

Committee of the Whole (2) Report

DATE: Tuesday, November 12, 2024 **WARD(S):** ALL

TITLE: **GOVERNANCE POLICIES – CORPORATE POLICY
DEVELOPMENT AND DELEGATION OF POWERS AND DUTIES**

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To recommend approval of the proposed amendments to the Corporate Policy Development and Delegation of Powers and Duties policies and to repeal By-law 033-2018.

Report Highlights

- Revising the Corporate Policy Development and Delegation of Powers and Duties policies is recommended to continue to support an accountable, transparent and compliant policy framework for the City.
- In addition to the recommended policy amendments, staff recommend repealing Delegation By-law 033-2018 as an administrative housekeeping matter.

Recommendations

1. That Council approve the Corporate Policy Development (03.C.01) policy substantially in the form set out in Attachment 1 of this report;
2. That Council approve the revised Delegation of Powers and Duties (03.C.02) policy substantially in the form set out in Attachment 2 of this report; and
3. That By-law 033-2018 be repealed.

Background

Policies are fundamental tools of municipal governance that facilitate consistent decision-making. The Corporation's staff-led Policy Committee was initiated in 2016 and is currently comprised of the Senior Leadership Team – Executive and the Chief Human Resources Officer and is chaired by the City Clerk. The Committee convenes monthly and was established to consider and review policies, promoting good governance with a consistent and transparent approach to policy decision-making and approval and to examine issues related to policies, procedures and by-laws.

In 2018, Council ratified a new Corporate Policy Program, modernizing the review and approval of corporate policies. As part of the Program, two foundational policies were established: Corporate Policy Development (03.C.01) and Delegation of Powers and Duties (03.C.02). Section 270 of the *Municipal Act, 2001* provides that a municipality must adopt and maintain certain policies, including the delegation of its powers and duties. In keeping with best practices, it is recommended that corporate policies be reviewed at least every three years, to ensure that policies are kept up to date to capture any new legislative requirements, operational needs and alignment with best practices. As such, staff have reviewed these two policies and are proposing some changes for Council's consideration.

Previous Reports/Authority

[Committee of the Whole \(Working Session\) June 6, 2018 – Corporate Policy Development and Modernization, Approval Authorities and Prioritization](#)

[Committee of the Whole \(Working Session\) February 12, 2018 – Corporate Policy Development and Modernization](#)

[Finance, Administration and Audit June 27, 2017 – Update on Leadership Alignment – Policy Review](#)

Analysis and Options

Corporate Policy Development and Delegation of Powers & Duties Policies

The Policy Committee has reviewed both policies and recommends updates that do not alter the policies' intent, impact or applicability. These recommended updates continue to support the Corporation's legislative compliance while maintaining the distinct role of Council and the Administration and include:

- Reorganization of the policies with formatting updates to reflect current corporate standards.
- Revisions to and inclusion of new definitions to close any contextual gaps and provide more concise language regarding the different types of policies.

- Enhanced language within the Approval Authorities section to provide more explicit parameters of what constitutes a Council or Administrative policy.
- The requirement to engage with Legal Services for the purpose of reviewing and providing advice with regards to any contract with a third-party.
- Migration of the delegation language from Delegation By-law 033-2018 to the Corporate Policy Development policy (as detailed below).

Delegation By-law 033-2018

In 2018, Council also adopted Delegation By-law 033-2018 which provided delegated authority to the City Manager to approve policies that are administrative in nature and make minor deletions, additions or other administrative changes to Council policies that do not alter the purpose or scope of the Policy. Upon reviewing Delegation By-law 033-2018, it is recommended that the by-law be repealed, as that delegation is more appropriately captured in the actual policy on Corporate Policy Development as proposed in this report. This would provide clarity on the policy development and approval process with all the relevant provisions contained in one document.

Financial Impact

There are no financial impacts associated with this report.

Operational Impact

There are no operational impacts associated with this report.

Broader Regional Impacts/Considerations

There are no regional impacts associated with this report.

Conclusion

The Corporate Policy Development and Delegation of Powers and Duties policies have been reviewed for their effectiveness and some revisions are proposed to ensure operational and legislative alignment and in keeping with best practices. Additionally, it is recommended that Delegation By-law 033-2018 be repealed.

For more information, please contact: Todd Coles, City Clerk

Attachments

1. Corporate Policy Development policy (03.C.01)
2. Delegation of Powers and Duties policy (03.C.02)

Prepared by

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