

1982 BILL PR 9

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Fourth Session, 19th Legislature, 31 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL PR 9**

**EDMONTON ECONOMIC DEVELOPMENT AUTHORITY  
ACT**

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MR. MACK

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill PR 9*  
*Mr. Mack*

## **BILL PR 9**

1982

### **EDMONTON ECONOMIC DEVELOPMENT AUTHORITY ACT**

*(Assented to , 1982)*

WHEREAS a petition has been presented, praying for the incorporation of the Edmonton Economic Development Authority, and it is expedient to grant the prayer of the petition;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

**1** In this Act,

- (a) "Authority" means Edmonton Economic Development Authority;
- (b) "Chairman" means the Chairman of the Authority;
- (c) "City" means the City of Edmonton;
- (d) "Council" means the council of the City;
- (e) "elector" means a person who is entitled to vote at the municipal elections of the City and who is not a member of the Council;
- (f) "General Manager" means the person who is from time to time appointed as General Manager of the Authority;
- (g) "Mayor" means the Mayor of the City;
- (h) "Nominating Committee" means:
  - (i) the Spirit of Edmonton Committee for the purpose of the

appointment of the first members of the Authority appointed under section 5(d); and

(ii) the members of the Authority appointed pursuant to section 5(a), (b) and (c), for the purpose of any subsequent appointments under section 5(d);

(i) “parent organization” means:

(i) The Edmonton Chamber of Commerce;

(ii) the Nominating Committee; or

(iii) the Authority;

as the case may be which is, from time to time, responsible for the appointment of members to the Authority pursuant to section 5;

(j) “Spirit of Edmonton Committee” means that unincorporated organization which, at the date of enactment of this Act, is comprised of representatives of:

(i) The Edmonton Chamber of Commerce;

(ii) The Edmonton Convention Bureau;

(iii) The Edmonton Klondike Days Association;

(iv) The Edmonton Convention Centre Authority;

(v) The Edmonton Exhibition Association Limited;

(vi) the Business Development Department of the City;

(vii) the Public Relations Office of the City; and

(viii) the Mayor’s Office of the City;

(k) “Vice-Chairman” means the Vice-Chairman of the Authority.

**Incorporation** **2** There is hereby created a body corporate with the name of “Edmonton Economic Development Authority” composed of members appointed in accordance with the provisions of this Act.

**Object** **3** The Authority shall have as its object the promotion and development of the economic growth of the City in a manner consistent with general economic development policies for the City approved by Council.

**Special powers** **4** Without limiting the generality of section 3, the Authority shall have the power:

(a) to appoint a General Manager who shall have authority to

conduct the daily administration and management of the business and affairs of the Authority and shall be responsible to and serve as secretary to the Authority;

(b) to acquire and hold any real or personal property or any estate or interest in real or personal property or any rights or privileges of any kind or nature and to alienate, sell, lease or dispose of any property, right or privilege;

(c) to engage the services of any bank or treasury branch and to enter into agreements with any bank or treasury branch;

(d) to draw, make, accept, endorse, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

(e) to delegate in writing any power contained in clauses (c) and (d);

(f) to acquire, hold or alienate shares in the capital stock of any corporation that is involved in the economic development of the City;

(g) with the prior approval of the Council, to borrow money upon the credit of the Authority and guaranteed by the City, and execute evidence of indebtedness for that purpose;

(h) to make by-laws to cover its own internal procedures and the government and proper administration of its property, affairs and interests;

(i) to enter into, with any government, authority or person, any agreement that the Authority deems necessary or useful to fulfill its object or special powers;

(j) to receive gifts, donations and grants of money and other property from any source for the purpose of enabling the Authority to carry out its object or special powers; and

(k) generally to do or cause to be done within or without the City, all things that are within the power of the City, necessary for or incidental to the achievement of its object defined in section 3.

Members

**5** The Authority shall be composed of:

(a) 2 electors appointed by the Council, either or both of whom may be a member of the Council;

(b) 1 City commissioner appointed by the Council;

(c) 1 elector appointed by The Edmonton Chamber of Commerce;

(d) 5 electors appointed by the Nominating Committee to rep

resent the business community of the City, 1 of whom shall be a member of the Edmonton Labour Council; and

(e) the Mayor.

Appointment and term of members

**6(1)** As soon as practically possible after this Act comes into force the first members of the Authority shall be appointed.

(2) The initial term of members appointed under section 5(a), (b) and (c) shall be 3 years from the date of their appointment.

