
Agenda

1. Call to Order
2. Signing of Waiver
3. Adoption of Agenda
4. Decision Items:

4.1	Clean Energy Technology Centre Chief Operating Officer Bylaw 2017/13/A	2-7
4.2	Appointment and Employment Agreement of Chief Operating Officer - Clean Energy Technology Centre (in camera)	

5. Adjournment



COUNCIL REQUEST FOR DECISION

SUBJECT:	Clean Energy Technology Centre Chief Operating Officer Bylaw 2017/13/A
MEETING DATE:	December 1, 2017
SUBMITTED BY:	Administration for Council

PROPOSAL AND BACKGROUND:

The *Municipal Government Act* provides Council with the authority to establish and appoint Designated officers:

Designated officers

210(1) A council may by bylaw establish one or more positions to carry out the powers, duties and functions of a designated officer under this or any other enactment or bylaw.

(2) Council may give a position established under subsection (a) any title the council considers appropriate.

(3) The bylaw must include which of the powers, duties and functions referred to in subsection (a) are to be exercised by each position.

(4) Unless otherwise provided by bylaw, all designated officers are subject to the supervision of and accountable to the chief administrative officer.

(5) A chief administrative officer may exercise all of the powers, duties and functions of a designated officer under this or any other enactment or bylaw if

(a) no position of designated officer has been established by council,

(b) the position of designated officer is vacant, or

(c) this or any other enactment or bylaw refers to a designated officer and the power, duty, function or other thing relating to the designated officer has not been assigned to any designated officer by council.

1994 cM-26.1 s210



The attached Bylaw 2017/13/A was presented to Council at the December 1, 2017, Special Meeting of Council and received First and Second Readings.

MOTION REQUESTED:

A. That Council give Third and Final Reading to Clean Energy Technology Centre Chief Operating Officer Bylaw 2017/13/A.

ATTACHMENTS:

- Attachment 1: Clean Energy Technology Centre Chief Operating Officer Bylaw 2017/13/A

Report Prepared By:		Report Reviewed By:	
			
Name:	Rita Bijeau	Name:	Dwight Dibben
Title:	Executive Assistant	Title:	Chief Administrative Officer

Report Routed to Council By:





BYLAW NO. 2017/13/A

Name of Bylaw: **Clean Energy Technology Centre Chief Operating Officer Bylaw**

WHEREAS the Council of the Town of Drayton Valley is desirous of creating a position for the Chief Operating Officer of the Clean Energy Technology Centre;

NOW THEREFORE pursuant to section 210 of the *Municipal Government Act*, R.S.A. 2000 the Council of the Town of Drayton Valley, duly assembled, hereby enacts as follows:

1. TITLE

This Bylaw may be cited as the “Clean Energy Technology Centre Officer Bylaw” of the Town of Drayton Valley.

2. PURPOSE

The purpose of this Bylaw is to establish the powers, duties and functions of the Chief Operating Officer of the Clean Energy Technology Centre of the Town of Drayton Valley.

3. DEFINITIONS

3.1 In this Bylaw, including this section, unless the context otherwise requires:

- a. *Act* means the *Municipal Government Act*, Revised Statutes of Alberta, 2000, Chapter M-26 and any other amendments thereto;
- b. *CAO* means the Chief Administrative Officer of the Town or his/her designate;
- c. *Clean Energy Technology Centre (CETC)* means the facility owned and operated by the Town of Drayton Valley, which offers skills and development training, post-secondary education, business incubation and resources for the pursuit of alternative energy practices;
- d. *COO* means any person who has been hired from time to time, for the purpose of operating the Clean Energy Technology Centre pursuant to this Bylaw;
- e. *Council* means the Municipal Council for the Town of Drayton Valley; and
- f. *Town* means the Town of Drayton Valley, in the Province of Alberta.

4. ESTABLISHMENT OF POSITION

- 4.1 The position of Chief Operating Officer of the CETC (hereinafter referred to as the “COO”) is established pursuant to section 210 of the Act.
- 4.2 Council shall by resolution appoint an individual to the position of COO.
- 4.3 Council shall establish the terms and conditions of employment of the COO.

