



Meeting Date: May 1, 2024

Prepared By: James Hutson, Municipal Clerk

Report No: CLK-04-2024

Subject: Update to Delegated Authority for Administrative Functions

Recommendation:

THAT Report CLK-04-2024 re: Update to Delegated Authority for Administrative Functions be received.

AND THAT the Mayor and Clerk be authorized to execute the draft by-law attached as Appendix 'A' upon final approval by Council.

Purpose:

The purpose of this report is to present a revised and updated delegated authority by-law for consideration by Council.

Background:

In January of 2023, Council considered and approved a delegated authority by-law for certain administrative functions. Since 2023, there have been opportunities identified to further clarify the current administrative functions which have been delegated as well as to explore the inclusion of some additional administrative items.

Analysis:

Section 23.1 of the *Municipal Act, 2001*, as amended, authorizes a municipality to delegate its powers and duties to a person or body, subject to certain restrictions. Over the course of 2023, municipal staff have continued to identify certain administrative functions which have the potential to create efficiencies in time and resources should they be delegated to staff.

Delegation of routine and other matters allows Council, as a collective, to focus their time on more complex and strategic initiatives.

Council may revoke any delegation of powers and duties at any time by repealing all or part of the delegation By-law.

The proposed changes to the existing delegated authority by-law are outlined as follows:

Content	Type of Change	Notes
3.2. A delegation of an authority may be sub-delegated by the initial delegate, provided that the initial delegate shall remain responsible to the Council regarding the exercise of the authority, despite the sub-delegation.	Addition	Allows Departmental Director the authority to identify and assign delegated authority duties to appropriate staff
3.5. Officers and employees with delegated authority under this by-law shall exercise their authority responsibly and shall be accountable and responsible for their actions and decisions.	Addition	This language further asserts accountability responsibilities
Schedule A – General Administrative – Authority for CAO to delegate authority when positions identified in this by-law are changed or no longer exist	Addition	Provides CAO with authority to assign existing delegated authority to appropriate staff when a position title changes or may no longer exist
Schedule A – General Administrative – Legally bind the Municipality by executing an agreement without by-law approval if the following criteria are met: a) the subject matter is non-financial or procured in accordance with the purchasing policy and for which approved operating or capital budget exists; and b) the subject matter is of an administrative or operational nature and relates to the management of the Municipality	Addition	Provides departmental directors with authority to execute certain administrative and operational agreements for goods and services which have been previously budgeted for or fall within current purchasing thresholds which do not require Council approval

<p>Schedule A – General Administrative – Authority for the Director of Building Service/Chief Building Official to negotiate, approve and amend existing and newly formed service agreements respecting building inspection or by-law enforcement services with adjoining municipalities and jurisdictions adjacent to or within the Municipality and any other affiliated partner</p>	<p>Addition</p>	<p>Consultation would be required with any other affiliated partner.</p>
<p>Authority for the Municipal Clerk to make minor clerical, typographical or grammatical corrections to any Council record or documentation, including but not limited to: By-laws, Motions, Resolutions, Agendas and/or Minutes.</p>	<p>Addition</p>	<p>Currently permitted under Procedural By-law. This language is being codified within Delegated Authority for consistency</p>
<p>Authority for applicable director to approve submission of grant funding applications that would reduce expenditures associated with projects, programs and services approved as part of the operating and capital budgets, or to advance improvements where such grants represent the full value of the service or capital improvement</p>	<p>Addition</p>	<p>This change will create efficiencies and ensure timelines are met around grant submission opportunities</p>
<p>Authority for applicable director to execute and administer all approved grant funding amounts and documents</p>	<p>Addition</p>	<p>See above</p>

Authority for the Director of Building Service/Chief Building Official to execute Limiting Distance Agreements	Addition	Standard agreement required for certain developments
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For the purpose of establishing a comprehensive and well-organized Delegated Authority by-law, staff are proposing that the existing by-law approved in 2023 be repealed in its entirety and replaced with a version that contains the existing content with the above noted changes included. A full red-lined version of the by-law is attached as Appendix A1.

Financial Implications:

This change will create financial efficiencies particularly with respect to ensuring timelines are met around grant submission opportunities.

Strategic Plan:

This matter aligns with following strategic priorities:

- Responsive Municipal Government

Delegated authority for certain actions and decisions allows the municipality to respond to matters in a timely and efficient manner.

Attachments:

Appendix A1 – Delegated Authority By-law (Red-line / Draft)