(3) The initial term of members appointed under section 5(d) shall be 2 years from the date of their appointment.

(4) The Mayor shall be a member throughout his term of office.

(5) Notwithstanding the period for which he was appointed as a member of the Authority, a member of the Council may hold office as a member of the Authority only so long as he remains a member of the Council.

(6) Notwithstanding the period for which he was appointed as a member of the Authority, a member of the Authority shall remain in office until his successor has been appointed, unless disqualified pursuant to section 8.

(7) A former member of the Authority is eligible for reappointment as a member of the Authority.

(8) Notwithstanding subsection (3), the members appointed under that subsection may have their terms extended for a further period of 1 year or less so as to ensure that in any given year, the number of vacancies among the members of the Authority, due to expiration of term, shall not exceed 4.

Vacancies

**7** Where a vacancy occurs in membership in the Authority by any cause other than the expiration of the term for which the member was appointed, the parent organization shall appoint a successor to fill the vacancy for the remainder of the term.

Qualifications

**8(1)** The provisions of sections 29, 30 and 31 of the *Municipal Government Act* applying to members of the council of a municipality shall apply mutatis mutandis to the members of the Authority.

(2) Notwithstanding subsection (1), the provisions of section 29(1)(b) of the *Municipal Government Act* do not apply to the Mayor in his capacity as a member of the Authority.

Chairman and Vice-Chairman

**9(1)** At the first meeting of the Authority the members shall elect 1 of the members to act as Chairman and 1 of the members to act as Vice-Chairman.

(2) The Chairman shall preside at the meetings of the Authority and in his absence, the Vice-Chairman shall preside.

(3) In the absence of both the Chairman and the Vice-Chairman, the Authority may elect a member to preside over the meeting.

(4) The Chairman and Vice-Chairman shall hold office for a term of 2 years or until the expiration of the term of office as member whichever is the lesser period.

Quorum **10** A majority of the members appointed at the time shall form a quorum of the Authority for the transaction of business.

Seal **11** The Authority shall have a common seal.

Head office **12** The head office of the Authority shall be in the City.

Guarantees **13** The City shall, by by-law, guarantee the payment of capital and interest on money borrowed by the Authority.

Financing **14** The City shall provide to the Authority whatever money is, in the opinion of the Council, necessary for the operation of the Authority.

Non-profit operation **15(1)** The Authority shall not be carried on for the purpose of gain for its members.

(2) Any profits or other accretions to the Authority shall be used in the promotion of its object and no part of the income of the Authority shall be payable to or otherwise available for the personal benefit of any member of the Authority except for the reimbursement of reasonable expenses incurred by a member in connection with attending the meetings or carrying on the functions of the Authority.

City may manage **16** If, in the opinion of the Council, the Authority fails to carry out its object in a satisfactory manner, the Council may direct the Authority to turn over the management and operation of the assets of the Authority to the City or its nominees and the Authority shall comply with the direction.

City may take property **17** If, in the opinion of the Council, the Authority fails to carry out its object in a satisfactory manner, the Council may direct the Authority to transfer to the City or its nominees all or any of that portion of the assets and undertaking of the Authority which has been provided by the City, without payment or consideration and the Authority shall comply with the direction.

Annual Audit **18(1)** The Authority shall cause an annual audit of its accounts to be made at least once in every fiscal year by an independent auditor who shall be a chartered accountant and who shall be appointed at the annual meeting of the members of the Authority.

(2) The fiscal year of the Authority shall coincide with the fiscal year of the City and the Authority shall submit its annual audited statement to the Council.

(3) The Authority shall give the auditor such information and permit such inspections as are necessary to enable the audit to be carried out, and shall cause a certified statement of each audit, showing the receipts and expenditures of the Authority for the preceding fiscal year and investments, if any, held by the Authority for the preceding fiscal year and investments, if any, held by the Authority at the time of the audit for that year, to be laid before the first meeting of the members of the Authority held after the completion of the audit and to be presented to the Council.

Annual estimates

**19(1)** The Authority shall, in each year, prepare a detailed budget in a form prescribed by the City of the probable capital and current expenditures and revenues of the Authority for the year next following the year in which the budget is made.

(2) The Authority shall submit the budget to the City annually for approval in such manner and at such time as the Council may from time to time advise.

(3) Upon receipt of the budget, the Council shall debate it as soon as possible and approve it, or amend it and approve it as amended.

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*In accordance with section 4(1) of the Interpretation Act,  
this Bill comes into force on the date it receives Royal  
Assent.*