to COVID-19, was in attendance via teleconference to address Committee in support of the recommendations, and answer questions.

Moved By: Councillor Hill
That the Governance and Priorities Committee recommend to City Council:

1. That the grant from Canadian Medical Association Foundation be directed to the InterAgency Response Group for use in their efforts to support the vulnerable populations in Saskatoon, and used in a manner consistent with the terms and conditions outlined in Appendix 1;
2. That the Office of the City Solicitor receive and review the appropriate Federation of Canadian Municipalities funding agreement and that the Mayor and City Clerk be authorized to execute the agreement on behalf of the City of Saskatoon; and
3. That the Inter-Agency Response Group, be required to provide a summary report on the use of the funding, in due course.
In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

8.2.2 Joint Use Facility Site Study – East Side High School – Leisure Centre Update (CK 606-1)

A report from the Administration was provided. Andrew Roberts, Director of Community Development, presented the report and answered questions of Committee, along with General Manager, Community Services Department Lacroix.

Dean Dodge, YMCA of Saskatoon, was in attendance via teleconference to speak to Committee regarding the association’s interest in the project. He answered questions and committed to providing reports referenced in his presentation.

Moved By: Councillor Dubois
That the report of the General Manager, Community Services Department dated July 20, 2020, be forwarded to City Council recommending:

1. That the Administration be directed to continue discussions with the Saskatoon Public School Division and the Greater Saskatoon Catholic School Division related to the planning of an integrated Leisure Centre with the two new high schools being planned for the Holmwood Suburban Centre; and
2. That the Administration be directed to report back on funding options for the project.

Moved By: Councillor Jeffries
3. That the Administration be directed to continue discussions with the Saskatoon YMCA related to the planning of an integrated Leisure Centre being planned for the Holmwood Sector, and report back.
In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

The Committee returned to Item 5 to complete the remainder of the agenda in order.

8.2.3 Multi-Unit Residential Recycling Agreement - Corporate Recycling Services (CK 7830-5)

A report from the Administration was provided. General Manager, Utilities and Environment Department Gardiner presented the report and answered questions of Committee, along with City Manager Jorgenson and City Solicitor Yelland.

Moved By: Councillor Loewen
That the Committee move In Camera to receive legal advice.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

The Committee moved In Camera at 2:46 p.m. and reconvened publicly at 3:14 p.m. to continue consideration of the matter. The Mayor reported that while In Camera, the Committee received legal advice from the City Solicitor exempt under Section 21 of LAFOIP.

Moved By: Councillor Dubois
That the Governance and Priorities Committee recommend to City Council that the Administration be directed to proceed with negotiations with Cosmo to amend Schedule 9 of the MURR Agreement.
In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

The meeting recessed at 3:17 p.m. and reconvened at 3:30 p.m.

8.2.4 Municipal Economic Enhancement Program – Reallocation Prioritization List (CK 1860-1 x 1702-1)

A report from the Administration was provided, along with a letter dated July 11, 2020, from Walking Saskatoon submitted by Bertrand Bartake.

City Manager Jorgenson and Chief Financial Officer Tarasoff introduced the report and outlined the process for Committee to reallocate $12.13M from the pool by reviewing Table 1 to formulate the Final Reallocation List for submission to City Council.

The Administration answered questions of Committee.

Moved By: Councillor Block
That an amount of $11.8 Million for the following projects 1.1 to 1.7, as outlined in Table 1 of the report of the Chief Financial Officer dated July 20, 2020, be recommended for consideration under the Final Reallocation List:

1.1 Vehicle Noise Mitigation Study $0.05M
1.2 Active Transportation – Sidewalk Expansion $3.00M
1.3 Sidewalk Repair and Maintenance $5.00M
1.4 Public Wi-Fi Pilot – City-wide Wi-Fi for Citizens $0.25M
1.5 Parks Asset Management Plan $1.60M
1.6 Pedestrian and Cyclist Rail Crossing $0.50M
1.7 West Central Multi-Use Corridor $1.40M

Moved By: Councillor Dubois
That the remaining unallocated amount of approximately $330,000 be held in contingency.

Councillor Iwanchuk excused herself from the meeting at 3:58 p.m., and was not present for any of the following votes on this matter.
Vote on Items 1.1 - 1.7 as moved above ($11.8M)

In Favour (9): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED UNANIMOUSLY

Vote on contingency motion above (approx. $330,000)

In Favour (5): Mayor Clark, Councillor Block, Councillor Dubois, Councillor Gersher, and Councillor Jeffries
Against (4): Councillor Donauer, Councillor Gough, Councillor Hill, and Councillor Loewen
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED

Moved By: Councillor Block
That a report be submitted to City Council recommending that the budget allocations as shown in the Final Reallocation List be approved; and that the Administration be directed to take appropriate action to deliver the initiatives.

In Favour (9): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED UNANIMOUSLY

Moved By: Councillor Block
That the $5.0M in project 1.3 (Sidewalk Repair and Maintenance) of the Final Reallocation List be allocated as follows:
1. $1.0M to program 3) Pedestrian Accessible Curb Ramp Program for missing ramps within the City based on the criteria that Admin has created in terms of need; and
2. $4.0M to program 2) Sidewalk Preservation Program

The Committee recessed twice between 4:40 p.m. and 5:00 p.m. before voting separately on the above specified allocations.
Vote on allocation motion a. ($1.0M to Pedestrian Accessible Curb Ramp Program)

In Favour (8): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Jeffries, and Councillor Loewen
Against (1): Councillor Hill
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED

Vote on allocation motion b. ($4.0M to Sidewalk Preservation Program)

In Favour (6): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Jeffries, and Councillor Loewen
Against (3): Councillor Gersher, Councillor Gough, and Councillor Hill
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED

8.2.4.1 Existing Sidewalk Programs and Options for Potential Injection of Municipal Economic Enhancement Program Funding (CK 6220-1 x 1860-1)

A complementary information report from the Administration was provided.

Moved By: Councillor Gersher
That the report of the General Manager, Transportation and Construction Department dated July 20, 2020, be received as information.

In Favour (9): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen
Absent (2): Councillor Davies, and Councillor Iwanchuk

CARRIED UNANIMOUSLY
8.2.5 2020 Local Government Elections – Mail-in Ballot Procedure (CK 265-2020-6)

A report of the City Clerk was provided and introduced by City Clerk Sproule.

Councillor Iwanchuk re-joined the meeting via teleconference at 5:16 p.m.

Scott Bastian, Returning Officer, was in attendance via teleconference to present the report and answer questions of Committee.

Moved By: Councillor Gersher
That the Governance and Priorities Committee recommend to City Council:
1. That the proposed amendments to Bylaw No. 8191, The Election Bylaw, 2012, as outlined in the report of the City Clerk dated July 20, 2020, be approved; and
2. That the City Solicitor’s Office be directed to amend Bylaw No. 8191, The Election Bylaw, 2012.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

8.3 Decision Reports

9. MOTIONS (notice previously given)

10. GIVING NOTICE

11. URGENT BUSINESS
12. VERBAL UPDATES

12.1 Council Members - His Worship the Mayor, FCM/SUMA, Boards, Committees and Commissions

Mayor Clark provided an update on his recent and ongoing discussions with the provincial and federal government, Big City Mayors' Caucus, West Economic Solutions Task Force, and the community.

12.2 Administration

12.2.1 Covid-19 Update (CK 270-7)

City Manager Jorgenson and General Manager, Community Services Department Lacroix provided an update on the City's response to Covid-19, particularly the reopening of certain civic services and facilities, and answered questions of Committee.

13. IN CAMERA SESSION

Moved By: Councillor Gersher
That the Committee move In Camera to consider the following items.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

13.1 Verbal Updates (if required)

13.1.1 Council Members - His Worship the Mayor; FCM/SUMA; Boards, Committees & Commissions; Personnel Subcommittee

13.1.2 Administration

13.2 Personnel Matter (CK 4510-1)

[In Camera - Personnel Matter - Section 16(1)(c) and (d) LAFOIP]

The public meeting recessed at 5:47 p.m.
14. RISE AND REPORT

The Committee convened *In Camera* at 6:30 p.m. with Mayor Clark, City Clerk Sproule, City Solicitor Yelland and Committee Assistant Hudson in attendance in the Council Chamber. The following were in attendance via teleconference:

- All Committee members with the exception of Councillor Davies
- City Manager Jorgenson
- General Manager, Community Services Department Lacroix
- Sarah Cameron, Chief Human Resources Officer and Therese Bruyere, Talent Acquisition and Workforce Planning Manager, Human Resources

The Committee moved to rise and report at 7:45 p.m. and reconvened publicly immediately thereafter to report as follows:

**Agenda Item 13.1 – Verbal Updates - Council Members (13.1.1) and Administration - City Manager (13.1.2)**

**Moved By:** Councillor Gough

That the verbal updates of the Members of Council and City Manager be received as information and that the discussion remain *In Camera* under Sections 13, 16(1) and 28 of LAFOIP.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen

Absent (1): Councillor Davies

CARRIED UNANIMOUSLY

**Agenda Item 13.2 – Personnel Matter (CK 4510-1)**

*Only Committee members, City Manager, City Solicitor, City Clerk and HR representatives present In Camera for this matter.*

**Moved By:** Councillor Gough

That the information be received, the Personnel Subcommittee proceed as recommended, and that the discussion remain *In Camera* under Sections 16(1)(b) and (d) and 28 of LAFOIP.

In Favour (10): Mayor Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen

Absent (1): Councillor Davies

CARRIED UNANIMOUSLY
15. **ADJOURNMENT**

The meeting adjourned at 7:47 p.m.

__________________________________________
Mayor C. Clark, Chair

__________________________________________
J. Sproule, City Clerk
--- Replies to this email will go to [RECEIVER] ---

Submitted on Wednesday, July 22, 2020 - 18:58
Submitted by user: Anonymous
Submitted values are:

==Your Message==
Service category: Bylaws & Policies
Account Number:
Subject: Please consider making wearing masks mandatory in Saskatoon.masks
Message: Please consider making wearing masks mandatory in Saskatoon.
Attachment:

==Your Details==
First Name: Sharon
Last Name: Powell
Email: [RECEIVER]
Confirm Email: [RECEIVER]
Neighbourhood where you live: Wildwood
Phone Number: [RECEIVER]

For internal use only:
Hello,

I am wondering if there is discussion regarding making masks mandatory. There are multiple other city’s taking this step and Saskatoon is not. Another question of Saskatoon being reactive rather than proactive?

Thanks.

Attachment:
--- Replies to this email will go to  ---

Submitted on Wednesday, July 29, 2020 - 03:22

Submitted by user: Anonymous

Submitted values are:

Date Wednesday, July 29, 2020
To His Worship the Mayor and Members of City Council
First Name vince
Last Name vandale
Phone Number
Email
Address Avenue M South, Apartment
City Saskatoon
Province Saskatchewan
Postal Code S7M
Name of the organization or agency you are representing (if applicable)
Subject Covid 19 masks
Meeting (if known) Covid 19 masks
Comments
Hello, my name is Vince Vandale. I would like to ask a question about making it mandatory to wear a covid 19 mask in the city of Saskatoon. I can see why people would want it to be mandatory to wear a mask, but I really don't think this has been thought out well. From my own experience, I tried wearing a mask for a couple of days, the first day when I wore a mask I had severe asthma attacks on this day. The second day I wore one I had a severe angina attack that just about led to a heart attack due to the fact that I serious breathing problems when wearing a mask. Of course I only wore the mask while shopping and going to city hall. I have had asthma since my childhood, and have a serious heart condition. I am now very hesitant to wear a mask, but am able to wear a face shield, but I support the precautions that need to be taken and would gladly wear a face shield, since I believe in the severe health hazards that covid 19 can bring. I am asking city council to be a lot more open minded when they bring in this mandatory covid 19 face mask law and to consider more options than just wearing face masks. To me and other people this could be a life or death situation. Yours truly, Vince Vandale
Attachments

The results of this submission may be viewed at:
Submitted on Sunday, August 2, 2020 - 21:39

Submitted by user: Anonymous

Submitted values are:

Date Sunday, August 02, 2020
To His Worship the Mayor and Members of City Council
First Name Malika
Last Name Sellami
Phone Number [REDACTED]
Email [REDACTED]
Address 2000, 25th st west
City Saskatoon
Province Saskatchewan
Postal Code S7L

Name of the organization or agency you are representing (if applicable)
Subject Against Mandating masks
Meeting (if known)
Comments

Dear City councilor,

I read this week that the city council of Saskatoon is meeting to determine if further guidance is needed regarding masks in our city. I have watched carefully how people in this community has responded to each other over the months during this time of covid-19 awareness and have had the opportunity to compare it to how other communities with mask mandates have been managing. I have noticed that the more mandates are put in place, the more fear rises up in the community. We all understand the value of wearing a mask in places where we need to be in close proximity to strangers. But when this is “mandated”, a sense of “entitlement” comes over some people and bullying and aggression towards others seems to rise up.

There are many people with invisible disabilities for whom mask-wearing is very difficult and their risk of getting ill increases. These disabled people now have to face aggression everywhere they go, as many people have an expectation that everyone must comply. They fail to read in by-laws that exemptions may be in place.

Saskatoon has managed very well so far in staying peaceful in this area. I am very concerned that mask mandates will change the atmosphere to one of fear and aggression as people put expectations on others that are unable to wear a mask.

Please take the incredible brave stand of abstaining from mandates. Our people will respond as needed as the virus moves through the population building community immunity. Thank you for seriously considering this.

Malika Sellami
Attachments

The results of this submission may be viewed at:
--- Replies to this email will go to [REDACTED] ---

Submitted on Sunday, August 2, 2020 - 23:01

Submitted by user: Anonymous

Submitted values are:

Date Sunday, August 02, 2020
To His Worship the Mayor and Members of City Council
First Name Aaron
Last Name Chubb
Phone Number [REDACTED]
Email [REDACTED]
Address Melicke Road
City Saskatoon
Province Saskatchewan
Postal Code S7K

Name of the organization or agency you are representing (if applicable)
Subject mask mandate
Meeting (if known)
Comments

Dear City councilor,

It seems that the city council of Saskatoon is meeting to determine if further guidance is needed regarding masks in our city.

Based on observations and conversations with people in communities wherein mask wearing has been mandated, I have noticed an increase in fear within those communities. There may well be value in wearing a mask in places where proximity to strangers is likely. But when this is “mandated”, a sense of “entitlement” comes over some people and bullying and aggression towards others seems to rise up.

There are many people with invisible disabilities for whom mask-wearing is very difficult and their risk of getting ill increases. These disabled people now have to face aggression everywhere they go, as many people have an expectation that everyone must comply. They fail to read in by-laws that exemptions may be in place.

Saskatoon has managed very well so far in staying peaceful in this area. I am very concerned that mask mandates will change the atmosphere to one of fear and aggression as people put expectations on others that are unable to wear a mask.

Please take the incredible brave stand of abstaining from mandates. Our people will respond as needed as the virus moves through the population building community immunity.

Attachments

The results of this submission may be viewed at:

[REDACTED]
I have read that city council has considered or maybe considering a mask bylaw.

I'm contacting city council to make it known I am not in favor of a mask bylaw. Though many provinces have mandated masks, this has negatively affected many people being able to access basic services like getting groceries. Though online shopping & pick up is theoretically an option; I have personally investigated this option myself & there was a two week wait for an appointment. Are people to starve waiting to be able to gain access to groceries?

I have witnessed via the news, as I suspect many of you may have, that these mandates have caused people to be harassed, bullied, & abused for not wearing a mask in areas where mandates have taken effect. These are people who may have breathing difficulties, anxiety, autism spectrum disorders, or general difficulty breathing while wearing a mask. I consider myself to be in this affected group. Though there maybe general medical exemptions in some locations, this does not reduce the stress & anxiety placed on these people in order to access groceries, fuel, or work. They tell the employee at the entrance of the businesses of a medical exemption & many have been denied access to these businesses despite such medical exemptions. Even some going so far as to talk to a manager & yet being denied. Those who are able to gain access, where the medical exemption is respected may often be harassed by other patrons for not wearing a mask. This is unacceptable. No one is acknowledging that with the COVID case count increasing, the death count decreases dramatically. As our province is opening up, it is going backwards to bring in Draconian bylaws. Though the doctors advising our federal government are currently recommending masks, may I remind you that in the heat of COVID when the public was first made aware of it back in March & early April, it was strongly recommended not to wear one & simply to stay at home if one felt sick. The science of masks is not solely one sided either. The public has been well conditioned during the past few months to stay at home if they are at all feeling ill. Those who feel they need & want to wear a mask are already doing so. A mandatory mask bylaw would be harmful to the mental state of our population, depression & anxiety have increased. Consider that suicide rates across the world have increased as well, due to fear of COVID, due to stress.
of losing social interactions, due to loss of employment, due to being treated as a leper if one has had it, due to nothing being normal, & due to watching others anxiety increase, maybe more. I daresay Saskatoon has been affected as well. I have struggled with my mental health in the past & especially continue to more so these past months. I sincerely ask that council not implement such a bylaw. I know those personally who may not survive it, they are barely surviving now.

The science of masks has never changed it was there from the start, some research shows possible effectiveness, some show them not to be effective. The only thing that's changed in the recommendations is the politics behind them.

Here is Dr Stephen Gundry discussing the effectiveness of masks:
https://www.youtube.com/watch?v=SLPRBCNIkCY&feature=share&fbclid=IwAR3u1vX8cZL9SB1-TSjULfUHiaa_VTQoSXaYYiOxP0yJCaBDMaqPGHvHrc

Dr Theresa Tam:
https://www.youtube.com/watch?v=_edxN5kkBtc

Dr Russell Blaylock:

==Your Details==
First Name: Katrina
Last Name: Kurpiela
Email: [REDACTED]
Confirm Email: [REDACTED]
Neighbourhood where you live: Dundonald
Phone Number: [REDACTED]

For internal use only:
[REDACTED]
--- Replies to this email will go to [REDACTED] ---

Submitted on Sunday, August 16, 2020 - 13:34

Submitted by user: Anonymous

Submitted values are:

Date Sunday, August 16, 2020
To His Worship the Mayor and Members of City Council
First Name Jacqueline
Last Name Berg
Phone Number [REDACTED]
Email [REDACTED]
Address 5 East Place
City Saskatoon
Province Saskatchewan
Postal Code S7J

Name of the organization or agency you are representing (if applicable)

Subject Mandatory mask wearing
Meeting (if known)
Comments

Please carefully consider the residents of Saskatoon who have medical conditions such as asthma, emphysema, COPD, or other breathing difficulties when making this decision. I fully support mask wearing but am unable to comply. My Doctor provided me with a face shield (at cost) and is willing to provide a mask exemption letter if required. If your decision was worded ‘mask OR face shield’ residents would not be required to provide proof of an illness or be prevented from entering businesses or stores. I live alone and need the ability to conduct my own affairs.
Thank you for hearing my concerns

Attachments

The results of this submission may be viewed at:
April 18, 2020

Mayor Clark,

Council Members,

Members of the Governance and Priorities Committee

Re: plans to introduce mandatory face masks in Saskatoon

Dear Mayor and Councillors,

I strenuously object to the possibility that face masks are to be made mandatory because of covid.

I have objections on two grounds:

1) There is no necessity for mandating masks.

2) Mandated masks are harmful to individuals and society.

1) No necessity for masks, mandated or not, when the virus is visibly feeble, and perhaps has been even before the lockdown in mid-March.

The statistics are clear: In 159 days Saskatchewan has had 22 deaths, 2 of them in Saskatoon; we have presently 173 “active” cases in the province and 27 of them in Saskatoon. It is important to know what these “active” cases are, as positive test results is described by the CDC as follows:

“A positive test result shows you may have antibodies from an infection with the virus the causes COVID-19. However, there is a chance a positive result means you have antibodies from an infection with a virus from the same family of viruses (called coronaviruses), such as the one that causes the common cold.” (Emphasis added.)”

It is evident that not only do we have very few deaths and few “cases” in Saskatchewan and particularly Saskatoon, but our recovery rate is also extraordinarily high, in the 95% or more. Even in the rest of Canada, the bulk of covid deaths, 90% of them, according to Canada’s chief medical officer, Dr. Tam, have taken place in Ontario and Quebec nursing homes, leaving generally low numbers of other deaths in the remaining provinces, which have similarly high recovery rates.

When moves are being made to get back to the “old normal,” it makes no sense for the City of Saskatoon to undertake the forced masking of its population at the moment when the covid horse has already left the barn, and is showing no sign of returning any time soon!

2) The masks are vigorously promoted by public officials and the media in the name of “safety,” yet there is no solid scientific evidence that they actually protect the wearer or
others against infections, whether viral or other, but there is evidence that they can cause harm to individuals and society.

Regarding their effectiveness in preventing infections, there are claims, but no proof, and even senior health officials in the WHO have for months urged people NOT to rely on masks and have also stated that healthy people should not wear them. When it has recently started to suggest that perhaps masks protect, after all, and should be worn, one is left seriously questioning such as “flexible” science that seemingly flips and flops. On this very topic, of the WHO apparently "modifying" its earlier position on masks, two scientists, Joseph Hickey and Denis Rancourt, have written an open letter to the WHO on behalf of the Ontario Civil Liberties Association, which I suggest that the Mayor and Councillors study in their deliberations, because it thoroughly challenges the WHO's all-over-the-map position on masks.


