




City of Richmond

Report to Council

To: Richmond City Council
From: J. Richard McKenna
City Clerk
Date: August 27, 2003
File: 8060-20-7587
Re: Officer and General Manager Bylaw No. 7407, Amendment Bylaw No. 7587

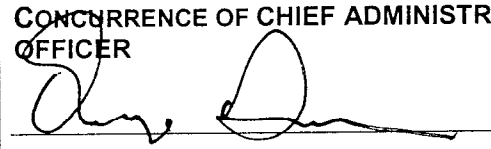
Staff Recommendation

That Officer and General Manager Bylaw No. 7407, Amendment Bylaw No. 7587 be introduced and given first, second and third readings.



J. Richard McKenna
City Clerk
(3266)

Att. 1

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF CHIEF ADMINISTRATIVE OFFICER
Law.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

At the closed Council Meeting on Monday, August 25th, 2003, staff were directed to bring forward a bylaw which would grant authority to the Chief Administrative Officer to undertake the duties of the City officers responsible for financial administration (Mr. Jim Bruce) and corporate administration (Mr. Richard McKenna), on an acting basis. The minor amendment enacted in Bylaw No. 7587, which amends the Officer and General Manager Bylaw (adopted in November of 2002), accomplishes this.

**CITY OF RICHMOND
BYLAW NO. 7407**

OFFICER AND GENERAL MANAGER BYLAW NO. 7407

The Council of the City of Richmond enacts as follows:

PART ONE: CITY OFFICERS

1.1 Establishment of City Officers

1.1.1 **Council** declares that the persons holding the following positions are Officers of the **City**, under Section 196 of the *Local Government Act*;

- (a) **Chief Administrative Officer**;
- (b) **General Manager, Finance and Corporate Services**; and,
- (c) **City Clerk**.

1.2 Appointment of City Officers

1.2.1 On the recommendation of the **Chief Administrative Officer**, **Council** may appoint persons to the positions of (i) **General Manager, Finance & Corporate Services**, and (ii) **City Clerk**.

1.3 Powers, Duties And Functions Of City Officers

1.3.1 Chief Administrative Officer

1.3.1.1 The **Chief Administrative Officer** is assigned:

- (a) the chief administrative responsibility for the **City** and the statutory powers, duties and functions specified in Section 197 of the *Local Government Act*;
- (b) responsibility for the administration of exempt staff compensation within the corporate policies and budget established by **Council**;
- (c) responsibility for authorizing the execution of agreements and licences of occupation, or other legal instruments, with regard to the use of **city**-owned property, but excluding those which, statutorily, must be executed by **Council**;
- (d) authority, together with the **General Manager, Engineering and Public Works**, to award engineering and public works construction contracts to the lowest qualified bidder when all of the following conditions are met:
 - (i) the contract has been publicly tendered;
 - (ii) the tendered amount is within the budget approved by **Council** for the project; and
 - (iii) a minimum of three qualified tenders have been received;

- (e) authority, together with the **General Manager, Finance and Corporate Services**, or in the absence of the **General Manager, Finance & Corporate Services**, any General Manager, to award quotations between \$50,001 and \$250,000 on behalf of the **City**, provided that the corporate policies and procedures with regard to the administration of such quotations have been followed,
- (f) authority to terminate any employee other than the **General Manager, Finance & Corporate Services** or the **City Clerk**; and
- (g) when authorized by **Council**, authority to perform the duties and functions of the other Officers of the **City**.

1.3.2 **General Manager, Finance and Corporate Services**

1.3.2.1 In addition to the powers, duties and functions assigned to all General Managers in accordance with section 2.2, the **General Manager, Finance & Corporate Services** is assigned the following powers, duties and functions:

- (a) the responsibility of financial administration for the **City**, which includes the statutory powers, duties and functions specified in Section 199 of the *Local Government Act*; and
- (b) collector of taxes for the **City**.