- 4.4 The COO is accountable to and subject to the supervision of Council.
- 4.5 The Town will indemnify the COO, provided that the COO acts in the course and scope of his or her employment and acts in good faith to comply with any applicable resolution, Bylaw, statute, regulation, enactment, or direction of Council

5. **DUTIES OF THE CHIEF OPERATING OFFICER OF THE CLEAN ENERGY TECHNOLOGY CENTRE**

- 5.1 Without limiting the generality of section 4, the COO shall, within the operational objectives of the CETC:
 - a. facilitate, encourage and assist in:
 - i. the establishment of knowledge-based industry, including the bio-industry;
 - ii. activities related to the development, training and ownership of knowledge-based opportunities for conventional and bio-industry incubation and entrepreneurship; and
 - iii. commercialization of bio-based products, businesses, business incubation centres and training resources;
 - b. attract bio-industries and other industries to locate in the community;
 - c. operate, administer and manage such principal building, land, utilities or additional buildings and improvements to effectively serve the purposes of the CETC and the clients of the CETC, including the operation of the Drayton Valley Bio-Mile;
 - d. solicit, on behalf of the CETC, donations, bequests, gifts, funds or gifts-in-kind of any nature whatsoever;
 - e. research and provide recommendations to Council on opportunities and revenue generation for the municipality;
 - f. facilitate education, applied research, training, business information, seminars, current research, workforce training and networking resources;
 - g. create marketing strategies, campaigns and products to ensure business incubations receive complimentary programs and services;
 - h. focus on areas of youth entrepreneurship, startups, microbusinesses, mentorship and networking;
 - i. liaise with consultants, project developers and venture capitalist to fund bio-based projects.
- 5.2 The COO reports to Council, and is responsible for the overall planning, coordination and control of all CETC and Bio-Mile operations, in compliance with the operational objectives of the CETC;

- 5.3 The COO shall have the authority to, in accordance with the Policies and operational practices of the Town:
 - a. direct, supervise, oversee, manage and review the performance of the employees and personnel at the CETC, in accordance with the Policies and Procedures established by the Town;
 - b. within the scope of the approved budget, manage the personnel and administration of the CETC necessary for its safe, efficient, economic and effective operation, in accordance with the Policies and Procedures established by the Town;
- 5.4 The COO directs the preparation of the CETC capital and operating budgets and submits them, with supporting documentation, to Council for review and approval.
- 5.5 The COO authorizes the processing of payment of accounts within established practices and budget of the CETC.
- 5.6 The COO coordinates the prompt and proper handling of all requests, inquiries and complaints by the public with respect to the CETC.
- 5.7 The COO attends meetings and advises Council as required.
- 5.8 The COO shall perform all other duties and functions for the safe, efficient, economic and effective operation of the CETC as may be required from time to time, provided that no such action requires an expenditure of money which:
 - a. has not been approved by Council; or
 - b. has not been included and specifically identified in an operating budget, interim operating budget or capital budget;
 - c. does not conform with the expenditures and limitations established within the Town's Purchasing and Tendering Policy;except in the case of immediate action which is required to respond to an emergency or disaster, and only then with the expressed written permission of Council.
- 5.9 The COO is charged with developing strategies and working effectively, in consultation and with the direction of Council, with other parties, including other levels of government, industry, post-secondary institutions or private educational institutes and associations.
- 5.10 The COO ensures compliance of CETC operations within all Bylaws, Resolutions, and Policies of the Town of Drayton Valley

6. INTERPRETATION

- 6.1 Words used in the singular include the plural and vice-versa.
- 6.2 When a word is used in the masculine or feminine it will refer to either gender.
- 6.3 Words used in the present tense include the other tenses and derivative forms.

7. SEVERABILITY

If any provision of this Bylaw is held be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of the Bylaw.

AND THAT this Bylaw shall automatically expire and be repealed on the 30th day of July, 2018.

Read a first time this 1st day of December, 2017, A. D.

Read a second time this 1st day of December, 2017, A. D.

Read a third and final time this ___ day of _____, 2017, A. D.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

DRAFT