Another critic of masking has assessed what many claim to be the “new evidence” that is asserting that masks are both effective and necessary. The critic is none other than Richard Schabas, former Ontario Chief Medical Officer of Health and former Chief of Medical Staff, York Central Hospital, Ontario, with experience with previous viruses such as SARS and MERS. He offers his assessment of the "new evidence" commentary on his Facebook, and concludes with:

_Do masks work for Covid? I don’t know. Maybe. However, the evidence is weak and insufficient to support mandatory laws._

https://www.facebook.com/richard.schabas/posts/10217702015932136

(Dr. Schabas is also one of the 18 Canadian health experts who have written an Open Letter to the Prime Minister and all provincial leaders with suggestions on how to move away from the lockdown and its rigid “measures.” I believe their assessment and proposals are essential reading for our municipal politicians as well. See www.balancedresponse.ca.)

When it comes to the harms to the individual, even the WHO recognizes some: (quoted in the Hickey-Rancourt Open Letter to WHO):

•potential increased risk of self-contamination due to the manipulation of a face mask and subsequently touching eyes with contaminated hands;

•potential self-contamination that can occur if non-medical masks are not changed when wet or soiled. This can create favourable conditions for microorganism to amplify;

•potential headache and/or breathing difficulties, depending on type of mask used;

•potential development of facial skin lesions, irritant dermatitis or worsening acne, when used frequently for long hours;
•difficulty with communicating clearly;

There are many others. You need to pay particular attention to the negatives and “foreseeable harms” that masks cause and why their mandatory use must be avoided at all cost, listed in the same letter by the two authors (pp.7-9).

But I speak from personal experience, as I am one of the countless people for whom masks are more than some momentary inconvenience and discomfort: I simply can't wear one because I need to have access to oxygen, and when air is obstructed I start to feel faint and breathless, and have to remove the mask so I don't actually faint. My inability to wear a mask has to do with bronchial problems, but others with different health issues have the same experience. I will not have any difficulty in getting a document from my doctor stating my inability to wear a mask, but I don't want to live in a society and city where I have to go around showing assorted authorities — and perhaps even my suspicious fellow citizens — my medical history, in order to avoid being coerced to wear a mask or being denied access to various facilities, public transit being an important one for me. There are also people who suffer from claustrophobia and for whom the forced mask creates an existential nightmare, as it does for other psychologically vulnerable people.

Masks obstruct and affect all people in various ways primarily because they make speaking and hearing, i.e. communication, very difficult, if not impossible. People who already are hard-of-hearing as very many older people are, are seriously handicapped by masks, but other age groups are similarly affected, particularly young children who need to watch people speak to fully understand what they are saying and to learn to speak themselves. Deaf people, of course, are completely dependent on being able to read lips, which masks prevent.

People from different language backgrounds are additionally negatively affected because they will be understood less and will also understand less of others' masked speech, making isolation from their fellow citizens a more permanent state. An immigrant will have more difficulties in learning English if she/he cannot hear it clearly and is not able to watch lips.

There are countless negatives when masking is made mandatory, but the essential one is forcing people outside of society, into loneliness and alienation, when participation and social interaction is made difficult, if not impossible. There is also hostility and paranoia on the part of those who believe in masks and wear them without major difficulty; they have little tolerance for those who can't, and don't hesitate to express that intolerance online and in real life, something I and many others have already experienced, even without mandated masking! Fear of ostracism will push more people who cannot wear masks to stay away from any activities where masking is required, adding to psychologically damaging social isolation.

IN CONCLUSION: There is clearly no need for mandated masking because covid-19 has no real presence in our lives in Saskatchewan and particularly in Saskatoon. Those who remain unnecessarily fear-ridden about the virus despite the statistics, should continue to wear a mask if they believe it somehow protects them — despite the lack of evidence — but others should not be forced to accommodate their fears by wearing a mask. Coerced masking creates countless problems for people and their functioning in society, and cannot be justified merely on the basis of questionable and unscientific beliefs that by mass-masking we somehow control the remaining few instances of covid-19. And just because some cities and districts have made the serious mistake of forcing masks on their
populations, does not mean Saskatoon should rush into making the same mistake!

Sincerely,

Marjaleena Repo

Elm Street

Saskatoon, SK

S7J [redacted]
Submitted on Thursday, August 20, 2020 - 05:56

Submitted by user: Anonymous

Submitted values are:

Date Thursday, August 20, 2020
To His Worship the Mayor and Members of City Council
First Name Shelly
Last Name HAWES
Email [REDACTED]
Address Galloway Rd
City Saskatoon
Province Saskatchewan
Postal Code S7T
Name of the organization or agency you are representing (if applicable)
Subject masks on transit
Meeting (if known)
Comments
Honoured Council members

I do hope you make masks mandatory on Saskatoon Transit. As an essential worker, I rely on transit for my daily commute and have consistently worn a face covering since early spring 2020. Choosing to wear a mask has put me in the minority, as most do not. Food for thought, the city posted I must wear a mask in my community garden space but not on a bus. How backwards is that? It is time your precautions lined up with the other efforts to control this pandemic.

Thank you for your time.
Shelly Hawes

Attachments

The results of this submission may be viewed at:
Submitted on Thursday, August 20, 2020 - 07:39

Submitted by user: Anonymous

Submitted values are:

Date Thursday, August 20, 2020
To His Worship the Mayor and Members of City Council
First Name Linda
Last Name Lacoursiere
Phone Number
Email
Address
City Saskatoon
Province Saskatchewan
Postal Code S7M

Name of the organization or agency you are representing (if applicable)
Subject No mask
Meeting (if known)
Comments
I would like to see it but some people cannot wear a mask because it fogs up glasses and have asthmatic and have mental condition people need to get their story why some people cannot wear the mask

Attachments

The results of this submission may be viewed at:
Hello,

I am writing to express my support of making masks mandatory in public places in Saskatoon. This should include public transit, shopping centers, grocery stores, as well as any spaces where physical distancing is not possible.

It has been well documented that masks help prevent the spread of Covid-19. Making masks majority will help flatten the curve, and save lives.

Attachments

The results of this submission may be viewed at:
--- Replies to this email will go to [redacted] ---

Submitted on Thursday, August 20, 2020 - 20:49

Submitted by user: Anonymous

Submitted values are:

Date Thursday, August 20, 2020
To His Worship the Mayor and Members of City Council
First Name Suzanne
Last Name Nakagawa
Phone Number
Email [redacted]
Address 180 Donald Street
City Saskatoon
Province Saskatchewan
Postal Code S7L
Name of the organization or agency you are representing (if applicable)
Subject masks required to ride city transit
Meeting (if known)
Comments
This letter is to request that masks be made mandatory for anyone above age 2-3 who rides City Transit during the pandemic.
Attachments

The results of this submission may be viewed at:

[redacted]
Submitted on Thursday, August 20, 2020 - 21:36

Submitted by user: Anonymous

Submitted values are:

Date Thursday, August 20, 2020
To His Worship the Mayor and Members of City Council
First Name Elysia
Last Name Seager
Phone Number
Email
Address Wilson Crescent
City Saskatoon
Province Saskatchewan
Postal Code S7L
Name of the organization or agency you are representing (if applicable)
Subject Mandatory masks
Meeting (if known) August 24, 2020
Comments
If city council cares anything about the residents of Saskatoon they WILL NOT make masks mandatory and leave it as a choice. Mask mandates have been proven to turn residents, family, friends, and co-workers against each other. They have also shown that once a mandate like that happens police have become extremely violent against those who have medical conditions that make them exempt from wearing a mask. They have proven that thinly thing a mask does is cause division and violence. There is significant evidence to proven that no matter what we do or don't do the virus still spreads even with mandatory masking.
So if you guys care anything at all about us residents then you will leave it a choice amongst ourselves. If You, Charlie Clark, care you will stick towhead You said before and NOT make this a political issue and leave masking a personal choice. Stop following everyone else because its "trendy" or because "they're doing it". Man up and not be a hypocrite. Be the man
Attachments

The results of this submission may be viewed at:
Submitted by user: Anonymous

Submitted values are:

Date Sunday, August 23, 2020
To His Worship the Mayor and Members of City Council
First Name Tami
Last Name Soltry
Phone Number
Email
Address 12th street E
City Saskatoon
Province Saskatchewan
Postal Code S7N

Name of the organization or agency you are representing (if applicable)
Subject mandatory masks
Meeting (if known) August 24/20

Comments
I just wanted to state my opinion on mandatory masks in our city. I for one feel it is a violation of our rights to be forced to wear them, it is also against my religious beliefs. They have also been proven NOT to work. If people choose to wear them, that is fine, it is their choice. Please dont take away the freedom that our soldiers fought and died to give us away.


The results of this submission may be viewed at:

Your Worship and City Council,

I’m writing on behalf of the Saskatoon Inter-agency Response to COVID-19 (aka Vulnerable Sector EOC) to thank you for your leadership through the COVID-19 Pandemic and to ask for some additional consideration of the vulnerable sector during the conversation about mandatory mask use in Saskatoon.

Over the last month, the Interagency Response has been working to create internal supporting documents for the partners regarding non-medical cloth masks, disposable masks and the limitations associated with use, access and laundering/replacement. The Interagency strongly encourages people to use masks when they can and agrees that mask use should be used in places where social distancing and other precautions are unable to be used, particularly inside smaller spaces.

We would like to ask that you carefully consider the impacts of making masking mandatory for some people, particularly those who are most vulnerable, oppressed and marginalized in Saskatoon. We would pose these things as points to consider:

- Vulnerable folks may not have the means to access masks (financial barriers but also more simply they don’t have options to get to places where they can actually buy them)
- There is a general lack of understanding on how to use the masks appropriately. People will need clear and consistent messaging about how to use and care for these masks.
- Managing the cleaning processes - cloth masks require upkeep and some of the most vulnerable people in Saskatoon will not have access to laundering/washing options for cloth masks
- Many people who are vulnerable also have underlying medical and mental health concerns that limit the ability for them to use masks. This may lead to potential public judgement/criticism and potential confrontations in places. There will need to be clear and consistent messaging for these situations.
- Inappropriate disposal of masks (we have seen increased pressures for garbage pick-up etc. during the response - particularly on the corridor of 20th street) - this isn't necessarily an issue specific to vulnerable folks - though perceptions in the core corridor can quickly escalate to blame and judgement if the disposal isn't managed properly.

In addition, while we support the use of masks, upon reading the report to council and understanding the tight timelines for implementation, we are concerned that many people who don’t access information in a conventional way (media releases, mainstream news etc.) will not be aware of the changes imposed. The Interagency Response would like to offer assistance for the creation and dissemination of social media and other forms of communications to the vulnerable sector and ask the council to consider using the week of Sept 01-Sept 04 as a media and communications week to allow a
better understanding of the issues we listed above and to create an opportunity for the agencies who work with this sector to better support clients and citizens in Saskatoon.

Finally, the Interagency Response would like to thank council for the opportunity to bring concerns forward for consideration and would like to reiterate how appreciative they are of the leadership and support from the City of Saskatoon during the pandemic.

Sincerely,

Colleen Christopherson-Cote

Interagency Response - Maintenance Committee member

Saskatoon Interagency Response to COVID-19

https://saskatooninteragencyresponse.ca/
--- Replies to this email will go to [HIDDEN] ---

Submitted on Wednesday, August 19, 2020 - 07:53

Submitted by user: Anonymous

Submitted values are:

Date Wednesday, August 19, 2020
To His Worship the Mayor and Members of City Council
First Name Marjaleena
Last Name Repo
Phone Number [HIDDEN]
Email [HIDDEN]
Address 45 Elm Street
City Saskatoon
Province Saskatchewan
Postal Code S7J 0[B]

Name of the organization or agency you are representing (if applicable)
Subject Opposition to City of Saskatoon mandating masks
Meeting (if known) Governance committee, Council meeting
Comments
I submitted an email to the Mayor and Councillors yesterday in opposition to plans to institute forced masking in Saskatoon. I would also like to speak on the topic. Please advise how that can take place. I can be reached at [HIDDEN].

Attachments

The results of this submission may be viewed at:
--- Replies to this email will go to [REDACTED] ---

Submitted on Wednesday, August 19, 2020 - 21:46

Submitted by user: Anonymous

Submitted values are:

Date Wednesday, August 19, 2020
To His Worship the Mayor and Members of City Council
First Name Robert
Last Name Clipperton
Phone Number [REDACTED]
Email [REDACTED]
Address 9th Street East
City Saskatoon
Province Saskatchewan
Postal Code S7N

Name of the organization or agency you are representing (if applicable) Bus Riders of Saskatoon
Subject Mandating Masks
Meeting (if known) Governance and Priorities - August 24th
Comments
I would like to speak to the Governance and Priorities Committee as part of Agenda Item 6.1.
My remarks will be confined to the mandating of masks on public transit.
Attachments

The results of this submission may be viewed at:
Hi Joanne,

Further to the email below to you from our Board Chair, David Weger, please be advised that the SAA Governance Committee reviewed the SAA/City of Saskatoon Nomination protocol at its July 15th meeting and has no changes to recommend.

As the review period for this protocol had been extended to July 31st, we would anticipate that any recommended changes from the City would be communicated by the end of this week. If we do not hear from you by the end of the day tomorrow we will assume that the City of Saskatoon is in agreement that no changes are required to the protocol at this time.

Please let me know if you have any questions or concerns.

Thank you,
Shannon
Good morning Janice and Joanne,

Thank you for your supportive response to extend the review period to July 31st.

The SAA will be reviewing the SAA/City Nomination Protocol at its July 15th Governance meeting, and if the City has any recommended changes, we would welcome your changes (if any) prior to the SAA’s Governance meeting.

Please contact Susan Milburn or myself should you wish to discuss any proposed changes.

Best regards

David Weger
Board Chair
306-370-8821
From: Shannon Schlosser [mailto:Shannon@skyxe.ca]
Sent: Wednesday, June 3, 2020 10:16 AM
To: Sproule, Joanne <Joanne.Sproule@Saskatoon.ca>
Cc: David Weger ; Susan Milburn ; Stephen Maybury <Stephen@skyxe.ca>; Yelland, Cindy <Cindy.Yelland@Saskatoon.ca>; Hudson, Janice Janice.Hudson@Saskatoon.ca
Subject: RE: Review of Saskatoon Airport Authority (SAA)/City of Saskatoon (COS) Nomination Protocol

Thanks, Joanne. We will look forward to your response after the City’s GPC Committee Meeting on June 22nd.

Thanks,
Shannon

From: Sproule, Joanne <Joanne.Sproule@Saskatoon.ca>
Sent: June 3, 2020 10:14 AM
To: Shannon Schlosser <Shannon@skyxe.ca>
Cc: David Weger ; Susan Milburn ; Stephen Maybury <Stephen@skyxe.ca>; Yelland, Cindy <Cindy.Yelland@Saskatoon.ca>; Hudson, Janice <Janice.Hudson@Saskatoon.ca>
Subject: RE: Review of Saskatoon Airport Authority (SAA)/City of Saskatoon (COS) Nomination Protocol

Hello Shannon and thank you for your email. I will take this request forward to City Council’s GPC Committee on June 22nd and will get back to you immediately after the meeting. I can confirm that a review of the protocol by the City has not yet taken place.

Regards,

Joanne Sproule | tel 306.975.3240
City Clerk
City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5
joanne.sproule@saskatoon.ca
Hi Joanne,

Attached please find a letter from David Weger, Board Chair, Saskatoon Airport Authority.

Thank you,

Shannon

---

Shannon Schlosser  
Executive Assistant  
Adjointe à la direction  

306.975.4274  www.skyxe.ca

Suite #1-2625 Airport Drive Saskatoon, SK Canada S7L 7L1

*Saskatoon Airport Authority is the operator of Skyxe Saskatoon Airport  
L’autorité aéroportuaire de Saskatoon est la société qui exploite l’aéroport Skyxe de Saskatoon.*

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
Roadmap to Recovery: City Council Chambers

ISSUE
When the impact of COVID-19 hit Saskatoon, adjustments needed to be made to the delivery of services to ensure the health and safety of residents and staff. The vast majority of services were able to continue uninterrupted, although some services were more broadly impacted. One service that was impacted was City Council Chambers (Chambers) with the closure of City Hall to the public following Government of Saskatchewan COVID-19 Public Health Orders. Saskatoon City Council continued meeting, using on-line tools, making the meetings available for the public and media to watch and participate in.

BACKGROUND
Since COVID-19 began to impact Saskatoon in January 2020, the City of Saskatoon Administration (the Administration) has taken steps to prioritize the health and safety of residents and employees. The Administration has been following the Government of Saskatchewan’s Re-Open Saskatchewan Plan (the Government’s Re-Open Plan) and is continuing to adjust and resume customer-facing services in accordance with provincial guidelines and following internal safety procedures and priorities.

CURRENT STATUS
The City has prioritized the reopening of public-facing services that cannot be delivered through other processes. This includes the reopening of the:

- lobby at City Hall (June 15, 2020),
- playgrounds,
- paddling pools,
- spray pads,
- sports fields,
- summer play programs,
- George Ward and Riversdale outdoor pools,
- Saskatoon Forestry Farm Park and Zoo,
- ACT Arena and
- Shaw Centre and Lakewood Civic Centre

The current focus of the Administration is planning the reopening of facilities and programs at the:

- Harry Bailey Aquatic Center,
- Saskatoon Field House,
- Lawson Civic Center and,
- Cosmo Civic Center
Beginning in September, the City will begin the regular scheduled opening of the remaining indoor arenas for fall/winter rentals and programming.

Chambers have not been reopened for in-person meetings at this time. A review was conducted to determine what measures would be required to reopen Chambers for this purpose.

DISCUSSION/ANALYSIS
In reviewing the plans for reopening Chambers, Administration considered the Government’s Re-Open Plan and recommendations, the City of Saskatoon Return to Work Procedures, Hierarchy of Controls (safety strategy), COVID-19 Cleaning Standards, and the internal capacity to action the plans and procedures required for in-person meetings in Chambers. In addition, a survey of the current status of reopening of Chambers in other major cities was undertaken.

The Government’s Re-Open Plan recommends that “individuals should continue working from home if they can do so effectively” through all five phases of the plan. The City has followed provincial guidance since early stages of the COVID response and the plan is to continue to follow provincial leadership.

It is important to note that while Saskatoon currently has low-diagnosed COVID-19 cases, it is imperative to stay prepared. There is the possibility of transmission of COVID-19 and a possible second wave or surge in cases. Until there is widespread vaccination for COVID-19, there will be risk for transmission in the workplace; particularly in worksites where there is close contact.

The risk of transmission cannot be eliminated, however, this hazard will be assessed and mitigated from a safety perspective using the standard Hierarchy of Controls as shown in Appendix 1. When reopening all Saskatoon City facilities and services, the Administration utilized this system largely based on guidelines issued by the Province of Saskatchewan for employee safety and wellbeing to mitigate the risk of transmission. The hierarchy is as follows:

- The most effective method of protecting employees in the workplace is eliminating the risk of exposure by not being in the workplace, working remotely, and meeting virtually. This aligns with the Government’s Re-Open Plan recommendation that: “Individuals should continue working from home if they can do so effectively.”
- The second most effective method is substituting elimination by achieving physical distancing of 2 metres at all times.
- The next strategy would be installing physical barriers between employees when physical distancing cannot be achieved.
- The final method of protection, when the above cannot be achieved, is to have everyone wear a non-medical mask and be trained in the safe work practice of use of masks. It is important to note that a non-surgical mask is not personal
protective equipment. It is a barrier to prevent COVID-19 transmission recommended by the Canadian Chief Medical Officer.

A review was conducted of Chambers by the Workplace Assessment Readiness Team. The following considerations would need to be addressed in order for in-person meetings to resume:

- Physical changes to Chambers could include: the addition of plastic/acrylic barriers, one-way direction traffic flow, enhanced cleaning protocols (work surfaces, washrooms, microphones and microphone covers, chairs), and a review of traffic flow in the lobby area. With the planned renovations to Chambers, these changes could be included as part of that work.
- Process adjustments would need to be implemented including the use of the City of Saskatoon COVID-19 Fit for Duty Form for Council members and an online booking system for speakers, or media, wishing to attend City Council Meetings in person.

Review of City Council Chambers Reopening in Other Municipalities

A survey of the current status of reopening of Chambers in the cities of Edmonton, Calgary, and Regina was undertaken.

City of Edmonton

The City of Edmonton’s website for Council and Committee Meetings indicates:

- To adhere to physical distancing requirements,
- City Hall is closed to the public,
- The public is invited to view the video online,
- Recent online meeting video - only the Mayor and up to two Councillors are physically present (minimal administrative staff),
- Participants are physically distanced and plastic dividers, or physical barriers, have been installed separating each workspace.

City of Calgary

The City of Calgary’s website for Council and Committee Meetings indicates:

- Members of the public wishing to speak are encouraged to do so remotely,
- Members of the public that wish to appear in person to speak can expect to follow COVID-19 protocols,
- Members of Council and Committee may participate remotely,
- The public is strongly encouraged to follow the meetings using the live stream,
Recent online meeting video – speakers on agenda, including public hearing matters, were being accommodated via teleconference,
Only the Mayor was in attendance for the meeting (minimal administrative staff with appropriate distancing),
The meeting was observed with all members attending remotely. No physical barriers or dividers were observed.

City of Regina

The City of Regina continues to host Council Meetings virtually:

- the Mayor and typically the Deputy Mayor (responsible for Bylaw readings) in attendance,
- Committee meetings have operated similarly with only the chair of the Committee attending in person,
- At this time, the intent is for meetings to continue remotely with only the Mayor and Deputy Mayor in attendance,
- From a review of the meeting live stream, no physical barriers or dividers were observed,
- Administrative staff in attendance were physically distanced.

