

The Corporation of the City Of Guelph

By-law Number (2019) – 20425

A By-law to define the general duties, roles and responsibilities of the Chief Administrative Officer and to repeal By-law Number (2019) – 20373.

Whereas section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may appoint a chief administrative officer who shall be responsible for: (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and (b) performing such other duties as are assigned by the municipality;

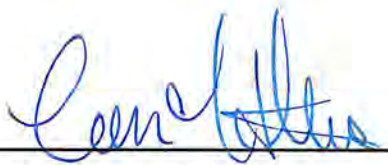
And whereas the Council of The Corporation of the City of Guelph (the "Municipality") desires to appoint a Chief Administrative Officer;

Now therefore the Council of The Corporation of the City of Guelph enacts as follows:


1. That Council shall appoint Scott Stewart as Chief Administrative Officer, who shall be responsible for exercising general control and management of the affairs of the Municipality for the purpose of ensuring the efficient and effective operation of the Municipality, and for performing such other duties as are assigned by the Municipality, in accordance with Schedule "A" attached hereto.
2. That By-law (2019) – 20373 be and the same is hereby repealed.
3. That this By-law comes into force and takes effect on the day upon which it is passed.

Passed this TWENTY-SECOND day of July, 2019.





Cam Guthrie – Mayor



Stephen O'Brien – City Clerk

Schedule "A"
to By-law Number (2019) – 20425
General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer ("CAO") shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by the Council of The Corporation of the City of Guelph (the "City" or the "Corporation").

Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act that shall in any manner or extent whatsoever encroach upon the legislative powers of Council.

Subject to the provisions of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and as herein provided, the duties and responsibilities of the CAO shall be as follows:

1. General Duties and Responsibilities

- (a) To report to, be accountable to, and receive authority from Council and to perform his/her duties in conformity with Council decisions;
- (b) To coordinate, lead and direct the Executive Team in the administration of the business affairs of the Corporation;
- (c) To delegate appropriate duties and responsibilities to the Executive Team within the organizational structure for the purpose of establishing an efficient and effective administrative structure;
- (d) To be responsible for motivating and developing the skills of the Executive Team members and fostering productivity, professionalism, adherence to the Corporate values and open communications;
- (e) To provide hands-on direction and assistance in planning and implementing difficult and complex tasks, which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- (f) To provide information and advice, in co-operation with the Executive Team, as required or as might be useful to Council for purposes of decision making and by-law approvals;
- (g) To attend Meetings of Council, Council Planning, and Committees of Council as required or as delegated, with the right to speak, but not to vote. Notwithstanding the generality of the foregoing, the CAO is precluded from attending those meetings where matters specific to the CAO contract and Council's deliberation of the results of the CAO Performance Appraisal Process are to be discussed;
- (h) To present to Council, in co-operation with the Executive Team, reports and information regarding progress and accomplishments of programs and projects, the status of revenue and expenditures and the general administrative management of the Corporation;
- (i) To direct the co-ordination of all policy decisions of Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to Council, except to regularly report to Council upon the actions taken through the established reporting systems of Council and Committee or as specifically directed by Council;

Schedule "A"
to By-law Number (2019) – 20425
Page 2

- (j) To guide the strategic process as established for the Corporation by Council, which includes the development of Corporate implementation plans;
- (k) To attend to the interests of the Corporation on federal, provincial, regional or local municipal intergovernmental issues and with boards, agencies and commissions at the administrative level;
- (l) To serve as the Chief Executive Officer of Guelph Municipal Holdings Inc. and Guelph Junction Railway Limited (the "Companies"), providing leadership and direction as a non-voting member of the respective Boards of Directors (the "Boards") without additional remuneration or compensation, other than as expressly approved by Council, as Shareholder of the Companies. Reasonable expenses for travel and/or training in respect of this role may be incurred in accordance with policies established by the Boards and approved by the Shareholder. To act as the City's "Shareholder Representative" (as that term is defined in the Shareholder Declarations for the Companies) for purposes of communicating Council decisions to the Boards; and
- (m) To perform any additional responsibilities and to exercise the powers incidental thereto, which may, from time to time, be assigned to the CAO by Council.

2. Human Resource Management and Administration

- (a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of an Executive Team member reporting directly to the CAO;
- (b) To have authority and responsibility for appointing, promoting, demoting, suspending or dismissing any employees of the Corporation below the position of Deputy CAO in accordance with the lines of authority defined in the organizational structure;
- (c) To have authority for appointing, promoting, demoting or dismissing any other employees of the Corporation in accordance with procedures contained in all collective agreements and in accordance with the lines of authority that are defined in the organizational structure;
- (d) To oversee the collective bargaining process with all unionized Corporation employees and to recommend to Council collective agreements concerning wages, benefits and terms of service and, upon approval of Council, to direct the administration of such collective agreements;
- (e) To administer all salaries and performance reviews of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and
- (f) To carry out an annual performance evaluation of all Executive Team members, recognizing achievements, correcting deficiencies and improving overall individual or departmental performance in consultation with Council, as required.

3. Financial Management

- (a) To direct, in co-operation with the General Manager of Finance/City Treasurer and the Executive Team, the preparation and presentation of operating and capital budgets on an annual basis;
- (b) To exercise financial control over all Corporate operations in conjunction with the General Manager of Finance/City Treasurer, to ensure compliance with the annual estimates of revenue and expenditure approved by Council:
 - (i) to adjust staffing levels to maintain the level of Council-approved programs and services, provided that no new costs are incurred in the current or subsequent budget years;
 - (ii) to secure Council approval where emerging priorities (*e.g.*, provincial initiatives, changing community priorities, Council direction) give rise to the need to introduce new programs or increased service levels, or to increases in staffing levels that add cost to the current or subsequent budget years; and
 - (iii) to secure Council approval where service levels or program reductions are contemplated;
- (c) To direct the review of fiscal policy and its management;
- (d) To approve all purchasing with authority to enter into contracts;
- (e) To approve all tenders and quotation awards where funds are provided in the budget and established purchasing policies have been observed; and
- (f) To approve all tenders and quotation awards when Council is unavailable, where funds are provided in the budget and established purchasing policies have been observed.

4. Administrative Organization and Management

- (a) To create and re-organize, in consultation with the Executive Team, such departments of the City as may be considered necessary and proper to fulfil obligations for the Corporation, and report to Council on the changes;
- (b) To annually meet with Council to review and assess performance during the past year and review and discuss the salary and benefits provisions as well as priorities to be pursued during the following year; and
- (c) To hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO, subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such Committee thereof as Council may, by by-law, authorize in respect of such suspension or dismissal, if so requested by the CAO.