



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Suzanne Jones, Clerk and Director of Legislative Services

DATE: March 30, 2020

REPORT NO.: ADMIN-2020-0013

RE: Delegation of Authority to Chief Administrative Officer during COVID-19 Pandemic

RECOMMENDATION:

THAT Report No. ADMIN-2020-0013 dated March 30, 2020 regarding Delegation of Authority to the Chief Administrative Officer during COVID-19 Pandemic be received;

AND FURTHER THAT the Chief Administrative Officer be delegated the authority to take any action that may be required to ensure the continuity of Town activities and operations as described in Report No. ADMIN-2020-0013 upon passage of a by-law (Appendix A to this Report) for that purpose.

BACKGROUND:

Following the declaration of a global pandemic related to the outbreak of COVID-19 by the World Health Organization on March 11, 2020, all levels of government are taking increased steps to respond to the pandemic and are adjusting the ways in which they operate accordingly. Several municipalities across Ontario, including all Halton Region municipalities, have closed their public offices.

COMMENTS:

In light of the extent of the impact of Halton Hills response to COVID-19 on day-to-day operations, this report recommends delegating all authority to approve expenditures and execute contracts, including those relating to the disposition or acquisition of real property, as well as the authority to take any other action provided that its delegation is not barred by legislation, to the Chief Administrative Officer. This delegation would remain in place until revoked by Council. This will ensure that Halton Hills has additional flexibility to react quickly and efficiently to the effects of, and the responses by the provincial and federal governments to, the COVID-19 pandemic as it evolves. This in turn will allow decisions affecting both the health and safety of residents as well as all

other municipal programs and services to be made and implemented as quickly as possible.

Regarding the delegation of authority, it should be noted that Section 23.3(1) of the *Municipal Act, 2001* (Municipal Act) prescribes certain powers that cannot be delegated. Briefly, they are:

- The power to appoint or remove from office an officer of the municipality whose appointment is required by the Municipal Act (clerk, deputy clerk, treasurer and/or deputy treasurer);
- The power to pass a by-law to impose a tax in respect of the purchase of transient accommodation;
- The power to incorporate corporations in accordance with Section 203 of the Municipal Act;
- The power to adopt an official plan or an amendment to an official plan under the *Planning Act*;
- The power to pass a zoning by-law under the *Planning Act*;
- The power to pass a by-law related to the establishment of a small business counselling service;
- The power to adopt a community improvement plan under section 28 of the *Planning Act*;
- The power to adopt or amend the budget of the municipality.

Furthermore, it is recommended that any matters under the *Expropriations Act* that require the enacting of a by-law and the declaration of property as surplus to the municipality be exempt from the delegation of authority. Staff do not foresee the need for the exercise of any authority under these and the matters described in bullet form above at present and will report back as and if the need arises.

It is proposed that the Chief Administrative Officer report to Council monthly on the exercise of this delegated authority in the form of memoranda transmitted to Council by the Clerk, and a staff report to Council summarizing all actions taken once the delegated authority has been revoked.

Staff will continue to assess and make recommendations regarding cancelling or conducting regularly scheduled or special meetings of Town Council as the Town's response to the COVID-19 pandemic continues.

RELATIONSHIP TO STRATEGIC PLAN:

This report is administrative in nature and therefore there is not a direct relationship to the Town's Strategic Plan.

FINANCIAL IMPACT:

There are no direct financial implications to this report.

CONSULTATION:

This Report was prepared in consultation with the Chief Administrative Officer.

PUBLIC ENGAGEMENT:

No public engagement was required for this report.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not applicable to the Strategy's implementation.

COMMUNICATIONS:

Upon passage of the by-law staff will be advised of the delegated authority to ensure continuity of Town activities and programs.

CONCLUSION:

That the Chief Administrative Officer be delegated the authority to take any action that may be required to ensure the continuity of municipal activity and operation as described Report No. ADMIN-2020-0013.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style.

A.B. Marshall, Chief Administrative Officer