Timeline Considerations

There is a pre-existing plan to renovate Saskatoon’s City Council Chambers commencing on or about September 29th until the week of November 9th. This was included in the 2020 Business Plan and Budget process.

OTHER IMPLICATIONS

There are no financial, privacy, legal, social or environmental implications identified.

NEXT STEPS

Considering all factors, unless otherwise directed by Council the Administration will continue to schedule virtual/remote Committee and Council Meetings for the months of August and September. In November 2020, following the Civic Election and when renovations to Chambers are complete, an update report will be provided. The renovations being completed will include COVID-19 safety recommendations. At that time, Council will have a chance to inspect the freshened Chambers and proposed COVID-19 safety protocols and be prepared to consider the next steps on reopening Chambers for in-person meetings. This approach will allow Administration to continue to focus on public-facing services through to November 2020.

APPENDICES

1. Hierarchy of Controls

Report Approval
Appendix 1

Infographic by the National Institute for Occupational Safety and Health Agency

Hierarchy of Controls

1. **Elimination**: Physically remove the hazard
2. **Substitution**: Replace the hazard
3. **Engineering Controls**: Isolate people from the hazard
4. **Administrative Controls**: Change the way people work
5. **PPE**: Protect the worker with Personal Protective Equipment

Most effective

Least effective
Enterprise Resource Planning (Fusion) Program Update

ISSUE
The Administration has completed significant milestones in the first wave of the Enterprise Resource Planning (ERP) implementation program. The Fusion program is on budget and on track with an expected Wave 1 go-live date of January 4, 2021. This report provides an update on the program status and outline how the COVID-19 pandemic has impacted the project.

BACKGROUND
ERP is an integrated system used by organizations to manage day-to-day business activities and share information. An ERP system will make business tasks easier, reduce duplicate activities, provide better and timelier information, and allow employees more time to focus on activities that bring greater value to the organization and citizens.

The approved capital budget for the project is $27.9 million in which the benefits that were identified in the original business case completed in 2016 include:

- over $40.0 million in anticipated savings and efficiencies in the first six years following implementation; and
- ongoing savings and efficiencies of $9.7 million per year in 2027 over today’s environment.

The Administration entered into an agreement with PricewaterhouseCoopers LLP (PwC) and SAP for the implementation of an enterprise resource planning system.

On August 30, 2019, the City entered into a five-year contract with SAP for ERP software modules and a five-year ERP master service agreement with a 24-month statement of work with PwC. PwC’s contract provides two ERP implementation projects (Wave 1 and Wave 2) over 24 months. Wave 1 of the project was initiated on October 28, 2019.

The ERP project was named “Fusion” through an internal naming contest. This name represents the mission of the program which is “to fuse our many diverse processes, which will create a new energy and a unified approach across the City and its Boards and Controlled Corporations.”

CURRENT STATUS
The Fusion program has onboarded a team of staff and consultants in the areas of finance, human capital management, supply chain management and enterprise asset management to deliver modern, industry best-practice processes.

The project schedule is divided into two waves. In Wave 1, the Administration will deliver finance, core human capital management, supply chain management and asset
management functionality which will take about one year. In Wave 2, estimated to begin in early 2021, work will continue in human capital management and operations systems by adding additional work order management functionality, as well as project and activity management.

Each of the waves are divided into four phases:

1. Explore – Initiates the project wave and defines the future business processes, data and system needs for the implementation scope.
2. Realize – Configuration of the system and data structures are tested and documented by subject matter experts.
3. Deploy – Preparation and training to transition to the new processes.
4. Go-live and Run – Adoption of the new processes and establish ongoing operations and technical support.

Appendix 1 provides a summary of the project phases and timelines for Waves 1 and 2.

The Wave 1 implementation project is currently in the Realize phase which focuses on getting the required data from current systems and allowing subject matter experts to test the new SAP system and industry best practice processes.

In October, the Deploy phase will begin which includes employee training and cutover activities to transition data into the new systems in preparation of a planned go-live date of January 4, 2021.

**DISCUSSION/ANALYSIS**

The Explore phase (November 2019 – February 2020) of Wave 1 was completed within the planned schedule and budget. A key activity during this phase was a series of show-and-tell solution design workshops called Conference Room Pilots, as well as technical workshops. The goals of these sessions were to align with standard SAP practice, identify exceptions that may be required due to regulatory requirements, and to start the design of future processes and the supporting system. At the conclusion of the Explore phase, there was a refined understanding of what, when and how to implement process and system changes.

Managing project risks and prioritizing mitigation efforts are key to ensuring a successful outcome. In February 2020, KPMG was selected and contracted to be the program’s auditor and advisor to provide independent, expert opinion, oversight of the project’s risk management response and quality assurance for verification and validation of the implementation processes. The KPMG advisory team has been integrated into the Fusion team to help ensure the City, PwC and SAP are able to achieve project objectives.

Due to the COVID-19 pandemic, the Fusion team started working from home in March 2020 and will continue working remotely until it is deemed safe to return.
travel has been halted and all project communications were shifted to virtual meetings and collaboration spaces. The pandemic impact for the City’s boards and controlled corporations caused subject matter expert availability concerns and a decision was made to reduce the scope for the Wave 1 implementation as follows:

- Saskatoon Police Service will receive the full Wave 1 scope for Finance, Supply Chain Management, Human Capital Management and Enterprise Asset Management.
- Saskatoon Public Library will receive Finance and Human Capital Management.
- Sasktel Centre, TCU Place and Remai Modern will receive Human Capital Management.

Through consultations with each of these entities, the scope reductions alleviated concerns for subject matter experts’ availability during these uncertain times while still providing benefits and economy of scale for these entities to participate. These scope reductions will likely reduce the desired ERP efficiencies and savings due to limited Supply Chain Management modernization and a reduction of financial standardization across these entities. However, in future enhancements it is possible that implementation of additional modules could help reduce these gaps.

Another impact of the pandemic was the need to shift all system and process testing to a remote environment. Testing began in early June 2020 and will continue until October 2020. The successful transition to the remote testing format has had no adverse impacts to the project schedule or testing quality.

The next project phase will require all employees to receive training at various levels depending on their job roles. Due to the pandemic, the team is planning to deliver the training in a remote environment to ensure the safety of employees and trainers.

The pandemic also created an opportunity for cost reductions due to reduced consultant travel and by allowing more efficient use of technology for team and stakeholder meetings. There is also an increased desire by employees to reduce paper and manual processes to improve efficiencies. Adoption of technology solutions in areas that may have been hesitant to change has also increased which will assist with Fusion change management.

A significant percentage of the benefits expected to be realized from the project relies on employees embracing change and adopting new processes. An employee change readiness assessment survey was launched on July 27, 2020, in which the results will be used to prioritize organizational change management resources and activities before the January 2021 go-live date.

The Wave 1 scope includes modernizing the business processes and systems for employee time and payroll. The current legacy payroll systems are very complex due to
numerous manual processes that manage employee time and attendance and pay rules in 12 collective bargaining and association agreements across six separate entities (City of Saskatoon, Police, Library, TCU Place, SaskTel Centre, and Remai Modern).

The Fusion team and Steering Committee are actively working to mitigate the risks within the payroll area and has added additional test cycles and resources. The KPMG advisory services team has also provided expertise and guidance to prioritize quality assurance and mitigation efforts towards payroll functional areas.

FINANCIAL IMPLICATIONS
The project expenditures are within budget and no additional funds are required at this time. The schedule is on track to meet the Wave 1 implementation date of January 4, 2021.

OTHER IMPLICATIONS
There are no privacy, legal, environmental, or social implications identified.

NEXT STEPS
The Administration plans to keep the Governance and Priorities Committee and the public updated on the progress of the project through periodic reporting. It is expected that a report closer or at the time of implementation of Wave 1 in January 2021 will be provided.

APPENDICES
1. Fusion Wave 1 and Wave 2 Timeline

REPORT APPROVAL
Written by: Ryan Francis, Program Manager, Fusion (ERP)
Approved by: Kerry Tarasoff, Acting City Manager
The Fusion implementation is divided into two waves. In Wave 1, we will deliver finance, procurement, inventory, core HR, payroll, and asset management & work order management functionality for the Saskatoon Water and Waste Water teams (current Avantis users).

### Wave 1

**Explore**
Oct 2019–Feb 2020
- Conference room pilots
  - Standardized Processes
  - SAP Roles
- Technology and integration workshops

**Realize**
Mar 2020–Oct 2020
1. System Configuration
2. SAP security roles assigned to staff
3. Data workbooks and conversion plan
4. Testing: Unit, Integration and User Acceptance
5. Additional payroll testing

**Deploy**
Oct 2020–Jan 2021
1. Training
   - Material
   - Schedule
   - Sessions
2. Cutover
   - Data migration
   - Integration

- **Complete**: Go Live: Jan. 4, 2021

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In Wave 2, work continues in HR to add onboarding, recruiting, learning, performance and succession management functionality and extends the asset and work order management functionality to all users.

### Wave 2

**Explore**
Mar 2021–Jun 2021
- Conference room pilots
  - Standardized Processes
  - SAP Roles
- Technology and integration workshops

**Realize**
Jul 2021–Nov 2021
1. System Configuration
2. SAP security roles assigned to staff
3. Data workbooks and conversion plan
4. Testing: Unit, Integration and User Acceptance

**Deploy**
Dec 2021–Jan 2022
1. Training
   - Material
   - Schedule
   - Sessions
2. Cutover
   - Data migration
   - Integration

- **Go Live**: Feb. 2022
Motion - Councillor B. Dubois - Implementation of Non-Disclosure Agreements for Stakeholders

ISSUE
The City of Saskatoon (City) Administration establishes external stakeholder groups to share information and engage on the development of policies, programs, and projects that aim to benefit the community. Many of these groups, and their members, operate under agreed upon Terms of Reference (TOR) that explain the purpose and limitations of such groups. Are the TOR sufficient to ensure that the information sharing and engagement between the City and the stakeholders are efficient, respectful, and transparent to obtain the necessary feedback?

BACKGROUND
City Council, at its meeting held on October 28, 2019, resolved that the Administration provide a report on:

“1. A review of the terms of reference for any formal stakeholder groups used by the City to ensure that they contain appropriate provisions for the protection of consultation documents; and

2. Where possible and necessary, implementation of non-disclosure provisions in the terms of reference for stakeholder groups, or establishment of a non-disclosure agreement with stakeholders who receive consultation documents from the City.”

City Council, at its meeting held on July 29, 2019, adopted a new, modern approach to public engagement, culminating with the approval of a new Public Engagement Policy (C02-046) effective September 1, 2019.

CURRENT STATUS
Administration regularly establishes formal stakeholder groups as a public engagement mechanism to seek input in three main areas:

1. Governance: providing information and engaging on municipal decision-making and governance and seeking input on how the organization makes decisions and sets priorities to demonstrate accountability and transparency.

2. Policy & Program Development: providing information on existing policies and programs, and engage on current and new policies to demonstrate accountability and responsiveness.

3. Service Responsiveness & Efficiency: providing information and engaging on service delivery approaches including specific programming effectiveness and responsiveness to better meet the needs of the public.
The Administration currently has 13 formal stakeholder groups who provide advice on topics ranging from active transportation to city development (see Appendix 1 for a description). The interaction between the Administration and these groups is governed by a TOR. Generally, a TOR is established for more formal, standing, stakeholder groups and are typically not established for informal, ad-hoc stakeholder groups.

As illustrated in Appendix 1, nine of these stakeholder groups have an established TOR, while four of them do not. For the nine who do have a formal TOR, six of them include or are working on including a confidentiality/non-disclosure clause.

With that data in mind, the City recognizes that its policy, project, program, and service decisions are improved by engaging citizens and other stakeholder groups where appropriate. Where possible, the City commits to conducting transparent and inclusive public engagement activities and processes that help supports City Council and Administration in its decision-making processes in accordance with the principles established in Council Policy C02-046.

From a public engagement perspective, and in keeping with these guiding principles, there should rarely be situations that the City should require a confidentiality or non-disclosure agreement. In the majority of circumstances, any information that is shared with the stakeholder group is considered public information.

However, there may be technical advisory groups and/or project specific stakeholder committees established for longer term purposes. This could result in sharing information that is still considered draft and is not the final policy, program or service decision. In many of these circumstances, Administration has collaborated with the stakeholder group to prepare a TOR which includes both a Confidentiality and a Conflict of Interest section.

Confidentiality
Members are bound to maintain the confidentiality of information received by them as such in their capacity as members of the xxxx Group. Information which is confidential, proprietary to the xxxx Group, Civic Board, Commission, Authority, Committee, the City or non-public must not be divulged to anyone other than persons who are authorized to receive the information.

Conflict of Interest
Members must announce any conflict of interest, or the appearance of a conflict between their own personal interests or the interests of any closely connected person, and the interests of the xxxx Group or the City. Members must attempt to avoid not only actual conflict, but the appearance of a conflict.

DISCUSSION/ANALYSIS
On the surface, a non-disclosure agreement may seem to make sense when engaging stakeholder groups. However, it also may provide a layer of complexity related to
achieving various principles of public engagement such as early involvement, transparency and accountability, and relationship building.

The practice of engagement requires the need to gather feedback and to allow stakeholder representatives the opportunity to go back to their respective organizations or community groups to collect additional input. For the most part, the City wants to encourage stakeholder groups to share information and gather input.

The onus is primarily on the City when sharing confidential or draft information. In order to ensure the City maintains the principles of transparency and accountability and relationship building, Administration will properly label draft materials with a statement such as the following:

\[
\text{Draft Only: This document is intended for consultation purposes only and changes are expected. The document is not intended to be seen as the final plan or recommendation of City of Saskatoon Administration.}
\]

This will better ensure that the public and media understand that any draft information has not yet been through the formal governance process and approved by a Committee or City Council. This could provide some level of assurance that the media, public and other community stakeholders have accurate information while minimizing the potential to inadvertently misinform the public with premature information, but continuing to demonstrate the guiding principles of public engagement.

OTHER IMPLICATIONS
There are no financial, legal, social or environmental implications identified.

NEXT STEPS
The Communications & Public Engagement division will continue to work closely with divisions across the City to establish TOR with formal stakeholder groups. Additionally, information will be shared on the internal Engage! Page to properly label draft documents with the appropriate disclaimer.

APPENDIX
1. Formal City of Saskatoon Stakeholder Groups (as of July 30, 2020)

Report Approval
Written by: Carla Blumers, Director of Communications & Public Engagement
Reviewed by: Christine Bogad, Solicitor
Mike Jordan, Director of Public Policy & Government Relations
Celene Anger, Chief Strategy & Transformation Officer
Approved by: Jeff Jorgenson, City Manager
## Appendix 1

### Formal City of Saskatoon Stakeholder Groups

(as of July 30, 2020)

**NOTES:**

a) Includes formally organized groups created and lead by the City of Saskatoon with representation from external stakeholders including public, organizations, industry, community groups, etc.
b) Excludes Boards & Committees coordinated through City Clerks (https://www.saskatoon.ca/city-hall/city-council-boards-committees/boards-committees)

<table>
<thead>
<tr>
<th>Name of Stakeholder Group</th>
<th>Formal “Terms of Reference” Exists</th>
<th>Terms of Reference includes Confidentiality/Non-Disclosure Clause</th>
<th>Anticipated Duration</th>
<th>Other Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous Technical Advisory Group</td>
<td>Yes</td>
<td>Yes</td>
<td>Indefinitely</td>
<td></td>
</tr>
<tr>
<td>Active Transportation Advisory Group</td>
<td>Yes</td>
<td>In Progress</td>
<td>Indefinitely</td>
<td></td>
</tr>
<tr>
<td>Nutana BRT Stakeholder Committee</td>
<td>Yes</td>
<td>Yes</td>
<td>1 year or longer</td>
<td></td>
</tr>
<tr>
<td>Cornerstone Stakeholder Advisory Group</td>
<td>Yes</td>
<td>Yes</td>
<td>1 year or longer</td>
<td></td>
</tr>
<tr>
<td>WintercityYXE Community Working Group</td>
<td>No</td>
<td>No</td>
<td>1 year or longer</td>
<td>The project has collaborated with the Public Engagement Section. The group will only exist until a strategy is presented to Council in Fall 2020.</td>
</tr>
<tr>
<td>Architectural Control District Review Committee</td>
<td>Yes</td>
<td>no</td>
<td>1 year or longer</td>
<td>Revised Terms of Reference in development through Zoning Bylaw Review project. Existing Terms of Reference from 2004. Committee identified in Official Community Plan (OCP) and process outlined in Zoning Bylaw.</td>
</tr>
<tr>
<td>Neighbourhood Level Infill Focus Group - Zoning Bylaw Review Project</td>
<td>No</td>
<td>In Progress</td>
<td>6-12 months</td>
<td>This group is in development. Terms of Reference to be formalized once details determined.</td>
</tr>
<tr>
<td>RMTN Technical Advisory Committee - Zoning Bylaw Review Project</td>
<td>Yes</td>
<td>Yes</td>
<td>6-12 months</td>
<td>Terms of Reference items discussed with group including confidentiality however, not formally shared with group in writing.</td>
</tr>
<tr>
<td>Saskatoon Entertainment District Partnership</td>
<td>Unsure</td>
<td>No</td>
<td>1 year or longer</td>
<td>This group may be provided access to sensitive material that may be circulated through the Boards.</td>
</tr>
<tr>
<td>Corman-Park Saskatoon District Planning Commission</td>
<td>Yes</td>
<td>No</td>
<td>Indefinitely</td>
<td>Confidential items are clearly marked as such.</td>
</tr>
<tr>
<td>Parking Committee</td>
<td>No</td>
<td>No</td>
<td>Indefinitely</td>
<td>Confidential information is generally not provided. If material could be sensitive, the use of information is confirmed and agreed to before it is provided.</td>
</tr>
<tr>
<td>Developers Liaison Committee (Infill and Land Development)</td>
<td>Yes</td>
<td>No</td>
<td>Indefinitely</td>
<td>Confidential information is generally not provided. If material could be sensitive, the use of information is confirmed and agreed to before it is provided.</td>
</tr>
<tr>
<td>Northeast Swale Working Group</td>
<td>Yes</td>
<td>No</td>
<td>1 more year, or longer</td>
<td></td>
</tr>
</tbody>
</table>
New Meewasin Master Agreement – Key Terms and Conditions

ISSUE
The purpose of this report is to present an overview on the proposed terms of a new Master Agreement with Meewasin, and to bring forward a new Master Agreement, which will be signed by both parties. The report includes information on the key terms and conditions that will be incorporated into the new Master Agreement.

RECOMMENDATION
That a report be submitted to City Council recommending:

1) That the proposed terms of the new Master Agreement between Meewasin and the City of Saskatoon, as outlined in this report, be approved; and

2) That the Solicitor’s Office be authorized to prepare the appropriate agreement for the Master Agreement; and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

BACKGROUND
The City of Saskatoon (City) and Meewasin conduct many projects and initiatives with an aligned vision and purpose. The City has had an agreement with Meewasin since 1982 (last amended in 2017); this agreement is primarily focused on facility (trail and amenity) maintenance. While the current agreement has served both parties well, it has become apparent that a new approach would provide increased benefits.

In mid-2019, it was mutually decided that a new Master Agreement (Agreement) with an expanded scope and focus would further help improve the relationship, communication, and performance between the two organizations, with the ultimate goal of improving quality of life and benefits to the community.

DISCUSSION/ANALYSIS
The purpose of a new Agreement is to strengthen communication, innovation, role clarity, and collaboration between the parties by identifying mutually beneficial projects through a joint steering committee and its subcommittees. Beginning in September 2019, a series of sessions were held between the Meewasin Management Team and relevant senior staff of the City to discuss:

a) Areas of intersection and differentiation between the two parties;

b) Strengths, weaknesses, opportunities, and threats (SWOT) of the current City-Meewasin relationship;

c) Creation of strategies and improvements for the relationship based on the highest ranking SWOT; and

d) An appropriate framework and content for a new Agreement based on the above.
New Meewasin Master Agreement – Key Terms and Conditions

Values and Guiding Principles
During development of the new Agreement framework, it was agreed that values and guiding principles specific to the City-Meewasin relationship should form the foundation of the Agreement. These will help ensure longevity, shared vision, and a sense of purpose as the sub-committees begin their work:

Value 1: Working Together
Guiding Principle: We work together in a complementary way that reinforces each other’s strengths, and increases the efficiency of our collective work.

Value 2: Meaningful Engagement
Guiding Principle: We engage in a meaningful, transparent, and coordinated way with each other, residents, and other stakeholders to improve quality of life and achieve value.

Value 3: Collaborative Planning and Communication
Guiding Principle: To achieve our shared vision, we plan ahead together by maintaining collaborative planning processes and consistent communication.

Value 4: Innovation
Guiding Principle: We will be flexible, nimble, adaptive, and willing to explore new ideas in order to meet the changing expectations of the community.

Value 5: Healthy Natural Areas
Guiding Principle: Together, we will work to improve the social, economic, and environmental health of the river valley corridor, and connected green network to provide a more resilient, healthy community for residents and visitors.