1.3.3 **City Clerk**

1.3.3.1 The **City Clerk** is assigned the following powers, duties and functions:

- (a) responsibility of corporate administration for the **City**, which includes the statutory powers, duties and functions specified in Section 198 of the *Local Government Act*;
- (b) the overall management of the operation of the City Clerk's Office;
- (c) the administration of civic elections as the Chief Election Officer; and
- (d) the "head" for the purposes of the *Freedom of Information & Protection of Privacy Act*.

1.4 **Termination of City Officers**

1.4.1 Unless otherwise provided in a contract of employment, the employment of an Officer may be terminated:

- (a) on reasonable notice, if the termination is approved by an affirmative vote of at least two-thirds of all members of **Council**; or
- (b) without notice, for cause, if the termination is approved by a majority of the votes cast.

PART TWO: GENERAL MANAGERS

2.1 **Appointment of General Managers**

2.1.1 On the recommendation of the **Chief Administrative Officer**, **Council** may appoint a person to a General Manager position.

2.2 Powers, Duties and Functions of General Managers

2.2.1 Each General Manager is assigned the following powers, duties and functions:

- (a) the overall management of the operation of their respective corporate divisions, including the appointment and termination of any employee, except an Officer, within their division;
- (b) the authority to award quotations up to \$50,000 on behalf of the **City**, provided that the corporate policies and procedures with regard to the administration of such quotations have been followed;
- (c) the powers, duties and functions of the **Chief Administrative Officer**, where such General Manager has been appointed as the Acting Chief Administrative Officer by the **Chief Administrative Officer**, in his absence;
- (d) the authority to serve as "department heads" for the purposes of hearing grievances, as specified in the CUPE Collective Agreements, on the understanding that if another officer or employee within the same corporate division is designated as a "department head that officer or employee may hear the grievance, and
- (e) the power to appoint an Acting General Manager in the General Manager's absence.

PART THREE: INTERPRETATION

3.1 In this bylaw, unless the context otherwise requires:

CHIEF ADMINISTRATIVE OFFICER

means the person appointed by **Council** to the position of Chief Administrative Officer, who has been assigned the chief administrative responsibility of the **City**, which includes the powers, duties and functions specified in Section 197 of the *Local Government Act*.

CITY

means the City of Richmond.

CITY CLERK

means the corporate officer appointed by **Council** and assigned responsibility for corporate administration for the **City** under Section 198 of the *Local Government Act*.

COUNCIL

means the Council of the **City**.

GENERAL MANAGER, ENGINEERING & PUBLIC WORKS

means the person appointed by **Council** to the position of General Manager, Engineering & Public Works.

GENERAL MANAGER, FINANCE & CORPORATE SERVICES

means the person appointed by **Council** to the position of General Manager, Finance & Corporate Services.

PART FOUR: PREVIOUS BYLAW REPEAL

- 4.1 Officers Designation and Establishment of Powers, Duties and Responsibilities Bylaw No. 6970 (adopted on October 26, 1998) is repealed.

PART FIVE: SEVERABILITY AND CITATION

- 5.1 If any section, sub-section, paragraph, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.
- 5.2 This bylaw is cited as “**Officer and General Manager Bylaw No. 7407**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

_____	<div>CITY OF RICHMOND</div> <div>APPROVED for content by originating dept.</div> <div>APPROVED for legality by Solicitor</div>

MAYOR

CITY CLERK



**Officer and General Manager Bylaw No. 7407,
Amendment Bylaw No. 7587**

The Council of the City of Richmond enacts as follows:

1. Clause (g) of subsection 1.3.1.1 of Bylaw No. 7407 is deleted and replaced with the following:

“(g) authority to perform the duties and functions of the other Officers of the City in their absence.”
2. This Bylaw is cited as **“Officer And General Manager Bylaw No. 7407, Amendment Bylaw No. 7587”**.

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MAYOR

CITY CLERK