

The Corporation of the City of Guelph

By-law Number (2024) – 20971

A by-law to appoint Tara Baker as Chief Administrative Officer and define the general duties, roles and responsibilities of the Chief Administrative Officer and to repeal by-law (2019)-20425, as amended.

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;

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

- 1. That Tara Baker be appointed 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 "1" attached hereto.
- 2. That By-law (2019) – 20425, as amended, be repealed.
- 3. That this By-law comes into force and takes effect on September 16, 2024.

Passed this tenth day of September, 2024.

Schedules:

Schedule 1: General Duties, Roles and Responsibilities of the Chief Administrative Officer

DocuSigned by:

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Cam Guthrie, Mayor

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Garrett Meades, Acting Deputy City Clerk

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This by-law was approved by Guelph City Council on September 10, 2024. Written approval of the by-law was given by Mayoral Decision 2024-A37 dated September 10, 2024.

Schedule 1

General Duties, Roles and Responsibilities of the Chief Administrative Officer

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") or the Mayor as the Head of Council.

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

Subject to the provisions of the *Municipal Act, 2001*, 5.0. 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/or the Mayor to perform their duties in conformity with Council and/or Mayoral decisions and directions;
- (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 administration;
- (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 communication;
- (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 or the Mayor, 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 may be 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 and/or the Mayor, 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/or the Mayor and deal with matters arising from those decisions in accordance with such established policies without further reference to Council or the Mayor;
- (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 a member of the board directors and the Chief Executive Officer of Guelph Municipal Holdings Inc. and Guelph Junction Railway Limited (each a "Company"), providing supervision and management of the business and affairs of each Company without additional

remuneration or compensation, other than as expressly approved by the Corporation, as Shareholder of each Company. To act as the City's "Shareholder Representative" (as that term is defined in the Shareholder Declarations for each Company) for purposes of communicating Council decisions to the board of directors; 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 and/or the Mayor.

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 and any relevant City policies, procedures, protocols and/or collective agreements;
- (c) To have authority for appointing, promoting, demoting or dismissing any employees who are subject to the supervision of the CAO 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 and/or the Mayor, as required.

3. Financial Management

- (a) Subject to the provisions of the *Municipal Act, 2001*, 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 oversee its management;
- (d) To approve all purchasing, including tenders and awards, with authority to enter into contracts where funds are provided in the budget and established purchasing policies have been observed; and

4. Administrative Organization and Management

- (a) Subject to the provisions of the *Municipal Act, 2001*, 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 and/or the Mayor 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 or the Mayor for the agreed-upon term. Council or the Mayor may suspend or dismiss the CAO, subject to compliance with any statutory requirements or contractual agreements.