Key Terms of the New Agreement
The new Agreement will provide an overview of the foundational principles and key terms each party will follow; there will be one master Agreement to include key terms and be signed by both parties. The key terms and conditions of the Agreement include:

a) That it will be managed by a steering committee, comprised of representatives from each of the parties. The steering committee maintains a strategic leadership role, advocating the principles of the Agreement and overseeing joint policy and projects for Meewasin and the City. To meet a minimum of one time per year.

b) Sub-committees shall be created and governed by the steering committee, have oversight of operational, project, and initiative-specific matters as delegated by the steering committee, and will be made up of representatives from the City, Meewasin, and external organizations, if applicable.
New Meewasin Master Agreement – Key Terms and Conditions

c) A focus on collaboration, each sub-committee will be responsible for developing their own projects and directly related initiatives by following the Guiding Principles outlined in the Agreement.

d) Mechanisms for privacy, dispute resolution and mediation, confidentiality, termination, and indemnification.

e) A requirement to review the Agreement a minimum of every four years.

f) Provisions to have other agreements in place for specific facilities, infrastructure, initiatives, and programs; the Agreement will act as a framework for cooperation.

Proposed Sub-Committee Structure and Purpose

The sub-committees of the steering committee are crucial to a strengthened relationship going forward. Specifically, the sub-committees will:

a) Have oversight of operational, project, and initiative-specific matters;

b) Create, manage, implement, and execute projects and initiatives in line with their purpose and scope;

c) Operate in accordance with the objectives, intent, and guiding principles of the Agreement; and

d) Raise issues, initiate discussions, and make suggestions for improvements to ensure shared objectives are advanced and completed in line with the Guiding Principles.

Subject to change and finalization by the steering committee, the proposed sub-committees are:

a) Education, Experiences, and Engagement (includes tourism, events, amenity and trail development, and internal communications process improvements);

b) Research (includes conservation, research partnerships, and sustainability);

c) Planning and Resourcing (including long-range planning, asset management, and shared procurement); and

d) Safety, Enforcement, and Enjoyment (includes safety recommendations, enforcement, policies, regulation development, and river Access studies).

Sub-committees will have a well-defined scope and purpose, a regular meeting schedule, and appropriate representation from both the City and Meewasin.

OTHER IMPLICATIONS

There are no privacy, financial, legal, social, or environmental implications identified.

As of the writing of this report, a similar report was also prepared for the Meewasin Board of Directors, for consideration and approval, at their meeting on August 14, 2020.
NEXT STEPS
Pending approval by Committee and Council, the Solicitor’s Office would then prepare the new Master Agreement, and arrange for signing by both parties. Following this, the next steps would include establishment of the steering committee, finalization of the sub-committees, and initiation of existing and upcoming projects and initiatives through the new framework.

REPORT APPROVAL
Written by: Konrad Andre, Performance Improvement Coordinator, Parks
Reviewed by: Andrew Glum, Solicitor, City Solicitor’s Office
Darren Crilly, Director of Parks, Community Services
Approved by: Lynne Lacroix, General Manager, Community Services
Kerry Tarasoff, Acting City Manager

Admin Report - New Meewasin Master Agreement – Key Terms and Conditions.docx/kb
--- Replies to this email will go to alafond@meewasin.com ---

Submitted on Friday, August 21, 2020 - 12:04

Submitted by user: Anonymous

Submitted values are:

Date Friday, August 21, 2020
To His Worship the Mayor and Members of City Council
First Name Andrea
Last Name Lafond
Phone Number
Email alafond@meewasin.com
Address 402-3rd AVenue South
City Saskatoon
Province Saskatchewan
Postal Code S7K 3G5
Name of the organization or agency you are representing (if applicable) Meewasin Valley Authority
Subject CIty and Meewasin MOU
Meeting (if known) GPC Meeting
Comments Request to speak, cell number
Attachments

The results of this submission may be viewed at:
Whistleblower Protection Policy

ISSUE
The City of Saskatoon has adopted core values that guides how employees conduct themselves when they make choices and decisions in the workplace: courage, integrity, respect, safety, and trust. Fundamental to these values are the ability for City employees to speak up when there are perceived deliberate acts of wrongdoing by their colleagues or managers. As such, how can the City encourage and offer protection to those employees who, in the public interest, want to raise legitimate concerns about such behaviour?

RECOMMENDATION
That the Governance and Priorities Committee recommend to City Council that the Draft Whistleblower Protection Policy, contained in Appendix 2 of this report, be approved.

BACKGROUND
The framework for the protection of whistleblowers first arose in 2016. More specifically, at the July 21, 2016, City Council meeting, Councillor Donauer initiated an inquiry that directed:

Would the City Solicitor’s Office please report on the possible development of a whistle blower policy for City of Saskatoon employees. The policy would encourage employees to come forward with information in their possession concerning any activity or behaviour that they deem is inappropriate. The policy would also provide adequate safeguards to ensure that no employee experiences any form of retaliation when bringing forward information in good faith. Please address oversight and transparency of the process. Could City Solicitor’s Office please check legislation and policies in other jurisdictions to ensure that our policy, when implemented, is considered a best practice in the country.

In response, the Office of the City Solicitor tabled a report at the April 24, 2017, City Council meeting. The report offered a review of the legislative framework in Saskatchewan and Canada and summarized approaches used in other Canadian jurisdictions. After considering that report, City Council resolved:

That the City Solicitor be directed to draft a Whistleblower Policy.

At the May 28, 2018, Regular Business meeting of City Council, the City Solicitor tabled a report that included a draft Whistleblower Policy for Council’s consideration (the report can be viewed here. Scroll to item 9.11.1 to view the full report).

At the conclusion of its deliberations on this matter, City Council resolved:
That the report of the City Solicitor dated May 28, 2018, be referred to the Administration to engage civic staff and consult employee organizations regarding the proposed policy, and report back to Council or the appropriate committee.

As a result of that direction, the Administration, led by the Human Resources Department, consulted with staff and employee organizations about the contents of the proposed whistleblower protection policy. The delay in reporting back to Council on this issue is threefold:

- Ensuring adequate consultation with employees and employee organizations;
- Restructuring of the Human Resources Department, who have taken the lead on this file; and
- Emergence of the COVID-19 pandemic and the internal resource requirements needed to manage the workplace transitions.

With respect to the stakeholder engagement, drafts of the proposed policy were shared with all City of Saskatoon Directors, the City Solicitor’s Office, and all employee organizations (i.e., associations and unions) soliciting feedback. Human Resources followed up with all of the impacted employee organizations to address their concerns and incorporate feedback prior to developing the final draft of the policy. Overall, most of the feedback was positive, noting a few concerns that were given consideration in the final draft of the policy.

**DISCUSSION/ANALYSIS**

A substantive body of literature and organizational practices have arisen in recent years on the topic of whistleblowing. Generally, some common principles that have emerged from the literature and practices that are fundamental to an effective whistleblowing regime are:

- What is the scope of coverage?
- Are there fair burdens of proof?
- Do potential whistleblowers have confidence in the institutional/organizational structures?
- Does the system provide adequate protections for whistleblowers?

As described in previous reports to City Council on this topic, cities have taken varied approaches with respect to whistleblowing. Appendix 1 augments these previous reports and summarizes the approaches used in selected jurisdictions. Although there are some similarities, many jurisdictions have tailored their approaches to the legal, institutional, and cultural norms under which they operate. The most consistent approach is to ensure a whistleblowing framework is managed by an independent body, such as a City Auditor.
Whistleblower Protection Policy

The varying approaches are also summarized in a Government of Saskatchewan publication called, “Guide to Implementing Whistleblowing in Saskatchewan Municipalities.”¹ The intent of this guide is to describe current legislative protection and frameworks in Saskatchewan which may be useful when developing a whistleblower bylaw or policy for staff.

As a result, the draft policy in Appendix 2 is modelled on the principles enunciated in the literature, approaches used in other jurisdictions, the guide produced by Saskatchewan, and most importantly, consultation with internal stakeholders. This means that the policy sets out Council’s general principles based-approach to the issue and then delegates the implementation and process management to the City Manager and the City Internal Auditor, once that person is appointed.

The proposed policy differs from the previous version tabled with City Council in the following ways:

- First, the name of the policy is changed to a Whistleblower Protection Policy. The fundamental point of any whistleblowing policy is to establish a system so that potential whistleblowers have adequate protections to come forward so the title of the policy reflects that intent.
- Second, and given the first point, it prohibits retaliation against employees when an employee has made a disclosure of wrongdoing.
- Third, the policy obligates all employees with supervisory or management responsibilities to ensure that an employee is not subject to reprisal.
- Fourth, the policy includes the structures and a process that will be in place to protect whistleblowers. To that end, the policy enables the creation of a “Whistleblower Protection Program” overseen by the City Internal Auditor. The intent is to provide an independent, objective, and confidential channel for employees and service providers to report suspected wrongdoing. All reports emerging from the process are subject to an appropriate investigation and resolution.

Although the proposed policy is broad in its scope, there are some limitations that should be noted. Specifically, the proposed policy does not, nor should not, address situations that involve:

- personal or personnel issues (e.g.: workplace bullying and harassment);
- a dispute between the employee and the organization (e.g., disagreeing with corporate processes or a dispute regarding vacation time); or
- situations that are reflective of weak management practices, such as a poor supervisor.

These types of issues are properly addressed through other workplace policies, human resource processes, and collective bargaining agreements.

It is important to note that the proposed policy does not apply to Members of City Council, directors and employees of the City’s controlled corporations (i.e., SaskTel Centre, TCU Place, and Remai Modern) and directors and employees of the City’s statutory boards (i.e., Saskatoon Board of Police Commission and the Saskatoon Public Library Board). Allegations of wrongdoing directed at Members of Council are addressed via its Code of Conduct and the City’s Integrity Commissioner. The controlled corporations and statutory boards are independent entities who adopt their own policies. However, the City does encourage these bodies to adopt similar policies where appropriate.

It is the intent that the City Internal Auditor’s Office will oversee the proposed policy and program. Because the City Internal Auditor will be appointed by Council at a later date, interim measures will be enacted to encourage employees to submit perceived situations of wrongdoing in accordance with the policy. The interim intake process permits a prospective whistleblower to make a complaint to any supervisor, manager, director, or general manager. The enactment of the policy provides the necessary protections for potential whistleblowers to report on a violation of the policy.

To summarize, establishing a whistleblowing framework is the first step. For whistleblowing to work, according to the literature, the culture of an organization needs to support and enable the systems, structures and behaviors through which it can work effectively. The City’s organizational values, Code of Conduct, and other related workplace policy measures do this and are complimentary and foundational to the proposed Whistleblower Protection Policy. However, the policy fills a necessary gap by ensuring anonymity for prospective whistleblowers and offering independence from management in making complaints.

**FINANCIAL IMPLICATIONS**

Approval of this policy will generate some additional costs related to the implementation management of the program. The Administration has executed a “Request for Information” (RFI) through SaskTenders to gather best practice information from various vendors in order to establish an effective whistleblower protection program. The responses to this RFI are to contain the potential costs of operating the program. Based on minimal preliminary research, program costs are estimated to be in a range of $10,000 - $20,000 per year to manage. The program is anticipated to be funded by the Internal Audit Program operating budget.

**OTHER IMPLICATIONS**

The approval of the proposed policy has the potential to generate additional legal and privacy implications. As with any policy that deals with labour-management issues, there are legal implications that can emerge from the policy and its supporting program. The draft policy has undergone review by both the Office of the City Solicitor and employee organizations. Thus, the policy has been drafted in such a way to minimize any potential legal implications resulting from its enactment.
The Administration notes that draft policy and its supporting program could generate various privacy implications. However, the program will be reviewed under the organization's Privacy Impact Assessment tool for the purpose of identifying privacy concerns and implementing protective controls.

NEXT STEPS
Subject to the approval of the policy, the Administration will refine the procedures and produce supporting communication documents that explains the policy and working of the whistleblower protection program. The effective date of the proposed policy is September 28, 2020, and an interim program will be launched to support it. A more permanent program will be developed once the City Internal Auditor is appointed by City Council.

APPENDICES
1. Whistleblower Protection Approaches in Selected Jurisdictions
2. Draft Whistleblower Protection Policy

Report Approvals
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Dustin Truscott, Total Rewards Manager, Human Resources
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Approved by: Jeff Jorgenson, City Manager
### Appendix 1: Whistleblower Protection Frameworks in Selected Jurisdictions

<table>
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<tr>
<th>City</th>
<th>Name of Bylaw or Policy</th>
<th>Reporting Structure</th>
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| City of Vancouver     | Whistleblowing Reporting                                    | 1. **City Manager**: The City Manager is responsible for overseeing this policy.  
2. **General Manager – Human Resources** is the Designate under the Policy responsible for administration of the policy.                                                                                                                                                                                                                                                                                                                                                         |
| City of Toronto       | Disclosure of Wrongdoing and Reprisal Protection             | 1. **The Auditor General** operate the Fraud and Waste Hotline, undertake preliminary review of allegations of wrongdoing and apply the Disclosure of Wrongdoing and Reprisal Protection provisions.  
2. **The Integrity Commissioner** will lead the investigations of alleged reprisals involving Members of City Council or Members of Local Boards. Where it is alleged that a Member of City Council or their staff has committed wrongdoing, improperly breached confidentiality under these provisions or committed a reprisal, the Integrity Commissioner is responsible for receiving, reviewing, investigating and reporting pursuant to the City of Toronto Act, 2006 and Code of Conduct for Members of City Council. |
| City of Calgary       | Whistle-Blower Program                                      | 1. **The City Auditor** ensures that all reports are subject to an appropriate investigation and resolution. The City Auditor establishes a team to conduct investigations, using available resources and processes within The City. The Manager, Whistle-blower Program, manages the investigative team and reports to the City Auditor.  
2. **Allegations directed at members of Council or council’s staff** are to be reported directly to the Integrity Commissioner.                                                                                                                                                                                                                                                                                  |
| City of Edmonton      | Fraud and Whistleblower Protection Directive                 | 1. **Office of the City Auditor**  
2. If a retaliation complaint implicates the City Manager, employees must submit the complaint to the City Auditor instead of the City Manager.  
3. If a retaliation complaint implicates the City Auditor, employees must submit the complaint to the City Manager.                                                                                                                                                                                                                                                                                                                                                                                                      |
| City of Hamilton      | Whistleblower By-law                                        | 1. **Director of Audit Services** ensures that all reports are subject to an appropriate investigation and resolution.  
2. The By-law requires all persons, including employees or members of Council, to co-operate with any investigations or alternative actions and not to obstruct the Director of Audit Services or his or her delegate in carrying out their responsibilities under the By-law. Failure to comply may result in discipline, up to an including dismissal for an employee or a complaint, inquiry and penalty under the Integrity Commissioner By-law for a member of Council. |

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POLICY STATEMENT
The City of Saskatoon is committed to providing effective governance by being transparent in its decision making, accountable to the community it serves, and ensuring that there is trust and integrity in delivering valuable public services to the people of Saskatoon. In doing so, City Council supports whistleblowing and commits to protecting whistleblowers who are considering reporting their concerns in good faith. Employees can be assured that their concerns will be taken seriously, their identity will be protected, and they will not be subject to detrimental treatment, retaliation, reprisal or employment harassment.

1.0 PURPOSE
1.1 The purpose of this policy is to:

(a) provide protection to any employee of the City of Saskatoon who reports a complaint related to issues of wrongdoing; and

(b) enable the creation of procedures for the prevention, detection, reporting, and investigation of suspected wrongdoing, as well as processes for reporting and resolving complaints of retaliation.

2.0 DEFINITIONS
For the purposes of this policy:

2.1 Allegation: An unproven assertion or statement based on a person’s perception.

2.2 City Internal Auditor: A person or persons appointed by City Council who is authorized to ensure investigating a report of wrongdoing under this policy and as appointed by City Council.

2.3 Confidential: Communication of information relating to a whistleblower report will be restricted and divulged only on a “need to know” basis. This includes the identity of the whistleblower, the named individual/parties, or any information gathered as part of an investigation.
2.4 Controlled Corporation: A not-for-profit Corporation created by the City of Saskatoon under the authority of the Cities Act and whose members are appointed by City Council. Specifically, this refers to the controlled corporations operating as SaskTel Centre, TCU Place, and the Remai Modern Art Gallery.

2.5 Employee: Any individual engaged in providing paid or unpaid services for the City of Saskatoon and includes: full-time, part-time, temporary, permanent, seasonal, and casual employees, as well as interns, contractors, and consultants working for the City.

2.6 Reprisal: Any of the following measures taken against an employee because the employee has, in good faith, sought advice about making a disclosure, made a disclosure, co-operated in an investigation according to this policy or declined to participate in suspected wrongdoing:

a) A dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work or reprimand;

b) Any measure, other than one mentioned in sub clause (i) that adversely affects the employee's employment or working conditions;

c) A threat to take any of the measures mentioned in sub clauses (i) and (ii) Any other punitive action, whether direct or indirect, that adversely affects the employment or working conditions of the employee.

2.7 Statutory Board: A board to which the City of Saskatoon must establish through provincial statute. Specifically, this refers to the Saskatoon Board of Police Commissioners and the Saskatoon Public Library Board.

2.8 Whistleblower: A person referred to in section 3.1 who calls attention to wrongdoing as herein defined, in an attempt to end the waste or wrongdoing.
2.9 Whistleblower Program: A program managed by the City Internal Auditor’s Office to receive concerns of wrongdoing as reported by persons referred to in section 3.1

2.10 Wrongdoing: Illegal, harmful, or inappropriate conduct including, but not limited to:
   a) Crime or suspected criminal activity, including theft, fraud, and embezzlement;
   b) Breach of Code of Conduct or any other Council or Administrative Policies;
   c) The wrongful or unauthorized acquisition, use, appropriation, or disposal of City assets, including cash, information, data, records, materials, labour, or equipment;
   d) The violation of public trust or duty;
   e) The misuse of position, authority or gross mismanagement of City funds or City assets for personal gain;
   f) Failure to follow any civic policies regarding monetary transactions, cash handling, use of signing authority, competitive bidding, purchasing, or procurement.
   g) Any claim for reimbursement of expenses not incurred for the exclusive benefit of the City; and
   h) Knowingly directing or counseling a person to commit wrongdoing mentioned in clauses (a) to (g)
3.0 SCOPE/EXCEPTIONS

3.1 Scope

This policy applies to all City employees, contractors, suppliers, and agencies over which Council has the authority to require that this general policy be followed.

This policy is subject to any specific provisions of the Cities Act, or any other relevant federal or provincial legislation, City Bylaw, or Collective Agreement, which, in cases of conflict, shall override this policy.

3.2 Exceptions

The policy does not apply to Members of City Council. Nor does it apply to directors, and employees of the City’s controlled corporations and statutory boards.

4.0 GUIDING PRINCIPLES & OBJECTIVES

4.1 Accountability: The City of Saskatoon is committed to accountability, transparency, and sound ethical operating practices, and will protect its revenue, property, records, information, and other assets.

4.2 Integrity: City of Saskatoon employees are to act in a way that enhances public confidence in the City and to fulfill their duty to act honestly and exercise reasonable care and diligence. All employees have a responsibility to report instances of wrongdoing.

4.3 Complimentary: This policy is intended to supplement existing policy and procedures at the City of Saskatoon, whereby employees may already raise matters of wrongdoing. This policy is not intended to override or replace existing reporting processes provided for under City policies, collective agreements, or legislation and does not create an independent reporting requirement where other reporting processes exist.
5.0 RESPONSIBILITIES

5.1 City Council shall

5.1.1 approve and propose amendments to the policy

5.1.2 encourage the use of the whistleblower program where appropriate;

5.1.3 approve any unbudgeted program resources in accordance with existing City Bylaws and policies.

5.2 The City Manager shall:

5.2.1 implement this policy by establishing governance structures, and associated administrative policies, procedures, and practices, where applicable;

5.2.2 propose any amendments to the policy

5.2.3 identify any human or financial resources required to implement this policy.

5.3 The City Internal Auditor Shall:

5.3.1 shall receive in confidence all reports of alleged wrongdoing unless the Auditor is alleged to be involved.

5.3.2 shall Oversee the investigation of allegations of wrongdoing and/or retaliation for the reporting of any such wrongdoing.

5.3.3 may provide a confidential report to City Council and/or its Committees, from time to time, on any violations of this policy.
6.0 PROCEDURES/ PROGRAM

6.1 This policy delegates authority to the City Manager or designate, to develop any necessary procedures or decision making frameworks to ensure compliance with this policy.

6.2 This policy delegates authority to the City Internal Auditor to develop a whistleblower protection program as defined in section 2.13.

6.3 Notwithstanding section 6.2, in the absence of a duly appointed City Internal Auditor, the City Manager shall be responsible for establishing and managing an interim whistleblower protection program in accordance with the principles and objectives of this policy.

7.0 REVIEW AND AMENDMENTS

7.1 This policy shall be reviewed five years after its enactment by City Council.

7.2 Notwithstanding subsection 7.1 and in accordance with subsection 5.2.2, the City Manager and/or the City Internal Auditor may propose amendments to this policy prior to the review date.
The Use of Non-Medical Face Masks and Public Access to City Services

ISSUE
The emergence of the SARS CoV-2 Novel Coronavirus (COVID-19) resulted in several adjustments to the way in which the City of Saskatoon (City) delivered its core services to protect the health and safety of residents and employees. Some non-essential services were temporarily ceased, including the closure of recreation facilities and restricted public access to civic buildings. Following the general guidelines laid out in the Government of Saskatchewan’s Re-Open Saskatchewan plan, the City has opened up access to in-person services for residents, despite the existence of COVID-19. As restrictions are gradually lifted and more public access to services grows, what approaches could the City of Saskatoon implement to protect the health and safety of residents and employees?

BACKGROUND

2.1 History
On March 18, 2020, the Government of Saskatchewan officially declared a provincial State of Emergency as a response to contain the COVID-19 pandemic. On the following day, the City of Saskatoon responded by closing public access to City Hall and all City buildings, including leisure facilities. The City also suspended the City’s public engagement activities to comply with provincial orders. Subsequently, several community restrictions have been enacted and many other adjustments have been made to ensure the City safely deliver services to residents while practicing safe physical distancing protocols.

