



Staff Report for Committee of the Whole Meeting

Date of Meeting: June 4, 2019

Report Number: SRCM.19.02

Department: Office of the City Manager

Subject: SRCM.19.02 - Revised Delegation Policy

Purpose:

The purpose of this report is to propose revisions to the Delegation Policy for consideration by Council.

Recommendation(s):

- a) That the Revised Delegation Policy as described in Appendix B to SRCM.19.02 be approved;
- b) That the Clerk be authorized to maintain and a list of delegated authorities to update such list upon the approval, revision or revocation of any delegation by Council;
- c) That staff be authorized to place by-laws on a Council agenda without prior staff reports, to effect any required revisions to City by-laws to align delegated authorities with organizational changes made by Council or by the City Manager;
- d) That the City Manager be delegated the authority to approve the entry into, and to execute, confidentiality agreements and other agreements or documents where the City Manager deems the subject-matter of the agreements or documents to be of a minor nature;
- e) That the Clerk be authorized to complete and execute the Alcohol and Gaming Commission of Ontario (AGCO) prescribed forms in connection with the approval of a liquor license subject to consultation with other appropriate City staff.

Contact Person:

Andreea Adari, Assistant City Solicitor
Lise Conde, Manager, Policy and Intergovernmental Affairs
Stephen M.A. Huycke, Director, Legislative Services/City Clerk

Report Approval:

Approved by: Neil Garbe, City Manager

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All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Background:

Section 270 of the Municipal Act requires that municipalities have a policy that outlines what powers and duties Council wishes to delegate and to whom, under what circumstances.

On December 10, 2007, Council approved the Delegation of Powers and Duties Policy attached as Appendix A to this report. This policy sets out the principles governing the delegation of powers and duties, as well as the parameters within which powers and duties may and may not be delegated.

Staff previously brought forward Staff Report No. SRCAO.18.01 to Committee of the Whole on January 22, 2018 detailing proposed revisions to the policy as well as recommending some revised and additional delegated authorities. At that time, the report was referred back to staff for additional information. This matter was put on hold due to scheduling conflicts and the 2018 election period.

Housekeeping

One of the previously proposed revisions to the Delegation Policy was the additional of a requirement to maintain an inventory or list of delegation authorities. In compiling that list, staff had noted that some delegations were misaligned in that they did not reflect current practices and organizational structure. Additionally, on February 25, 2019, Council approved a resolution that delegated additional duties to the City Manager, including the ability to effect any organization changes for the purpose of greater effectiveness or efficiency. In order to address the impacts of organizational changes on existing delegation authorities and related by-laws, this report recommends that staff be delegated the authority to place by-laws directly on Council agendas without prior staff report.

Administrative Efficiency

Although various duties were delegated to the City Manager earlier this year, general delegated authority for signing agreements on behalf of the City was not included. From time to time, various agreements and documents require a City representative's signatures, such as confidentiality agreements in association with procurement and other matters, as well as other various agreements or documents that would be considered non-contentious or routine. At this time, separate staff reports are required for all agreements and documents, regardless of their substance, other than those for which there already exists express delegated authority. It is the view of staff that providing the City Manager with a general delegated authority similar to that given to the City Manager during summer recess for entering into agreements or signing documents

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where the City Manager deems the subject-matter of the agreement or document to be of a minor nature would enable the City Manager to exercise more efficient control and management of the affairs of the City, resulting in further streamlining of administrative matters and allowing Council to focus on more substantive and strategic responsibilities.

As set out in SRCAO.18.01, staff recommend that a new delegation to the Clerk be added to confirm the existing practices related to the issuance of liquor licences by the Alcohol and Gaming Commission of Ontario (AGCO). There are two forms regularly required to be signed in support of liquor license applications. The first of these, a Municipal Information form requires the Clerk to confirm the status of the municipality as a “wet” municipality in connection with the liquor license application on the basis of no by-law having been passed to the contrary. The second form requires the signature of an approving official confirming that the City has no objections to the use of the facility that is the subject of the application as a licensed premises. The Clerk would only execute this form upon confirmation from the Regulatory Services and Fire and Emergency Services Divisions that there are no concerns with doing so.

Financial/Staffing/Other Implications:

There are no financial implications to the recommendations in this report.

Relationship to the Strategic Plan:

Undertaking a review of the City’s Delegation of Powers and Duties and proceeding in the manner recommended by this report aligns with Goal 4 of the Strategic Plan, “Wise Management of Resources in Richmond Hill.”

Conclusion:

Council delegation of certain authorities to municipal staff is a common practice in local government in Ontario. The new Delegation Policy recommended in this report contains authorities that are: housekeeping changes resulting from previous organizational reviews; delegations previously approved by Council that were not reflected in the previous Delegation Policy; as well as additional opportunities for administrative efficiency.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A: Delegation of Powers and Duties Policy (approved 2007)
- Appendix B: Proposed Delegation of Powers and Duties Policy

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Report Approval Details

Document Title:	Revised Delegation Policy - SRCM.19.02 rev.docx
Attachments:	- Appendix A to SRCM.19.02.pdf - AODA - Appendix B to SRCM.19.02 - Delegation Policy.docx
Final Approval Date:	May 23, 2019

This report and all of its attachments were approved and signed as outlined below:

Neil Garbe - May 23, 2019 - 4:32 PM