On April 23, 2020, the Government of Saskatchewan released its Re-Open Saskatchewan Plan, which introduced a five-phased approach “to methodically, gradually and cautiously re-open businesses and services across Saskatchewan, beginning May 4, 2020.” Phase 4 of the provincial plan permitted the re-opening of indoor and outdoor recreation facilities.

At its June 11, 2020 Special Meeting, City Council considered and approved the recommendations in an Administrative report titled, “City of Saskatoon: Roadmap to Recovery”. That report (link here item 4.1 ) described the City’s overall approach to re-opening facilities and services. At the same meeting, City Council considered a related report (link here item 4.2) on the reopening of recreation and sport facilities.
2.2 Current Status

The City of Saskatoon’s response to COVID-19 has been aligned with the direction coming from the Government of Canada and the Government of Saskatchewan. Throughout the course of the COVID-19 response the Provincial Government has implemented measures necessary through the Provincial State of Emergency. If at any point in the future the Province provides directives related to mask use by the public the City would be required to follow that directive.

2.3 Public Engagement

The Administration consulted with the Saskatchewan Public Safety Agency, Saskatchewan Health Authority, Saskatoon Region Medical Health Officers, Saskatoon Police Service and members of the Saskatoon Inter-Agency Response to COVID-19 in preparing this report. It did not conduct independent surveys or opinion polls on the potential use of non-medical face masks to mitigate the risk of COVID-19 transmission.

2.4 City of Saskatoon’s Current Approach

Since March 2020, when the first reported case of COVID 19 emerged in Saskatoon, the City has implemented various measures to prioritize the health and safety of residents and employees while continuing to provide civic services. In doing so, the City had to adapt quickly to find innovative ways to deliver core services during the COVID-19 pandemic. As required by the Provincial Public Health Orders, the appropriate municipal facilities were closed and programs and events were suspended and/or cancelled.

According to public health experts, COVID-19 is an ongoing public emergency. It will continue to impact how the City delivers services to the community for months to come or until a proven vaccine to fight the virus is approved and there is widespread vaccination. In the meantime, the City has adopted the “Roadmap to Recovery” to guide the process in determining how or when service restrictions are eased or lifted. The plan is dynamic and flexible, subject to regular revisions in response to public health orders, directions from the Provincial Government, and/or reported COVID-19 case activity.

The plan is based on eight foundational planning assumptions that guide the resumption of City services, namely:

1. A COVID-19 vaccine is not available to Canadians and no widespread vaccinations to limit those susceptible of contracting the virus.
2. Ensuring Public Health Orders are followed will reduce the degree of transmission of COVID-19.
3. Pandemics typically last 12 - 18 months and often have more than one wave of outbreak. Future waves may include pockets of epidemics rather than whole community pandemic.

4. The risk of transmission cannot be completely eliminated in our facilities and services, but risk mitigation strategies can be implemented to limit the number of contacts and contact intensity.

5. Transmission is expected to be relatively lower in spring and summer than in fall and winter and may overlap with the flu season.

6. There will be continuous updates required to the plan.

7. The Province’s Phase 5, lifting of restrictions, may not occur until June 2021. Any processes, procedures and plans that are put in place during Phase 4, by the City, could be in place for over one year.

8. Monitor global, national and local COVID-19 case trends and act accordingly to minimize transmission. Local data is the most relevant information in determining measures necessary in our facilities and services.

Given these assumptions, the Administration is in the process of preparing for the reopening of the remaining indoor leisure centres and revising the programs that are delivered in those facilities. Specifically,

- Harry Bailey Aquatic Centre,
- Saskatoon Field House,
- Lawson Civic Centre,
- Shaw Centre; and
- Cosmo Civic Centre

Starting in September, the City will begin the regular scheduled opening of the remaining indoor arenas for fall/winter rentals and programming. In addition, Saskatoon Transit is anticipating an increase in ridership with the resumption of secondary schools in Saskatoon.

The City of Saskatoon does not currently have any formal requirements for the public to use non-medical face masks while accessing City services and facilities. As part of the reopening of facilities for public access, the City followed public health protocols, which include taking all steps required to ensure two metres of physical distancing for the public. As such, mask use by the public was not necessary in order to comply with provincial protocols.

The Government of Saskatchewan has not issued a province-wide face mask requirement for persons entering indoor public spaces where distancing cannot be maintained. The Chief Medical Health Officer of Saskatchewan has recommended that when physical distancing of two metres indoors cannot be maintained masks should be worn. Locally, the
Saskatoon Public Library has mandated that face masks are required for entry to the library for everyone over nine years old, once facilities expand for in person use on August 25th.

2.5 Approaches in Other Jurisdictions

There are varied approaches in Canada with respect to the required use of non-medical masks in enclosed public spaces. While mask or face covering bylaws are still relatively rare, there are cities that have implemented them. For example, Toronto, Waterloo, Hamilton, Ottawa, Calgary and Edmonton each have bylaws. Quebec has imposed a province wide requirement, as has Nova Scotia.

Generally, the bylaws are very similar. They regulate operators of establishments and individuals. Like typical municipal bylaws, they set out the general rules (ie. must wear a mask or face covering in "establishments" or "enclosed public spaces") and then set out a series of exemptions to the general rule. The types of establishments to which the rules apply are also defined, as are the exempted facilities. In many cases, operators are required to post signage with prescribed messaging. Fines for non-compliance of the various bylaws appears to range from $100 to $10,000. Both Quebec and Nova Scotia’s province wide laws take an approach similar to the bylaws.

The City of Toronto’s approach is somewhat different in that it only mandates operators of establishments to implement a policy addressing the requirements for mandatory mask use. Establishment operators are then responsible to ensure the policies are properly enforced.

Regulation of face coverings has also been introduced in other arenas. For example, Transport Canada has implemented new regulations for the use of masks during travel in various transportation settings, including aviation, marine, rail and road. Given the different operational settings and environments, the rules vary according to the mode of transportation. The main theme, however, appears to be the requirement to wear non-medical masks or face coverings where two metres of physical distancing cannot be maintained. For air travellers, for example, face coverings over the nose and mouth are required at Canadian airport screening checkpoints, during flight when two metres of physical separation cannot be maintained and when otherwise directed by a public health order or official. Passengers on all flights departing and arriving at Canadian airports are required to demonstrate that they have the appropriate face covering to cover both their mouth and nose during the boarding process, otherwise entry may be denied.
Appendix 1 provides a more detailed summary of the bylaws implemented in other Canadian cities, including the City, relevant provisions of the bylaw, and the jurisdiction relied on to enact such bylaw.

OPTIONS
The City has many options it could implement going forward. This section of the report proposes three options for consideration. The options are focused on strategies that could be implemented for City services and facilities only. Discussion on mask use in non-municipal public spaces, such as private businesses open to the public, is addressed later in this report.

The options provided range from no formal face covering requirements (status-quo) to mandatory face covering requirements for all persons using or accessing in-person City services. Again, the options apply specifically to members of the public who choose to access civic services. They do not apply to City of Saskatoon staff providing services to the public in City-owned facilities, as safety protocols for staff have already been developed following the Re-Open Saskatchewan plan, COVID-19 Safety protocols, OH&S regulations, and the hierarchy of controls.

Further, the application of these approaches apply to those services that are directly under the control of the City Manager, as defined in Bylaw 8174, the City Administration Bylaw, 2003. The options do not apply to services provided by the City’s statutory boards or controlled corporations.

Before explaining or elaborating on the options it is necessary to provide some important context with respect to public health protocols. It is important to keep in mind that while Saskatoon currently has a relatively low number of diagnosed COVID-19 cases, the City and community must stay prepared. In the absence of an approved vaccine, transmission of the virus remains high and a possible second wave or surge in cases could result in the fall.

The City can assess and mitigate the COVID-19 hazard from a safety perspective using recommendations from the Government of Canada, the Provincial Government of Saskatchewan, and the standard “Hierarchy of Controls.” For example, the Government of Canada recommends the following measures for individuals to mitigate the spread of COVID-19:

“The best thing you can do to prevent spreading COVID-19 is to wash your hands frequently with warm water and soap for at least 20 seconds. If none is available, use hand sanitizer containing at least 60% alcohol. To protect others, you should also:

* stay at home if you are ill;

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2 Statutory Boards refer to the Saskatoon Public Library Board and the Saskatoon Board of Police Commissioners. Controlled Corporations refer to the Remai Modern Art Gallery of Saskatchewan, SaskTel Centre, and TCU Place.
The Use of Non-Medical Face Masks and Public Access to City Services

- maintain a 2-metre physical distance from others
  - when physical distancing cannot be maintained, consider wearing a non-medical face mask or homemade face covering; and
- avoid touching your face, mouth, nose or eyes”.

The Hierarchy of Controls, shown in Appendix 2 is a ‘best practice’ approach to minimizing risk. The Administration, for example, utilized a Hierarchy of Controls when re-opening all Saskatoon City-owned facilities and services. These are based on guidelines issued by the Province for employee safety and wellbeing to mitigate the risk of transmission of COVID.

The Hierarchy of Controls is also useful to help evaluate potential policy responses to minimize virus transmission in the absence of an approved vaccine. This hierarchy is as follows:

- The most effective method of protection from COVID-19 transmission is eliminating the risk of exposure by staying home;
- The second most effective method of protection is always substituting elimination by achieving physical distancing (2m);
- The next strategy for protection would be installing physical barriers between employees when physical distancing cannot be achieved;
- The next strategy for protection would be changing the way we deliver services, through Administrative Procedures, such as pre-booking services and enhancing cleaning protocols
- The final method of protection when the above strategies cannot be achieved is to have everyone wear a non-medical mask, and train everyone in the practice of use of masks. It is important to note that a non-medical mask is not personal protective equipment. Rather, it is a barrier to reduce the risk of COVID-19 transmission recommended by the Canadian Chief Medical Officer.

Option 1
Maintain the Status Quo
This option proposes that the City largely continue with the status quo and make no formal resolution to require the public to wear non-medical face masks to access city services. This would leave it to individuals to use their own discretion to determine whether or not to wear a face mask or face protection of their choosing. There are no additional implementation requirements for this option as the current approach would continue.

IMPLICATIONS
This option does not generate any additional financial, environmental or legal implications. However, it does generate some social, or more appropriately, public health and safety implications in that it does not minimize the risk of COVID-19 transmission, especially in situations where distancing requirements cannot be safely met or in situations where a service level increase will not allow for the other hierarchy of controls (particular physical distancing).
Advantages:
• No further implementation requirements;
• No new financial costs;

Disadvantages:
• Sub-optimal in terms of minimizing transmission risk;
• Not able to increase to full-load capacity on Saskatoon Transit unless provincial recommendation to maintain physical distancing without mask use is disregarded.

Option 2
Require the Use of Non-Medical Face Masks for Saskatoon Transit Users
This option would mandate that all users of Saskatoon Transit services wear a non-medical face mask while accessing its services. Specifically, this means non-medical face masks that cover the nose, mouth and chin are required when travelling in any Saskatoon Transit vehicle.

The implementation of this option aims to help Saskatoon Transit to safely operate full-seated loads on all fixed route and Access Transit buses, substantially increasing capacity and effectively minimizing any full bus concerns. To assist users in adapting to this requirement, the City could provide at no charge disposable non-medical face masks for two weeks starting on the date of implementation. This option proposes that implementation occur on September 1, 2020 and the masks would be distributed until September 14, 2020.

Moreover, this option proposes to continue to recommend, but not require, the use of non-medical face masks for those persons who access civic facilities that are covered in the scope of this report. Currently, plans for physical distancing (remaining two metres apart) are in place for these facilities.

Because non-medical face masks may not work in all situations, there are exceptions to this requirement:
• Anyone with an underlying medical condition or disability which inhibits the ability to wear a face covering or anyone providing assistance to a person with an underlying medical condition or disability where the use of a non-medical face mask would hinder the provision of assistance;
• Person unable to place or remove a mask or face covering without assistance;
• Children under the age of 2 years of age; and
• First responders in an emergency situation
The Use of Non-Medical Face Masks and Public Access to City Services

IMPLICATIONS
The Administration estimates the cost of implementing this option is approximately $19,250. The assumptions underlying this estimate are as follows: $0.50/mask with a ridership of 5,500 individuals a day for 14 days with an estimate of 50% of the individuals having their own face mask.

This option does not generate any social or public health implications as it aligns with the hierarchy of controls. It also includes exclusions to those persons who may not be able to safely wear a non-medical face mask.

Advantages:
- Minimizes the risk of COVID-19 transmission for Transit customers;
- Relatively minimal costs to implement to support public safety;
- Does not require additional staff or administrative processes to implement;
- Consistent with the City’s approach to date, which follows provincial recommendations.

Disadvantages:
- May be difficult to enforce as some may refuse to comply, but require access to the service.
- May lead to confusion for those accessing indoor facilities in that the approach is inconsistent with Transit.

Option 3
Require the Use of Non-Medical Face Masks in all City Facilities
This option proposes to mandate the use of non-medical face masks for public access to all civic facilities with the scope of this report. Like option 2, this option would include mandatory mask use for public transit. Unlike option 2, it will also make non-medical face masks mandatory in all civic facilities covered by the scope of this report. The exceptions listed in option 2 would also apply with this option.

The implementation date for this option could also occur on September 1, 2020. Like option 2, the City could provide at no charge disposable non-medical face masks for two weeks starting on the date of implementation. Long term mask provision may not be feasible due to supply issues, but could be pursued if Council were interested in this option.

IMPLICATIONS
If masks were provided for the first two weeks, the estimated cost of implementing this option is approximately $22,565. It includes the estimates explained in option 2 ($19,250) for transit, and is expanded to include the City Hall lobby, ACT arena, Shaw, Lawson, Cosmo and Lakewood Civic Centres, Harry Bailey Aquatic Centre, and Saskatoon Field House, adding an additional $3,315.
The Use of Non-Medical Face Masks and Public Access to City Services

The Administration estimates that, with COVID 19 restrictions, approximately 947 individuals per day take part in programs or services in these locations. It is estimated that 50% of individuals would have their own masks, and thus, the projected cost of masks would be $0.50 cents/mask (total $3,315).

This option does not generate any social or public health implications as it aligns with the hierarchy of controls, although mandating masks in all civic facilities would be going past the provincial recommendations as they currently are at the time of writing this report. It also includes exclusions to those persons who may not be able to safely wear a non-medical face mask.

RECOMMENDATION
That the Governance and Priorities Committee recommend to City Council:

That option 2 be implemented such that:

Effective September 1, 2020, the City requires all users of Saskatoon Transit services wear a non-medical face mask; and

Effective September 1, 2020, the City recommends that all persons accessing all City operated facilities and indoor City of Saskatoon services wear a non-medical face mask.

RATIONALE
Public health guidelines suggest that in cases where appropriate physical distancing cannot be maintained, the use of face masks is recommended in reducing risk of virus transmission. Maximizing public transit use has many benefits and increasing ridership is an integral component of the City’s Strategic Plan. The Administration believes that public transit use will be maximized in the current COVID-19 environment by requiring mask use. Considering all factors, the Administration recommends that masks be mandatory for customers using Saskatoon Transit.

Saskatoon Transit has implemented physical distancing measures to reduce the risk of spread of COVID-19. This has been accomplished by cordoning off seats on Fixed Route Transit and by actively managing passenger bookings on Access Transit. These measures have substantially decreased the available seating capacity, resulting in full buses on Fixed Route Transit and reduced availability at peak time on Access Transit. In Transit’s current operating environment, as schools reopen, businesses bring employees back, day programs reopen, and citizens continue to move back to their pre-COVID-19 habits, passenger demand will not be met, and instances of full buses will increase under the current restrictions.

If the recommendations in this report are adopted, what approach will the City take with respect to enforcement, particularly on transit vehicles? The City will focus on educating and informing the public of COVID-19 safety precautions and on the use of non-medical
face masks. In reviewing other municipalities who have implemented required masks on public transit, there has been significant levels of compliance. On the occasion when an individual does not have a mask they will not be denied services by frontline City staff members.

Transit staff will monitor compliance and provide written documentation to supervisors. If there is a regular repetition of not having the required mask, supervisors and managers will determine the next steps. The goal of this measure is to educate and support the users of Saskatoon Transit services, not to penalize them for occasionally not having a mask.

In reopening City indoor services and City-owned facilities to the public, plans have been introduced to minimize the risk of transmission of COVID-19. These plans currently include various strategies and modifications to service delivery to support physical distancing. At this point, physical distancing is possible in all City indoor services and City-owned facilities. Further, indicators for transmission rates and prominence of COVID-19 in the Saskatoon area are relatively low. Considering this, the Administration is not recommending the mandated use of non-medical face masks in these facilities at this time.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS
The focus of this report and the options in it, pertain to the use of non-medical face masks for persons who need to or want to access in-person city services. In section 2.5, this report briefly addressed the approaches some other cities have taken with respect to community wide face mask mandates. Although not considered as part of the options analysis in this report, if City Council wanted to adopt such an approach, some additional implications and considerations are worth noting.

First, when developing plans for response in an emergency event, like a pandemic, it is important to have triggers for when to activate or deactivate the plan. Appendix 3 provides a summary of triggers that could be considered when determining when to require non-medical masks by the public.

Second, as seen in other jurisdictions, City Council would need to enact a bylaw to mandate the use of masks in public spaces. The bylaw is an instrument that would regulate the use of masks in public buildings and include enforcement mechanism for non-compliance.

COMMUNICATION ACTIVITIES
If the recommendation in this report, or alternatively option 3, is adopted by City Council, the Administration would develop a robust communication plan, focusing on education and awareness. Additionally, the Administration is developing city-wide communications to remind the public of the importance of safety precautions and information on the use of a non-medical face masks. A complimentary communications plan is being developed to directly target Saskatoon Transit riders.
Overall, the communications strategy will consist of traditional media channels (social media and print) as well as non-traditional media (internal and external bus announcements and handbills included in lunches/support kits for the vulnerable sector) setting expectations around the requirement for a mask while on transit vehicles along with the reasons why this is important.

An earned media campaign will run parallel to the paid campaign to reach people at the neighbourhood level. This includes sharing messages with community associations, transit stakeholder groups, and potentially influencers. The communications will kick off with a media event.

Finally, additional communications will be developed specific to City indoor services in City-operated facilities. This communication plan is estimated to cost $35,500.

PUBLIC NOTICE
Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

APPENDICES
1. Mandatory Mask Bylaws – Canadian Jurisdictional Scan
2. Hierarchy of Controls
3. Triggers to Require Usage of Non-Medical Masks by the Public
4. Confidential – Solicitor/Client Privilege

Report Approval
Written by: Pamela Goulde-McLeod, Director of Emergency Management
Mike Jordan, Chief Public Policy & Government Relations Officer

Reviewed by: Cindy Yelland, City Solicitor
Morgan Hackl, Fire Chief

Approved by: Jeff Jorgenson, City Manager
<table>
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<tr>
<th>City</th>
<th>Bylaw</th>
<th>Relevant Provisions</th>
<th>Jurisdiction to Enact</th>
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<tr>
<td>Toronto</td>
<td>City of Toronto Bylaw 541-2020</td>
<td>Section 1 requires operators of establishments to adopt a policy to ensure that no member of the public is permitted entry, or to remain within, an enclosed space within the establishment unless the member of the public wears a mask or face covering that covers their mouth, nose and chin. Operators to provide a copy of the policy on request of a person authorized to enforce the bylaw.</td>
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<td>“To impose temporary regulations requiring the wearing of masks or other face coverings within enclosed public spaces”</td>
<td>Section 2 sets out exemptions to the requirement to wear a mask or face covering: (1) children under 2 years of age; (2) persons with an underlying medical condition that inhibits the use of a mask; (3) persons who cannot place or remove a mask without assistance; (4) employees within or behind a physical barrier or designated employee area; (5) persons reasonably accommodated under the Ontario Human Rights Code. Further exemptions include where removal of the mask is necessary for receiving services or engaging in athletic activity. Proof of exemption is not required. Section 3 requires operators to place signs at all entrances stating:</td>
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<td>“ALL PERSONS ENTERING OR REMAINING IN THESE PREMISES SHALL WEAR A MASK OR FACE COVERING WHICH COVERS THE NOSE, MOUTH AND CHIN AS REQUIRED UNDER CITY OF TORONTO BY-LAW 541-2020”</td>
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<td>Establishment is defined at section 6 which is pretty much all encompassing for indoor or enclosed establishments. Exceptions are identified at section 7: schools, post-secondary institutions and child care facilities, private and public transportation and hospitals, independent health facilities and offices of regulated health professionals. Mask is defined as: mask, balaclava, bandana, scarf, cloth or other similar item that covers the nose, mouth and chin without gapping.</td>
<td>The City of Toronto Act, sections 7 and 8 allow Toronto to pass bylaws in respect of the health, safety and well-being of persons and the economic, social and environmental well-being of the City. The Emergency Management and Civil Protection Act, subsection 8(1) provides Toronto with broad authority to provide any service or thing the City considers necessary or desirable for the public.</td>
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<tr>
<td>Waterloo</td>
<td>Bylaw 20-034</td>
<td>A Bylaw to amend Bylaw 13-050 (Code of Conduct) to require face coverings on public transit and enclosed public places of Regional Buildings</td>
<td>Subsection 1(1.1) defines a face covering as &quot;… a medical mask or non-medical mask or other face covering, including a bandana, scarf or other fabric that covers the nose, mouth and chin to create a barrier to limit the transmission of respiratory droplets&quot;.</td>
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<td>Bylaw was passed July 6, 2020 and is deemed repealed and no longer in force and effect at 11:59 pm on September 30, 2020 unless extended by Council.</td>
<td>Bylaw does not apply to employees or agents of the Region.</td>
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<td>Subsection 2(2.1) requires that a person wear a face covering within a transportation vehicle, bus shelter or platform at a transit station. Exemptions: (1) children under 5; (2) medical conditions that prevent wearing face masks or inhibit ability to breathe; (3) a person who needs assistance or is accommodating another person with a hearing ability.</td>
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<td>Subsection 2(2.2) requires that a person in an area open to the general public within a Region building wear a face covering. Exemptions are the same as for subsection 2(2.1), with the addition of exempting from wearing for persons where a face covering is not permitted pursuant to any federal or provincial legislation or directive.</td>
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<td>Proof of exemption is not required.</td>
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<tr>
<td>Waterloo</td>
<td>Bylaw 20-035</td>
<td>A by-law that requires face covering in enclosed public spaces</td>
<td>Section 1 states that any person in an enclosed public space shall wear a face covering and that every parent or guardian accompanying a child over 5 years old shall ensure the child is wearing a face covering. Persons include occupants, owners, operators, employees, workers, customers, patrons and other visitors.</td>
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<td>Bylaw was passed July 13, 2020 and is deemed repealed and no longer in force and effect at 11:59 pm on September 30, 2020 unless extended by Council.</td>
<td>Exemptions also identified: (a) a child under 5; (b) a person unable to wear a face covering due to medical condition or recognized disability under human rights legislation; (c) person engaged in sport or other strenuous activity; (d) a person assisting another person who has a hearing disability; (e) person consuming food or drink as part of a religious activity within a place of worship.</td>
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<td>Proof of exemption is not required.</td>
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| Definition of an enclosed space is set out at subsections 1(5) and (6) and is fairly all encompassing and includes elevators, washrooms, stairwells, hallways, service counters, lobbies and waiting areas of “enclosed public spaces”.  

Specifically exempt from the definition of an enclosed public space are: (a) an enclosed space owned or operated by or on behalf of the Provincial or Federal Government; (b) universities, colleges and schools; hospitals, independent health facilities and offices of regulated health professionals; and (d) an indoor area of building accessible only to employees [Subsection 1(7)].  

Face covering is defined in subsection 1(8) as a “medical mask or non-medical mask or other face covering, including a bandana, scarf or other fabric that covers the nose, mouth and chin to create a barrier to limit the transmission of respiratory droplets.”  

Businesses are required to post signs stating [subsection 1(9)]:  

“Protect each other  
Wear a face covering  
Cover your nose, mouth and chin  
Required by the Face Covering Bylaw  
Does not apply to children under the age of five and those who are unable to wear a face covering as a result of a medical condition or a disability.”  

Section 2 allows the bylaw to be enforced by police, municipal law enforcement officers and other designated officers.  

Section 3 states fines cannot exceed $1,000. |
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| Hamilton | **Bylaw No 20-155** | **Operator Requirements contained in Part 2:**  
Section 2.1 requires operators to place signs at all establishment entrances stating:  
“All persons entering or remaining in these premises shall wear a face covering which covers the nose, mouth and chin as required under City of Hamilton By-law No. 20-155 (unless exempt). Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.”  
Exempt from the definition of an establishment are airports or federal facilities, provincial public transportation facilities, schools or post-secondary institutions, child care facilities, portions of an establishment that are not open to general public, hospitals, independent health facilities or offices of regulated health professionals and any portion of property used as a private dwelling.  
Operators are required to ensure that reasonable steps are taken to ensure that no member of the public is permitted entry to or may otherwise remain in the establishment unless a face covering is worn. Operators are required to ask persons refusing to comply to leave.  
**Personal Requirements contained in Part 3:**  
Section 3.1 requires persons who enter or remain in an establishment to wear a face covering (same definition as previous bylaws) and 3.2 requires that parents and guardians ensure children 2 years and older wear a mask.  
Section 4.1 exempts the following persons: (a) child under 2; (b) a child under 5, but at least 2, who refuses to wear a mask and cannot be persuaded by their caregiver; (c) underlying medical conditions inhibiting wearing of mask; (d) unable to place or remove without assistance; (e) employee of operator within an area not for public access or behind physical barrier; (f) accommodation under human rights code; (g) is in a swimming pool; (h) engaged in athletics or fitness activity; (i) if necessary to remove to receive services or treatment; (j) who is sleeping or in a bed at homeless shelter; (k) states that one of the exemptions applies to them.  
**Fines:** Individuals up to $10,000 for first offence; not more than $25,000 for second offence or any subsequent conviction (section 6.2) and for corporations, $25,000 and $50,000, for first and subsequent offences (section 6.3). Also contains provisions for continuing offences (6.4). | See Ontario’s *Municipal Act* and *Emergency Management and Civil Protection Act*. |

Effective date of the bylaw is July 20, 2020 at 12:01 am.
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<tr>
<td>Ottawa</td>
<td>Bylaw No 2020-186</td>
<td>Section 1 defines “enclosed public space” as fairly all-encompassing and provides specific exemptions: schools, child care facilities, portions of buildings used for providing day camps, offices of professional services such as lawyers, accountants where services are received in area not open to general public and public transportation properties (which are separately regulated). Section 3 states all persons who enter or remain in an enclosed public space shall wear a mask that covers their nose, mouth and chin. Mask is defined as “a cloth (non-medical) mask or other face covering such as a bandana or scarf, that securely covers the nose, mouth and chin, and is in contact with the surrounding face without gapping, and filters respiratory droplets”. Section 2 exempts children under 2, or over 2 and under 5, who refuse to wear a mask and cannot be persuaded by caregiver, those with medical conditions that prevent them from safely wearing a mask, those unable to remove or put on mask alone, those who need to temporarily remove to receive services, those engaged in athletics, those consuming food or drink and those engaged in an emergency or for a medical purpose from the requirement to wear a mask. Proof of exemption is not required. Section 4 sets out duties of operators: 4(1) – verbal reminder to people not wearing a mask 4(2) – post entrance signs stating: “All persons entering or remaining in these premises must wear a mask that covers the nose, mouth, and chin as required under City of Ottawa By-law 2020-186. Toutes les personnes qui entrent ou restent dans ces locaux doivent porter un masque qui couvre le nez, la bouche et le menton, comme l’exige le règlement 2020-186 de la Ville d’Ottawa.” 4(3) – ensure availability of alcohol based hand rub at all public entrances and exits. Section 5 requires users of public transport to wear masks, subject to exemptions in section 2. Section 9 sets out fines of minimum $500 per offence, not exceeding a maximum of $100,000 for each day the offence continues.</td>
<td>Municipal Act, SO 2001, c 25, subsection 8(3) allows cities to regulate, prohibit or require persons to do certain things respecting a matter. Section 10 allows cities to pass by-laws respecting the health, safety and well-being of persons and protecting persons. See also Emergency Management and Civil Protection Act above.</td>
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<td>Calgary</td>
<td>Bylaw Number 26M2020</td>
<td>Section 3 requires the wearing of a face covering in a public premises or a public vehicle unless the person is separated from others by an installed screen, shield or other barrier. Definition of face covering similar to the other bylaws noted above. Exemptions are contained in section 4: children under 2, persons with underlying medical condition or disability that inhibits ability to wear, persons unable to use without assistance, persons eating or drinking at public premises offering food or beverage, engaged in athletic or fitness activity, caring for or accompanying person with a disability where wearing mask would hinder accommodation and temporary removal to provide or receive a service. “Public premises” means “all or any part of a building, structure or other enclosed area to which members of the public have access as of right or by express or implied invitation but excludes any premises for which there is an enrolment or membership requirement in order to access it”. “Public vehicle” means “a bus, light rail transit (LRT) vehicle, taxi or other vehicle that is used to transport members of the public for a fee”. Operators are required to display signage in the form and containing the content prescribed in Schedule A to the bylaw. The message is similar to other messages noted above. Specified penalties for those willing to pay voluntarily without a Court appearance are prescribed in Schedule B - $100 for failing to wear a face covering where required and $200 for failing to display the prescribed signage.</td>
<td>Municipal Government Act, section 7 authorizes the passage of bylaws respecting: - the safety, health and welfare of people and the protection of people and property - people, activities and things in, on or near a public place - business, business activities and persons engaged in business</td>
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<tr>
<td>Edmonton</td>
<td><strong>Bylaw 19408</strong></td>
<td>Purpose is to temporarily mandate the wearing of face coverings in indoor public places and public vehicles.</td>
<td>Not apparent on the face of the bylaw.</td>
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<td>Temporary Mandatory Face Coverings Bylaw</td>
<td>Similar to other bylaws “face covering” is defined as meaning a “medical or non-medical mask or other face covering that fully covers the nose, mouth and chin.” “Public place” is defined as “any property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation, whether on payment of a fee or not”. Public places exempted are identified in section 6: schools and other educational facilities, hospitals and health care facilities, child care facilities, areas exclusively accessed or used by public place employees and public vehicle operator provided physical barriers or physical distancing practices are implemented. Exemptions to the requirement to wear a face covering at all times while in an indoor, enclosed, or substantially enclosed public place or in a public vehicle [section 4] are contained in section 5: persons under 2, persons unable to place, use or remove without assistance, persons unable to wear for reasons protected under human rights, persons consuming food or drink in designated seating area or as part of religious or spiritual ceremony, persons engaged in water activities or physical exercise, persons providing care or assistance to those with a disability where assistance would be hindered with face covering, and persons engaged in services that require temporary removal. Violation tickets may be issued with fine amount not less than $100 or attendance at court may be required without the alternative of making a voluntary payment.</td>
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Appendix 2
Infographic by the National Institute for Occupational Safety and Health Agency

Hierarchy of Controls

- **Elimination**: Physically remove the hazard
- **Substitution**: Replace the hazard
- **Engineering Controls**: Isolate people from the hazard
- **Administrative Controls**: Change the way people work
- **PPE**: Protect the worker with Personal Protective Equipment

Most effective

Least effective
Triggers to Require Usage of Non-Medical Masks by the Public

In Emergency Management, when developing plans to respond to or mitigate an emergency, it is essential to determine what will activate the plan. Different levels of risk require different levels of response.

During the impact of COVID-19, there have been many different measures implemented to mitigate the risk of transmission in communities. The City of Saskatoon has followed recommendation from the Federal and Provincial Government and the Chief Medical Health Officer in Saskatchewan.

As a starting point, a framework for activating a plan to require non-medical mask use by the public, the following triggers could be used to determine when is the appropriate time to implement this measure.

It is suggested that in order to move to a higher level of measure, three of the four indicators could be used to determine when to move to the next level.

These triggers have no bearing on the approach taken by the Administration. These would only come into play should Council wish to implement a trigger-based mask-use approach past the current Provincial guidelines.
These indicators will be monitored, and a system of assessment based on:

- **GREEN**
  Maintain Current Safety Measures

- **YELLOW**
  State of readiness for activating additional safety procedures (requirement for masks)

- **RED**
  Activate implementation of additional safety procedures (requirement for masks)

Information about these indicators and the current assessment of the levels will be shared as part of the [COVID-19 Statistical Summary](#) on the City of Saskatoon website.
In order to move through the levels of response (green to yellow to red), three out of the four indicators must be met. This mitigates the risk of unusual variances due to reasons other than an increased risk level occurring.

**Escalation**

1.1 Green

- **COVID-19-Test positivity of 0.1% - 1.9%**
  - Indicates the percentage of the number of positive lab tests out of the total number of lab tests performed.
  - Potential Risk - testing positivity rates can be impacted by a change in testing strategy.

- **Less than five COVID-19 cases/100,000 within the past two weeks in Saskatoon area**
  - Potential Risk - this measure can be very sensitive and can be reached by a relatively small localized outbreak. It is important that three out of the four triggers are met to move to the “yellow” stage.

- **Reproductive Rate Trend (Rt) over a two-week period of 0.1 – 1.5**
  - The Rt is a measure of how fast the virus is growing. It is the average number of people who become infected by an infectious person. If Rt is above 1.0, the virus will spread quickly. When Rt is below 1.0, the virus will stop spreading.

- **Saskatoon is not an “area of elevated activity” determined by the Saskatchewan Health Authority**
COVID-19 Test positivity of 2% - 4%
- Indicates the percentage of the number of positive lab tests out of the total number of lab tests performed.
- Potential Risk - testing positivity rates can be impacted by a change in testing strategy. It is important therefore that three out of the four triggers are met to be at the "yellow stage."

Greater than five COVID-19 cases/100,000 within the past two weeks in Saskatoon area:
- Potential Risk - measure can be very sensitive and can be reached by a relatively small localized outbreak. It is important that three out of the four triggers are met to be at the "yellow stage."

Reproductive Rate Trend (Rt) over a two-week period of 1.5 – 1.8
- The Rt is a measure of how fast the virus is growing. It is the average number of people who become infected by an infectious person. If Rt is above 1.0, the virus will spread quickly. When Rt is below 1.0, the virus will stop spreading at a certain point.

Saskatoon is an “area of elevated activity” determined by the Saskatchewan Health Authority.
1.3 Red

COVID-19 Test positivity of 5%
• Indicates the percent of tests that produce a positive result.
• Potential Risk - testing positivity rates can be impacted by a change in testing strategy. It is important that three out of the four triggers are met to be at the “red” stage.

Greater than 10 COVID-19 cases/100,000 in the past two weeks in Saskatoon area
• Potential Risk - measure can be very sensitive and can be reached by a relatively small localized outbreak. It is important that three out of the four triggers are met to be at the “red” stage.

Reproductive Rate Trend (Rt) over a two-week period of 1.8 – 2.0 or greater
• The Rt is a measure of how fast the virus is growing. It is the average number of people who become infected by an infectious person. If Rt is above 1.0, the virus will spread quickly. When Rt is below 1.0, the virus will stop spreading at a certain point.

Saskatoon is an “area of elevated activity” determined by the Saskatchewan Health Authority
De-escalation

Along with triggers to escalate measures to the next level, there is a need for a corresponding de-escalation plan. To mitigate the risk of moving back and forth between levels, the de-escalation plan is based on periods of sustained decline of triggers. The primary focus of de-escalation would be returning to “recommending non-medical face masks” from “requiring non-medical face masks.” The de-escalation triggers would be:

- COVID-19 Test positivity of 0.1% - 1.9% sustained over a 28 day period:
  - Indicates the percent of tests that produce a positive result.
  - Potential Risk - testing positivity rates can be impacted by a change in testing strategy. It is important that three out of the four triggers are met to be at the “red” stage.

- Lesser than five COVID-19 cases/100,000 sustained over a 28 day period:
  - Potential Risk - measure can be very sensitive and can be reached by a relatively small localized outbreak. It is important that three out of the four triggers are met to be at the “red” stage.

- Reproductive Rate Trend (Rt) 0.1 – 1.5 sustained over a 28 day period:
  - The Rt is a measure of how fast the virus is growing. It is the average number of people who become infected by an infectious person. If Rt is above 1.0, the virus will spread quickly. When Rt is below 1.0, the virus will stop spreading at a certain point.

- Saskatoon is not an “area of elevated activity” as determined by the Saskatchewan Health Authority sustained over a 28 day period.
Current Situation

Saskatoon is in the “green” stage as indicated by:

- COVID-19-Test positivity of 0.7% (Green)
- COVID-19 cases /100,000 – 7 (Yellow)
- Reproductive Rate Trend (Rt) over a two-week period of 0.9% (Green)
- Saskatoon is not “area of elevated activity” as determined by the Saskatchewan Health Authority (Green)
Governance Review – Other Bodies – Board of Revision

ISSUE
The Board of Revision ("BOR") is a body established by City Council pursuant to section 192 of The Cities Act (the "Act"). The BOR is a "body" subject to review by the Leadership Team Governance Subcommittee (the "Governance Subcommittee") as part of the governance review of the City’s Advisory Committees, Controlled Corporations, Business Improvement Districts ("BIDs") and other bodies established by the City.

The BOR was chosen as the first of the "other bodies" for review given the increasing complexity of tax assessment appeals of large commercial properties. Also, the BOR has not undergone a governance or functional review for many years. What changes are required to improve the governance and operation of the BOR?

BACKGROUND

2.1 History
At the February 13, 2017 meeting of the Governance and Priorities Committee ("GPC"), the Committee resolved:

“That the project parameters for the review of governance structures, models, practices and procedures of Advisory Committees, Controlled Corporations, Business Improvement Districts ("BID") and any other agency, board or commission established by the City of Saskatoon be approved."

Extensive reporting has already occurred for the Advisory Committees and Controlled Corporations, as well as the BIDs. That work remains ongoing.

This report reviews the BOR; one of the boards established by the City.

2.2 Current Status

a. Assessment Appeals Scheme
The Act is a complete legislative scheme for property tax assessment and appeals in Saskatchewan. As a part of this complete code, the Act requires City Council to appoint a statutory appeal body called the BOR. The BOR hears the initial assessment appeals of taxpayers. Unfavourable decisions of the BOR may be appealed by either the City or the taxpayer to the Assessment Appeals Committee of the Saskatchewan Municipal Board (the “AAC”). Further appeals, with leave of the Court, may be made to the Saskatchewan Court of Appeal (the “SKCA”).
Pursuant to subsection 192(1) of the Act, City Council shall appoint not less than three members to constitute the BOR for the City. Subsection 192(4) of the Act states that a City Council shall prescribe the:

(a) Term of office of each member of the BOR;
(b) Manner in which vacancies are to be filled; and
(c) Remuneration and expenses, if any, payable to each member.

The structure of the BOR is largely prescribed by section 192 of the Act. Members of the BOR are required to choose a Chairperson from among those appointed by City Council [subsection 192(5)]. As required by subsection 192(6), except in the case of simplified appeals, the Chairperson of the BOR appoints panels of not less than three members of the BOR to hear appeals, and further appoints a Chairperson for each panel. A majority of members of the BOR, or of a panel, constitutes a quorum for the purposes of conducting business or sitting on an appeal [subsection 192(9)]. A decision of the majority of the members of the BOR, or of a panel, is the decision of the BOR [subsection 192(10)].

Historically, the City has had a difficult time recruiting BOR members to fill vacancies despite using a broad recruitment approach. For example, the City Clerk’s Office advertises annually on the City’s website to fill vacancies at the BOR. Advertisements identifying BOR vacancies are typically found in the Star Phoenix, on the City’s website, on social media, and through a poster campaign with a number of agencies. Prospective BOR members are asked to provide applications and City Council approves and appoints BOR members pursuant to City Council Policy C01-003, Appointments to Civic Boards, Commissions, Authorities and Committees.

City Council, by resolution dated December 13, 1999, set the number of BOR members at 11 citizens. Since 1999, BOR appointments have been made for one year terms. The terms, however, are renewable. Currently, some BOR members have been on the BOR for up to 16 years. Appointees to the BOR also sit on the Saskatoon Licence Appeals Board.

The City’s website lists the qualifications for prospective BOR members as:

- Ability to commit required time;
- Understanding of the quasi-judicial function and the role of members of a tribunal;
- Understanding of assessment processes;
- Experience in hearing appeals or in meetings that involve an adjudication process;
- Ability to write, in plain and concise language the BOR’s decision that are comprised of the testimony heard and the analysis and summary of the BOR’s reasons for its decisions;
- Ability to act with integrity; and
- Ability to organize, read, understand, and apply complex and large documents, statute law and regulations, and case law.

As required by the Act, City Council has set the remuneration and expenses payable to members of the BOR by way of a Council resolution dated February 17, 2009. Remuneration is payable as follows:

**Board Chair:** $3,600.00 annually plus $150.00 per day and $75.00 per half day while in session.

**Panel Chairs:** $1,800.00 annually plus $150.00 per day and $75.00 per half day while in session.

**Board Members:** $150.00 per day and $75.00 per half day while in session.

Upon appointment to the BOR, members are provided with a manual, “The Board of Revision Policy and Procedure” (the “Policy”), which sets out the general rules and provides some guidance in relation to how to conduct a proper hearing. Appendix A to the Policy sets out further guidelines as to BOR remuneration/duties/honorarium. A half day per week for each of preparation and deliberation is also offered, in addition to decision writing time at the rate of one day of writing for one full day of hearings. Amounts in excess of these parameters must be approved by the BOR Secretary in consultation with the Board Chair.

### b. Potential Provincial Board of Revision

The Legislature is currently considering proposed amendments to the Act. One of the potential amendments includes a Provincially-appointed board of revision. Based on the provision proposed by the Province, it appears that:

- The Lieutenant Governor in Council may appoint persons to serve on boards of revision;
- The persons appointed will have the same powers, duties and functions of a person appointed by a city;
- The persons appointed must meet prescribed qualifications and undertake the prescribed training; and
- The Lieutenant Governor in Council will be able to make regulations which:
  
  - Set remuneration;
  - The areas where the board may hear appeals;
Governance Review – Other Bodies – Board of Revision

- Specify reporting requirements;
- Appoint the board secretary or secretaries;
- Set rules and procedures for hearing and deciding appeals;
- Set the circumstances in which a municipality may appoint and utilize its own board of revision; and
- Identify any other matters necessary to facilitate the operation of the board of revision.

The proposed provision is still in draft form. The Bill (*The Miscellaneous Municipal Statutes Amendment Act, 2019*) received second reading on March 10, 2020. However, even if the proposed provision is adopted, there is no timeline for the implementation of a Provincial board of revision.

Further, based on the current draft of the proposed provision, it is not clear whether Saskatoon will be required to use the Provincial board of revision or the Lieutenant Governor in Council will require Saskatoon to continue its own board of revision. What is clear from the proposed provision, is that Saskatchewan has recognized the need for a qualified board of revision and to provide board of revision members with the necessary training and resources to fulfill their duties.

c. Joint University of Saskatchewan/City of Saskatoon Research Project

The University of Saskatchewan and the City Solicitor’s Office have received a grant to review the boards and tribunals established by the City. The report is expected to provide suggestions on best practices which would also help to inform City Council’s decision in respect of some of the “other bodies” established by City Council, including the BOR. Despite this, an interim review and changes to the BOR are still beneficial. Specific project parameters and timelines have yet to be determined.

2.3 Public Engagement

This report will be shared with BOR members once it becomes public. In accordance with established practice, this report will be tabled and BOR members will be invited to provide feedback for consideration by GPC in advance of the report being debated.

2.4 City of Saskatoon’s Current Approach

The BOR hears and adjudicates appeals of property tax assessments brought by a taxpayer and is the trier-of-fact on any factual issues raised by the taxpayer or by the City. At the BOR, the parties submit all of their evidence which informs the record for the BOR, the AAC and the SKCA.

Findings of fact are made by the BOR and are based on the evidence submitted by the parties. Findings of fact are owed deference by appellate bodies, including the AAC and the SKCA. Appeals from decisions of the BOR are “on
the record”, meaning fresh evidence is only permitted in very limited circumstances. This means that if the BOR makes an incorrect finding of fact in relation to an assessment, it is very difficult for a taxpayer or the City to have the finding overturned at the AAC. The SKCA does not allow appeals based on questions of fact.

From the standpoint of the AAC and the SKCA, the BOR is considered to be an “expert panel” consisting of individuals who have considerable knowledge in mass appraisal and quasi-judicial hearing procedures. The expectation is that such expertise be reflected in the conduct and decisions of the BOR.

Given the extremely deferential standard applied by the AAC, correcting inadequacies of BOR decisions is incredibly difficult. As a result of this deference, the decisions of the BOR may not reflect an appropriate value for any given property and could be contrary to the Act.

Thus, it is imperative that the BOR makes decisions in accordance with principles of procedural fairness, mass appraisal and the Act. Otherwise, an appellant, whether the City or the taxpayer, is faced with a substantial challenge to reverse a decision that may have repercussions for the individual property, the group of assessed properties, or the assessment system as a whole. Appendix 1 contains a confidential legal opinion, subject to solicitor-client privilege, which outlines the legal implications.

Given the level of expertise required to hear and determine assessment appeals, it is incumbent on the City to ensure that BOR members are properly qualified and compensated. While the governance structure of the BOR is legislated, the governance review has provided the opportunity to consider the qualifications, compensation, training and resources of the BOR to better equip the BOR to hear the appeals brought before it.

2.5 Approaches in Other Jurisdictions
The Governance Subcommittee considered the qualifications, compensation, training and resources provided to boards of revision in Alberta (Calgary and Edmonton), Ontario (Province-wide) and British Columbia (Province-wide). Regina’s compensation model was likewise considered. Appendix 2 contains the detailed information gathered from this jurisdictional scan.

These jurisdictions were chosen largely because they have similar legislation and, like Saskatchewan, utilize similar tribunal structures and concepts. Manitoba was excluded from this report as it does not operate a comparable appeal process to that of Saskatchewan. Namely, the assessment appeal regime in Manitoba requires the City to prove that its assessment is correct, as opposed to the assessment being presumptively correct in Saskatchewan. Other jurisdictions had limited data available and were not included in this report.
OPTIONS

Option 1: Amend Qualifications, Compensation, Training, and Resources of the Board of Revision

This option proposes to make amendments to the qualifications and training required for BOR members, to increase the compensation offered and ensure that appropriate resources are provided to help the BOR succeed. The advertising of vacancies in different forums, coupled with a requirement for more particular qualifications and increased compensation, may expand the pool of potential applicants.

There are many assumptions that go into the forecasting of the BOR budget. It is estimated that the proposed changes to the compensation of members for 2021, a revaluation year, would be at least doubled from the previous revaluation year of 2017. The compensation is purely based on the number of appeals heard, which is difficult to estimate. Further, there would be financial implications for potential additional training costs and greater resources, including legal services, provided to the BOR. Advertising in different forums may also have an associated cost. The City Clerk’s Office would be seeking a budget adjustment for the 2021 year as there is not adequate funding to support the recommend changes.

The following chart outlines the budget and actuals for previous years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Budgeted</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>$53,500.00</td>
<td>$75,104.70</td>
</tr>
<tr>
<td>2018</td>
<td>$25,000.00</td>
<td>$35,439.00</td>
</tr>
<tr>
<td>2019</td>
<td>$30,000.00</td>
<td>$52,298.00</td>
</tr>
<tr>
<td>2020</td>
<td>$48,000.00</td>
<td></td>
</tr>
<tr>
<td>2021*</td>
<td>$48,000.00</td>
<td></td>
</tr>
</tbody>
</table>

There are no legal implications. Implementation of changes resulting from this review, including fee structure and the coordination of training, would be managed by the City Clerk’s Office.

Advantages:
- Modernizes Saskatoon’s preferred qualifications to match other comparable jurisdictions to attract a qualified and diverse group of candidates.
- Emphasizes the importance of fairness in BOR hearings.
- Recognizes the importance of the statutory assessment scheme.
- Potentially reduces the number of appeals to the AAC.
- Supports continuous improvement.
- Recognizes the need for qualified BOR members and to provide members with the resources to perform their duties.
- Enhanced training offers clarity in Notices of Appeal to the BOR, which informs the record for the AAC and the SKCA.

Disadvantages:
- Increased costs associated with increased compensation and enhanced training and resources offered to BOR members.
- Potential difficulty in attracting members with the preferred qualifications.
- May be unnecessary if establishment of a Provincial board of revision is mandated.

Option 2: Maintain the Status Quo
This option proposes to make no changes to the current compensation, training and other resources provided to the BOR and maintain the current list of required qualifications. There are no implications financially or legally and this option does not present any implementation challenges. Option 2 is not being recommended for a variety of reasons.

Advantages:
- Changes may turn out to be unnecessary if the establishment of a Provincial board of revision is mandated.

Disadvantages:
- A Provincial board of revision is not a certainty and therefore no interim solution would be in place.

Option 3: Hybrid – Amend some of the Variables: Qualifications, Compensation, Training and Resources and Maintain Status Quo of Others
This option proposes to amend some of the variables discussed in this report to improve the functioning of the BOR and maintain others in their current form. There may be financial implications associated with this option depending on the variables to be amended as described under option 1. Similarly, any implementation issues would be managed by the City Clerk’s Office in accordance with City Council’s direction.

The advantages and disadvantages of this option are reflected in options 1 and 2 as described above and depend on the variables amended.
**RECOMMENDATION:**
That the Governance and Priorities Committee recommend to City Council that option 1 be pursued:

1. That preferred qualifications advertised for potential appointees to the Board of Revision be amended to include:
   - Previous real estate experience;
   - Previous assessment or property appraisal experience;
   - Previous experience on or with a quasi-judicial or an administrative tribunal;
   - The ability to be fair, open-minded and impartial;
   - The ability to conduct themselves with integrity and consistency;
   - The ability to interpret and apply the relevant statutes and case law to complex scenarios; and
   - The ability to absorb and analyze complex material information and write comprehensive, intelligible decisions.

2. That the compensation of members appointed to the Board of Revision be increased as of January 1, 2021 as outlined in this report.

3. That advertising forums for Board of Revision vacancies be reviewed and expanded at the discretion of the City Clerk’s Office.

4. That training options for both Board of Revision members and the Board of Revision Secretary be explored and mandatory training be implemented for 2021 appointments.

5. That resources, including access to legal counsel for members appointed to the Board of Revision and the Secretary to the Board of Revision continue to be offered and the potential to increase access to those resources be further explored.

6. That a process be established for the performance evaluation of appointed Board of Revision members for consideration by the Governance and Priorities Committee in advance of reappointments and to identify potential areas for further training and development.

**RATIONALE**
The compensation, qualifications and resources available to BOR members has not been reviewed in many years. Opting to maintain the status quo leaves Saskatoon at least ten years behind when it comes to the compensation, qualifications and training available to BOR members. The arbiters of complex property tax assessment appeals require knowledge relating to conducting a fair hearing (ie. procedural fairness), other administrative law principles and technical knowledge relating to mass appraisal and standard appraisal methods.
Governance Review – Other Bodies – Board of Revision

It is important that members of the BOR receive adequate training and resources to conduct efficient and fair hearings. Further, given the expertise expected of BOR members and the demanding number and complexity of tax assessment matters the BOR is required to decide, it is imperative that BOR member qualifications correspond.

Making changes, including to BOR member compensation, is prudent with the goal of hopefully attracting interest from a qualified diverse group. Historically, the level of interest for appointments to the BOR has been low.

Despite that proposed amendments to the Act identify the possibility that the Province will create a Provincial board of revision, information on how this would work for cities and municipalities is scarce and there is no proposed timeline for when a Provincial board may be implemented. Likewise, specific project parameters and timelines have not been set for the joint research project with the University of Saskatchewan. Therefore, even if a Provincial board is implemented or the research project yields helpful information, a review of Saskatoon’s BOR in the interim is still necessary.

In light of the increasing amount of appeals and, more specifically, the increasing amount of complex commercial appeals relating to significant tax dollars and the uncertainty surrounding the Provincial board of revision, option 1 is the preferred option being recommended. In the alternative, a review of qualifications and compensation (option 3) in the interim seems appropriate.

**Amend the Qualifications of the BOR**

As noted throughout this report, BOR members are considered to be experts in assessment-related matters by higher courts and tribunals in Saskatchewan. Amending the qualifications to attract candidates with backgrounds and skillsets suited to property tax assessment appeals is intended to ensure that quality decisions are rendered, respecting the rules of procedural fairness, other administrative law principles, mass appraisal and standard appraisal methods.

By heightening the preferred qualifications in conjunction with raising compensation, the goal of this recommendation is to attract candidates with knowledge and backgrounds suited to property tax assessment appeals.

Further, given the significant financial implications at stake in property tax assessment matters, it would be prudent to establish a mechanism whereby concerns or the performance of appointed members may be evaluated. The Governance Subcommittee will explore evaluation possibilities and investigate the best mechanism to bring forward such information to GPC prior to consideration of reappointments. Such information would also serve to identify areas of further training or development that should be offered.
Increase the Compensation Offered to BOR Members
Compensation for BOR members was set by City Council on February 17, 2009. BOR members receive a nominal annual salary (Chair only) and a per diem for hearing days or half days. Some time for preparation, deliberation and decision writing is also offered, as discussed between the BOR Chair, the decision writer and potentially the BOR Secretary. If the City adopts an increased payment structure, it may attract a more diverse and qualified array of candidates to sit on the BOR.

This recommendation keeps the existing payment structure of the BOR but aims to modernize the amounts to keep in step with other jurisdictions and the cost of living. The recommended increases in salary adjust the 2009 salaries set by City Council for inflation and round them up to the nearest hundred dollar value. The remuneration, as charted below, is what is being recommended by the Governance Subcommittee:

<table>
<thead>
<tr>
<th>Member</th>
<th>Annual Salary</th>
<th>½ day</th>
<th>Full day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairperson</td>
<td>$4,300.00</td>
<td>$160.00</td>
<td>$320.00</td>
</tr>
<tr>
<td>Panel Chair</td>
<td>$2,200.00</td>
<td>$160.00</td>
<td>$320.00</td>
</tr>
<tr>
<td>Member</td>
<td>N/A</td>
<td>$160.00</td>
<td>$320.00</td>
</tr>
</tbody>
</table>

The recommended per diem amount reflects the going rate in other jurisdictions and incorporates that amount into Saskatoon’s structure which provides a salary and a per diem. As the additional duties of the Chairperson and Panel Chair are compensated through the annual salary, the per diem is the same for each category of BOR member.

At this time, it is not recommended to switch to a solely per diem structure. Given the potential for a Provincially-appointed board of revision, it may be prudent to wait on consideration of a complete overhaul. Likewise, this report is not recommending changes to how the BOR is currently compensated for deliberation or decision writing. Once the research project is complete or the Provincial strategy is known, more permanent changes may be recommended.

Require Training and Offer Increased Resources to BOR Members and the BOR Secretary
Providing adequate training to the BOR would help remedy board and appeal-related issues. While the Province of Saskatchewan does not require any Provincial training for BOR members, the City could impose training requirements and engage independent professionals including an appraiser and a lawyer who practices in the municipal or administrative realm to provide training. Likewise, the BOR members have access to independent legal counsel who might also be engaged to provide training. While independent counsel has sporadically been utilized in the past, there appears to be no consistent training program offered.

In addition to providing training for BOR members when they are appointed, ongoing resources are required to assist the BOR in carrying out its duty. Often, novel legal issues arise during a hearing, which require advice from a lawyer. While the BOR has
legal representation, it appears to be a resource that is underused because of budget constraints.

Likewise, more formalized training for the BOR Secretary would be beneficial in order to acquire the technical knowledge related to property tax assessment to adequately fulfill their duties, particularly in respect to their role in determining the adequacy of Notices of Appeal. If adequate resources and continuous development are not in place, there is the risk that the property tax appeal process will be undermined to the detriment of taxpayers and the City.

This recommendation asks City Council to approve the recommendation that training be enhanced and mandatory as organized by the City Clerk’s Office.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

Proposed amendments to the Act regarding the creation of a Provincially-appointed board of revision may result in significant changes to the assessment appeals scheme currently in place. The Governance Subcommittee will continue to monitor the status of the changes and report back as necessary. Likewise, further information and recommendations may be brought forward on completion of the joint research project.

COMMUNICATION ACTIVITIES

If adopted, communication will be required surrounding the implementation of mandatory BOR member and Secretary training, in addition to the compensation scheme. The City Clerk’s Office will coordinate any such communications.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

APPENDICES

1. Confidential – Solicitor/Client Privilege
2. Jurisdictional Scan – Qualifications, Compensation, Training and Resources

Report Approval
Written by: Alan Rankine, Solicitor
Christine G. Bogad, Director of Legal Services
Shellie Bryant, Deputy City Clerk
Candice Leuschen, Executive Assistant to the City Solicitor

Reviewed by: Darcy Huisman, City Assessor, Corporate Financial Services
Joanne Sproule, City Clerk
Mike Jordan, Chief Public Policy and Government Relations Officer
Jeff Jorgenson, City Manager

Approved by: Cindy Yelland, City Solicitor
CONFIDENTIAL
SOLICITOR/CLIENT PRIVILEGE

The Office of the City Solicitor provided confidential, Solicitor/Client Privilege information to Members of City Council regarding this matter. The information will remain In Camera pursuant to section 21 of LAFOIPP.
Jurisdictional Scan
Qualifications, Compensation, Training
and Resources

Qualifications/Experience
The preferred qualifications reviewed in other jurisdictions are higher than in Saskatoon.

The qualifications of the current Calgary Assessment Review Board (“CARB”) members demonstrate that they are either assessors/appraisers, lawyers or have significant experience in the real estate industry. The CARB is the Calgary equivalent to the City’s BOR. The CARB website encourages individuals with experience in the following areas to apply for membership to the CARB:

- Real estate;
- Property management;
- Property development;
- Property appraisal;
- Assessment; and
- Law.

Similarly, the majority of members of Edmonton’s Assessment Review Board (“EARB”) have significant experience in law and real estate.

The Ontario Assessment Review Board (“OARB”) is an independent adjudicative tribunal established under Ontario’s Assessment Review Board Act which hears appeals related to property classification and assessment. Thus, OARB members are Provincially-appointed. While Ontario has a system where members are appointed Provincially, these members sit at the same level of appeal as Saskatoon’s BOR members and carry out the same duties and function.

The OARB similarly attracts individuals with significant tribunal and real estate experience, including lawyers and other real estate professionals.

British Columbia’s Assessment Review Board (“BCARB”) is appointed Provincially and attracts members similar in qualifications to Calgary, Edmonton and Ontario. British Columbia also lists the following preferred qualifications:

- Previous assessment review panel experience;
- Real estate knowledge;
- Property appraisal skills;
- Business experience; and
- Mediation skills.
The advertised qualifications in these other jurisdictions are higher and the compensation is more attractive. This is important as BOR members are deemed by higher courts or tribunals to be experts in assessment matters.

Compensation
Other jurisdictions within Canada do not pay an annual salary. Instead, they have a higher *per diem* that members are entitled to receive. For example, the City of Calgary pays the Presiding Officer (Panel Chair) of the CARB $425.00 per day and $230.00 per half day. Calgary pays its CARB panel members $320.00 per full day and $170.00 per half day.

Edmonton pays its EARB members the same rate as in Calgary. In addition, they reimburse parking expenses which are incurred in relation to their duties and provide the Chair of the EARB with an additional $425.00 per month, in addition to the amount for sitting in hearings, for their duties.

OARB members are appointed Provincially and have full time members; however, the part time board members receive a $472.00 *per diem* and the Chair or Associate Chair receives a $744.00 *per diem*.

In British Columbia, panel members are compensated $425.00 per full day and $212.50 per each half day. The Chair is compensated $600.00 per full day and $300.00 per half day.

None of the websites for these jurisdictions provide an indication of whether or not this includes decision writing.

A table comparing compensation for panel members (not the Chairperson) in these jurisdictions is set out below:

<table>
<thead>
<tr>
<th></th>
<th>Panel Member Compensation</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City</td>
<td>½ Day Hearing</td>
<td>1 Day Hearing</td>
<td>1 ½ Day Hearing</td>
<td>2 Day Hearing</td>
</tr>
<tr>
<td>Saskatoon</td>
<td>$75.00</td>
<td>$150.00</td>
<td>$225.00</td>
<td>$300.00</td>
<td></td>
</tr>
<tr>
<td>Calgary</td>
<td>$170.00</td>
<td>$320.00</td>
<td>$490.00</td>
<td>$640.00</td>
<td></td>
</tr>
<tr>
<td>Edmonton</td>
<td>$170.00</td>
<td>$320.00</td>
<td>$490.00</td>
<td>$640.00</td>
<td></td>
</tr>
<tr>
<td>Ontario</td>
<td>$236.00</td>
<td>$472.00</td>
<td>$708.00</td>
<td>$944.00</td>
<td></td>
</tr>
<tr>
<td>British Columbia</td>
<td>$212.50</td>
<td>$425.00</td>
<td>$637.50</td>
<td>$850.00</td>
<td></td>
</tr>
</tbody>
</table>

As can be seen from the above chart, Saskatoon pays less than half of what other jurisdictions in Canada pay their panel members. However, there is some discretion to pay for preparation, deliberation and decision writing in addition to hearing time at the same rates.
Regina’s compensation structure pays for both hearing attendance and decision writing separately. For every day of hearings, BOR members in Regina are reimbursed an equal day of decision writing. For panel members, $150.00 per hearing day is provided, with an additional $150.00 for decision writing, totalling $300.00 per day. This amount increases for Panel Chairs and the Chairperson of the BOR.

Saskatoon currently employs a different compensation structure for Chairpersons where an annual salary of $3,600.00 is offered. As a result, it is difficult to compare the compensation; however, Chairpersons in Calgary and Edmonton are paid $275.00 more per day than Saskatoon Chairpersons and Ontario Chairpersons are paid $594.00 more per day than in Saskatoon.

As a part of this review, the Governance Subcommittee also compared the filing fees of various jurisdictions. Saskatoon’s filing fees are substantially comparable and, therefore, will not be the subject of further review.

Training
In Calgary, individuals appointed to the CARB must complete a training course through the Minister of Municipal Affairs and additional training is required by the City of Calgary. Edmonton is subject to the same Provincial training requirement. The Provincial training requires potential CARB and EARB members to receive a certification prior to hearing assessment appeals. The Alberta Training Manual covers the following topics for both panel members and clerks/secretaries:

- Administrative law, including the duty of fairness;
- Assessment principles;
- How evidence is treated;
- Conducting a hearing; and
- How to write a decision.

An outline of Alberta’s Municipal Affairs Training Requirements can be found online in the Ministerial Order; available at the following link: https://open.alberta.ca/dataset/b2321abf-f148-46d4-9748-f3424ef191d1/resource/ab7c8de1-8405-45a0-b72b-c5412a6422cf/download/mo-m-001-14.pdf.

British Columbia requires its appointed members to complete self-directed training sessions, which includes:

- An overview of the property assessment process in British Columbia;
- A detailed examination of panel roles and responsibilities;
- A comprehensive review of property appraisal techniques and measurement methodology; and
- How to conduct an efficient property assessment review panel session.
Ontario has a comprehensive rule manual which was adopted in 2017 that informs how panel members approach appeals and conduct themselves. While these rules are to be applied liberally, they provide panel members with a rough roadmap of how certain situations are to be dealt with, such as the factors to consider in ordering an adjournment. The OARB also receives training in areas such as ethics, the OARB’s mandate and legal requirements (ie. the Rules of the OARB).

The Rules adopted by the OARB are much more prescriptive than those of the Policy and provide specific factors to consider in certain scenarios (as mentioned above) as opposed to providing the members with general discretion like the Policy. The Rule manual provides taxpayers and assessing authorities with certainty and transparency in the assessment appeals system in Ontario, which was one of the goals of the Saskatchewan legislature in 2009 when the market value assessment regime was adopted.

In Saskatoon, training has varied over the years from technical presentations by representatives from the Saskatchewan Assessment Management Agency and formal decision writing workshops for the Board Chair and Panel Chairs to more localized onboarding and mentoring by the Board Chairs and Panel Chairs. The Secretary of the BOR has facilitated onboarding through a review of the BOR’s Policy and new BOR members are required to observe BOR hearings and deliberations prior to actually participating in a hearing. The BOR’s legal counsel has, in the past, provided BOR members with orientation in their roles and responsibilities and to address procedural fairness. There is, however, no set mandatory rules or training requirements in place to educate BOR members or the BOR Secretary on the Act, the Policy, accepted assessment principles or the applicable legal tests. The appeal process itself is wholly inadequate as a teaching method.

**Improved Resources**

In Alberta, Assessors and taxpayers are able to apply to the Alberta Court of Queen’s Bench if they believe there is partiality, bias or other improper conduct of ARB members.

In Ontario, the Rules adopted in 2017 allow a taxpayer to request that a decision of the OARB be reviewed (prior to appealing the decision) by the Associate Chair of the OARB if the OARB acted outside their jurisdiction, made a significant error of fact or law, heard false evidence or new evidence has been discovered. This creates a quicker and more efficient process if a full appeal does not need to be assembled.

The BCARB, like the OARB, has the jurisdiction to amend its decision in rare circumstances if pertinent evidence is missed.

In Saskatchewan, the only recourse is to appeal to the AAC, who is often reluctant to overturn BOR decisions based on procedural fairness issues. Based on Saskatchewan’s appeal process, it is essential to provide BOR members with resources such as independent legal advice to ensure fairness is achieved at BOR hearings.
Supplemental Report – Governance Review – Other Bodies – Board of Revision

ISSUE
The Leadership Team Governance Subcommittee (the “Governance Subcommittee”) tabled a report at the May 19, 2020 meeting of the Governance and Priorities Committee (“GPC”) making recommendations with a view to improve the governance and function of the Board of Revision (“BOR”). GPC resolved that the report be forwarded to the BOR members for their review and comment. This report presents the engagement results.

In addition, this report provides an update regarding the potential for a Provincial board of revision and recommends repeal of a historical policy.

RECOMMENDATION
That the Governance and Priorities Committee recommend to City Council that Policy No, C01-011, Remuneration – Members of Board of Revision be repealed.

BACKGROUND
This report is intended to be considered alongside the companion report “Governance Review – Other Bodies – Board of Revision”, which was tabled with GPC on May 19, 2020. The detailed history of this matter is described in that report.

DISCUSSION/ANALYSIS

a. Engagement with BOR
The Governance Subcommittee shared the May 19, 2020 “Governance Review – Other Bodies – Board of Revision” report with the BOR for review and comment. The Core Committee of the Governance Subcommittee met with the members of the BOR via telephone on May 21, 2020 to discuss the report contents and field any questions. BOR members were encouraged to submit written comments to ensure that the comments heard during the meeting would not be misinterpreted or misrepresented. The BOR was also encouraged to submit a request to speak at the August meeting of GPC.

The BOR members’ written feedback is attached to this report as Appendix 1. In general, current BOR members appear to be supportive of the Governance Subcommittee’s recommendations. The largest debate concerns the suitability of some of the proposed qualifications criteria; in particular, the inclusion of previous real estate and property assessment or appraisal experience. While interpreted this way, the proposed list of qualifications was not intended to be presented in order of priority. Suggestions for the inclusion of other qualifications were also provided; namely, experience in statistical analysis and modelling and basic micro-economics. More than
one BOR member commented on the importance of decision writing. Likewise, the importance of proper training and remuneration were also recognized by BOR members. Specific training opportunities were identified for consideration as outlined in the attached comments.

b. **Update – Potential Provincial Board of Revision**
Bill 194, *The Miscellaneous Municipal Statutes Amendment Act, 2019*, which proposed various amendments to *The Cities Act* as discussed in the May 19, 2020 report, received Royal Assent on July 3, 2020. The following amendments were included:

- The Lieutenant Governor in Council may make regulations relating to the appointment of, training and qualifications of members of a board of revision. Regulations may also be made prescribing rules for a board of revision. This amendment is effective upon the date of Royal Assent (subsection 192(12)).
- New section 193.1(1) allows the Lieutenant Governor in Council to establish a Provincial Office of the Registrar for the purposes of receiving, reviewing and processing appeals for any board of revision. In doing so, the Minister may outfit the Registrar with any supplies or employees to carry out the duties of that Office. The rules of how such an Office would function will be prescribed in the regulations. This amendment is effective upon Order of the Lieutenant Governor in Council.
- The Lieutenant Governor in Council may establish a Provincial board of revision for any city whose members would be required to meet defined qualifications and complete the prescribed training. This amendment is effective upon Order of the Lieutenant Governor in Council (new section 194.1).

It remains unclear whether the Province will actually establish a Provincial board of revision and whether Saskatoon would be required to use that Provincial board of revision or whether it will be allowed to continue status quo if one is established. No information has been shared about the regulations or their contents.

c. **Policy No. C01-011, Remuneration – Members of Board of Revision**
Subsequent to tabling the May 19, 2020 report, the Core Committee identified that Policy No. C01-011, *Remuneration – Members Board of Revision* should be repealed as part of this update process. This Policy was passed in 1989 and has not been updated since that time. A copy of this Policy is attached to this report as Appendix 2 for ease of reference.

Given the age of the Policy, the fact that it has not been updated to reflect subsequent City Council resolutions regarding the BOR’s remuneration, and the fact that it does not reflect the requirements of *The Cities Act* (contemplates members of City Council as members of the BOR, which is prohibited), it is recommended that the Policy be repealed.
FINANCIAL IMPLICATIONS
Financial implications resulting from implementation of the recommendations to improve the governance and function of the BOR are as described in the main report “Governance Review – Other Bodies – Board of Revision” tabled at the May 19, 2020 meeting of GPC.

NEXT STEPS
The Governance Subcommittee will continue to research, report and implement decisions as City Council directs throughout the governance review project. The Governance Subcommittee will also continue to monitor any developments associated with implementation of the recent amendments to The Cities Act and report as needed.

APPENDICES
1. Comments Received from the Board of Revision Members
2. Policy No. C01-011, Remuneration – Members Board of Revision

Report Approval
Written by: Christine G. Bogad, Director of Legal Services
Shellie Bryant, Deputy City Clerk
Candice Leuschen, Executive Assistant to the City Solicitor
Reviewed by: Joanne Sproule, City Clerk
Mike Jordan, Chief Public Policy and Government Relations Officer
Jeff Jorgenson, City Manager
Approved by: Cindy Yelland, City Solicitor
Good morning, Shellie.

I’m pleased to offer my comments on the decision report to be presented to GPC and Council.

- Training for the Board and Secretary is key to ensuring consistent decisions across various appeal years.
- Compensation may positively impact the ability to recruit more qualified individuals to the Board.
- Creating a more intentional performance evaluation plan for BOR members will help improve decision writing consistency and identify where training needs to be improved.
- With the increased complexity of tax assessments, it is crucial that Panel Chairs be able to navigate the hearings and the various documents associated with the hearings.
- It is important for GPC and Council to consider the impacts of the BOR and how it influences tax policy in our City.

A couple of training ideas that I’ve seen are through the Canadian Association of Administrative Tribunals - they have an online decision writing course that I have pondered taking and may do so in the future. Perhaps a board membership to this agency or the provincial agency could be beneficial for the Board and Secretary.

I’d be happy to speak before GPC or Council on this matter if you and Adrian would like.

Cam
That the Governance and Priorities Committee recommend to City Council that option 1 be pursued: I agree

1. That preferred qualifications advertised for potential appointees to the Board of Revision be amended to include:

- Previous real estate experience; I agree with the comments made during our call this week. This is not a qualification that is necessary.

- Previous assessment or property appraisal experience; This not a qualification that is necessary

- Previous experience on or with a quasi-judicial or an administrative tribunal; Agree

- The ability to be fair, open-minded and impartial; Agree

- The ability to conduct themselves with integrity and consistency; Agree

- The ability to interpret and apply the relevant statutes and case law to complex scenarios; and Agree

- The ability to absorb and analyze complex material information and write comprehensive, intelligible decisions. Agree

2. That the compensation of members appointed to the Board of Revision be increased as of January 1, 2021 as outlined in this report. Agree

3. That advertising forums for Board of Revision vacancies be reviewed and expanded at the discretion of the City Clerk’s Office. Agree
4. That training options for both Board of Revision members and the Board of Revision Secretary be explored and mandatory training be implemented for 2021 appointments. Totally agree, this has been a weakness for the BoR. We need a robust quality review feature and a system to ensure consistency in our decisions. The same set of facts and circumstances should result in the same decision.

5. That resources, including access to legal counsel for members appointed to the Board of Revision and the Secretary to the Board of Revision continue to be offered and the potential to increase access to those resources be further explored. Agree

6. That a process be established for the performance evaluation of appointed Board of Revision members for consideration by the Governance and Priorities Committee in advance of reappointments and to identify potential areas for further training and development. Strongly agree. I feel, over the years, we have some board members who are very competent and some are barely competent

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Further, I believe that the administrative duties such as word processing and formatting need to be left to those in the City Clerks office who have the training and expertise to do this.

Thank you for the opportunity to provide comments.

And thank you for your thoroughness and thoughtfulness on Board of Revision matters

Randy
I believe the preferred qualifications should be the same as in the qualifications of the current Calgary Assessment Review Board ("CARB"). I.e. BOR members should demonstrate that they have significant knowledge of the real estate industry and preferably have experience in the following areas:

- Real estate;
- Property management, development, and appraisal;
- Assessment.

The British Columbia’s Assessment Review Board ("BCARB") lists the following preferred qualifications:

- Previous assessment review panel experience;
- Real estate market knowledge;
- Property appraisal skills;
- Business experience; and
- Mediation skills.

The above can be obtained by completing relevant courses and training. E.g. courses of the Appraisal Institute of Canada (University of British Columbia) and complete training courses through the Alberta Ministry of Municipal Affairs.

Provincial training requires potential CARB members to receive certification prior to hearing assessment appeals. The Alberta Training Manual covers the following topics for both panel members and clerks/secretaries:

- Administrative law, including the duty of fairness;
- Assessment principles;
- How evidence is treated;
- Conducting a hearing; and
- How to write a decision.

I believe additional training that would benefit BOR members is Basic Statistical Analysis and Regression Analysis, as well as understanding how mathematical models are used in property development, appraisals, and assessments.

Knowledge of basic micro-economics (theory of demand and supply, equilibrium price and quantity, real estate markets etc.) and understanding how external forces such as Covid 19 impact on the equilibrium point. In addition understanding the mathematical concept or model of Net Present Value (NPV) in property development should enable BOR member to better appreciate the business of real estate markets.

This is a tall order, but achievable!
Governance Review – Board of Revision – Decision Report

Comments by Asit Sarkar, Member and Vice Chair, Board of Revision

This report addresses three issues – member recruitment, qualifications, training and remuneration. While matters of training and remuneration require attention, the Report does not provide how changes in recruitment process could improve Board performance, nor does the discussion regarding the qualification of Board members leads to the proposed changes in qualifications. The Report also mentions a number of assumptions about Board decisions and their relationship to Board member qualifications. More specifically,

1. With regard to the current working of the Board, the Report makes two assumptions about the Board (a trier of fact; an expert panel; acting in a manner of procedural fairness, accuracy of property assessment value reflected in Board decisions) but does not provide any data on Board decisions, AAC decisions on appeals of Board decisions and in particular, the extent to which Board decisions were overturned by AAC because the Board misinterpreted the state of existing jurisprudence, accepted evidence improperly or acted unfairly in its hearings. In the absence of such evidence, it is difficult to make a case one way or the other how any rewriting of member qualifications would improve Board performance. It is important to recognize that the Board, acting as an appellate body, has the responsibility to accord both appellant and assessor a fair hearing. Therefore, the Board emphasizes that it is charged to act in an impartial manner. While there is scope for highlighting certain qualifications of prospective Board members such as - previous assessment or property appraisal experience; previous experience on or with a quasi-judicial or an administrative tribunal; ability to be fair, open-minded and impartial; ability to conduct themselves with integrity and consistency – the recommendation to place “previous real estate experience” ahead of the others has not been justified by any objective evidence (other than what is listed for Calgary Board). There are a number of instances where the Board was presented with evidence from appellants that were based on real estate appraisals. In all of these cases, these represented single property assessments or were not information from the Base year of assessment. The Board consistently ignored such information. Thus, flagging “previous real estate experience” as the top preferred qualifications will contribute very little to the improvement of Board performance. Where the Board felt that the appellant has not been provided with adequate information to formulate the appeal, the Board questioned the process of information seeking and response from the assessor prior to the hearing in order to ensure that fair consideration of the appeal can be made.

2. Board training is one of most important determinants of Board performance, particularly in discharging its “duty of fairness” in an appropriate manner. In the past two years, this has been a key part of the training, particularly in ensuring that the duty of fairness is also applied in terms of allowing evidence and evaluating evidence. The other important component of training would be the mass appraisal process and its relevance to the assessed value. In addressing it, it is important to recognize that while mass appraisal basis is viewed as an objective measure, the Board has been presented with evidence
from time to time where appellants questioned Assessor's selection of properties or boundaries. The Board, in all such cases, applied its duty of fairness in evaluating the two positions and came to its decision. Although I do not have all the data on these, it would be a rare situation where AAC questioned the Board’s decision as being inappropriate.

3. With regard to instituting a process to review Board (or member) performance, such an ongoing process can contribute to improvements in Board performance and will have the support of the Board.

4. With regard to remuneration, a revaluation is overdue. The Council may deem it appropriate to adjust the level of remuneration periodically, perhaps every five years.

5. The Report mentions the University of Saskatchewan- City of Saskatoon research project on governance of Boards and agencies. In order that such research incorporates all relevant input, it is essential that Board of Revision members are able to provide input on matters that involve judgements on Board performance.
The input below is in response to the City of Saskatoon’s Governance Review Reports (Decision Report and Approval Report) considered by Saskatoon’s Board of Revision (BOR) at its annual organizational meeting on May 21, 2020. The Board had a good discussion about the matters raised in the governance review material and the recommendations therein. It was clear that there was solid consensus among BOR members on the matters raised and discussed, the highlights of which were no doubt captured by the support staff who participated in the meeting.

The BOR welcomed the Governance Review currently underway and appreciated the opportunity to provide feedback and input. We, in fact, have had discussions about some of these matters in previous years. Below are my points for input into the BOR’s written submission to the City’s Governance and Priorities Committee, as requested of all BOR members.

INPUT

The BOR supported Option 1, which is the option being recommended by staff to the City’s Governance and Priorities Committee and is “To amend qualifications, compensation, training, and Resources of the Board of Revision”.

a. Qualifications

Option 1 includes in its recommended qualifications previous real estate experience and previous assessment or appraisal experience. I agree with the BOR discussion that these qualifications are less important than the other qualifications listed. In fact, during hearings, real estate listings and appraisals are usually disregarded because the system focuses on mass appraisal, not individual property values.

The other qualifications listed in Option 1 are important and relevant. In addition, I would suggest the addition of some experience with statistical analysis and modelling, which is how our Assessors develop their assessments using market data from large numbers of property sales and rental / lease information. During some hearings, many hours are spent on defining what certain statistical measures and methods actually mean, because they are so important for understanding the evidence before the Panel.

An emphasis on both the ability and the willingness to take on decision-writing is critical. Perhaps, during recruitment, applicants could be asked to provide evidence of their track record in this area (e.g., an indication of some things they have written or that this skill was part of previous positions they have held).

b. Compensation

The BOR’s compensation rates have remained unchanged for over 10 years, as the City’s Decision Report indicates. The rates are now quite low, relative to the qualifications and responsibilities required of BOR members. Furthermore, the compensation system does not take into account the actual time involved when complex appeals are heard, given the amount of time spent reading very large packages of material, reviewing relevant legislation and decisions, hearing more than one appeal in a week, and writing decisions that can take several days. The time sheets provided to BOR members limit the amount of time that can be compensated for preparation, deliberation and writing per week, regardless of how many days are actually spent in those activities during busy times and on complex cases. Some extra time can be paid for but that requires a special approval process, which is seldom used, as far as I know.
I suggest that further research be done on compensation received by similar tribunals in various jurisdictions to determine the range of appropriate rates and methods. It may be useful to ‘tag’ BOR compensation rates to another relevant indicator or rate in the system, so that when the indicator rate changes, the BOR’s rates are adjusted accordingly even so often (e.g., each assessment cycle). For example, in a previous leadership position I had, my salary was tagged to a provincial government salary level, so that when it changed, my salary was adjusted accordingly. It reduced the need to renegotiate regularly and also kept the salary competitive with similar positions. Such systems reduce administrative burden and contribute to retention, because compensation levels stay up-to-date.

I realize that BOR members are classified as volunteers and that their compensation is considered an honorarium. Therefore, compensation rates will not reflect salaries received by people similarly qualified who are employed rather than serving voluntarily. However, I think an increased rate may help with recruitment and retention.

BOR members are also expected to have appropriate technology (computer with internet access, software, printer, etc.) to perform their duties. This need will grow as the system seems to be moving more towards e-business. BOR members could be offered an allowance for acquiring such technology, especially if specific types are required.

c. Training

While BOR members are selected for their qualifications and should therefore be expected to have the essential skills, there is still a need for certain types of training.

First, an overview of the assessment system is necessary, including how the assessors build their models using large data sets, statistical analysis, and mass appraisal. It would also be helpful to have the different parts of the system explained, i.e., who does what, how it all fits together, what the SMB does and how, etc. While this knowledge can be acquired through experience on the BOR, it would be helpful for new members to have an overview of it early on in their service.

All BOR members should be encouraged to take a course in the Principles of Administrative Justice, if they don’t already have one. Also, refresher courses should be encouraged for members who took such training some years earlier, as new methods and strategies emerge. These can be taken online, e.g., see https://foaj.ca/. Offering an allowance for such training (i.e., a cost-sharing approach) would encourage board members to take it up.

CLOSING

I feel privileged to serve on the Board of Revision. It is important work and the members take their responsibilities very seriously. It should also be recognized the BOR is one part of the system and its decisions are influenced by how other players, such as the Assessors, Appellants and Tax Agents, carry out their roles, and what is or is not presented or revealed during a hearing. Assessment appeals and hearings are of course also shaped by the current assessment system, which is updated using more recent data every four years but is also based on some aspects that have not been updated in much longer than that. In my view, this is something that should be addressed to avoid having the BOR and the whole appeal process devoting precious time to hearing many of the same issues repeatedly. This may require reviewing The Cities Act. This note is to clarify the point I make in my ‘input’ document about possibly needing to review The Cities Act. By this I meant that certain sections of The Act may not currently be fully adhered; I am referring specifically to S 226 (5) which requires the assessor to change the assessment roll to reflect BOR decisions (which doesn’t seem to happen) and S 227 (which states that repeated
appeals of the same matter for the same property are not actually necessary unless the appeals have run the full range of appeal options).

May 22, 2020: June Bold, BOR member,
Hi Shellie – meeting went well this morning

My thoughts on the Governance Review recommendation (as found at p. 30):

#1.

The “preferred qualifications” to be advertised for potential candidates seems to place a priority on some form of real estate experience, perhaps because it is listed first. In my experience, the last “qualification” might be better off listed first because that has been the greatest impediment to a candidate’s success on the board.

Even if a candidate meets all of the other “qualifications”, they cannot be a contributing board member if they cannot reasonably meet that last “qualification”.

On our current board (and every previous board) the members have had varying degrees of decision writing expertise. Your office learns this very quickly and I suspect that it greatly influences how panels are put together and hearings assigned.

In short, it would be misleading to place “previous real estate experience” as the very first “qualification”. I have had the pleasure to work with many very capable writers, not one of whom had any real estate experience. However, I did work with one very nice gentleman who was a former municipal administrator and was quite familiar with SAMA and the Saskatchewan system of assessment. I met privately with him several times to give him some assistance with decision writing. When he resigned, it was because he was tired of the struggle he had with the writing.

I would reverse the order of those “qualifications” top to bottom and identify real estate and property assessment experience not as “qualifications”, but rather as “assets”.

#2. Reasonable and expected.

#3. A very practical suggestion.

#4. We have discussing the need for this for some time.

#5. Another very practical suggestion.


Adrian
To ensure that members of the Board of Revision are adequately and equitably compensated for services rendered.

2. **POLICY**

Members of the Board of Revision shall be compensated for services rendered while attending sessions of the Board of Revision.

2.1 **Allowance**

Members shall receive an allowance of $100.00 per day or $50.00 per one-half day session.

2.2 **Application**

The above rates shall apply to all members of the Board of Revision including those who are members of City Council.

3. **RESPONSIBILITY**

3.1 **Assessment Department** - shall maintain appropriate records to effect and support per diem payments to the Board of Revision.

3.2 **Personnel and Organization Committee** - shall be responsible for recommending to City Council, any and all updated to this Policy.
--- Replies to this email will go to [name] ---

Submitted on Friday, August 21, 2020 - 12:49

Submitted by user: Anonymous

Submitted values are:

Date Friday, August 21, 2020
To His Worship the Mayor and Members of City Council
First Name Asit
Last Name Sarkar
Phone Number
Email
Address
City Saskatoon
Province Saskatchewan
Postal Code S7H

Name of the organization or agency you are representing (if applicable)
Subject Board of Revision Governance Review
Meeting (if known) Standing Committee on Priorities and Governance - 24 August 2020
Comments
I would like to speak on the Agenda Item on Governance Review concerning Board of Revision.
Attachments

The results of this submission may be viewed at: