



Subject: CAO Exercise of Delegated Authority During Election Period
Prepared by: Patricia De Sario, Town Solicitor
Department: Corporate Services
Date: February 12, 2019

In accordance with the Procedure By-law, any Member of Council may request that this Information Report be placed on an upcoming General Committee or Council meeting agenda for discussion.

Executive Summary

The purpose of this report is to provide Council with a summary of the actions taken by the Chief Administrative Officer (“CAO”) during the lame duck period of the last term of Council in accordance with the delegated authority set out in By-law No. 6112-18.

- Four (4) procurement awards of not more than 15% beyond the existing approved capital budget for the project were authorized.
- Twelve (12) agreements were entered into that furthered the interests of the Town.
- No other action was taken or authority was exercised pursuant to the By-law.

Background

On July 24, 2018, Council enacted By-law No. 6112-18, being a by-law to define the delegation policies and procedures during the Election Period (the “By-law”). It was anticipated that the last term of Council would be a lame duck Council during the election period.

In the By-law, Council delegated authority to the Chief Administrative Officer (“CAO”) for various matters, such as acquiring or disposing of property, awarding contracts either not approved in the operating budget or that were not more than 15% of the approved capital budget for the project and entering into agreements. The delegated authority expired on December 11, 2018.

The By-law requires that the CAO provide a summary report that sets out the details of any action taken or any authority exercised pursuant to the By-law.

Analysis

Four (4) procurement awards of not more than 15% beyond the existing approved capital budget for the project were authorized.

The tenders received for both the Rehabilitation of the Aurora North Pond Dam project and the Supply of Two Skid Steer Loaders and a Mini-excavator project were over the approved capital budgeted amount. The attached chart sets out the Council approved amounts and the additional spending.

Twelve (12) agreements were entered into.

Attached to this report is a chart that outlines the type of agreement entered into, who the other party is and the date that the agreement was signed by the CAO. Many of the agreements were with York Region or a local municipality within York Region. All of the agreements, in the opinion of the CAO, furthered the interests of the Town.

No other action was taken or authority was exercised pursuant to the By-law.

The By-law also delegates the authority to the CAO to acquire or dispose of real and personal property, to authorize procurement awards and make expenditures up to \$100,000 and to approve, together with the Treasurer, single or sole source procurement contracts which exceed \$100,000. The By-law further delegates authority to the Director of Planning and the Town Solicitor to enter into minutes of settlement for appeals before the Local Planning Appeal Tribunal in support of Council's position on development applications. Staff did not have to exercise any of these authorities during the term of the By-law.

Advisory Committee Review

None.

Legal Considerations

Section 6 of the By-law requires the CAO provide a summary report that sets out the details of any action taken or any authority exercised pursuant to the By-law. This report satisfies this requirement.

Financial Implications

None.

Communications Considerations

None.

Link to Strategic Plan

None.

Alternative(s) to the Recommendation

None.

Conclusions

By enacting By-law No. 6112-18, Council delegated authority to the CAO to enter into and sign any agreement that in the opinion of the CAO furthers the interests of the Town. This report is the requisite summary report that sets out the details of any authority exercised pursuant to the By-law.

Attachments

Attachment 1 – List of Capital Approved Projects

Attachment 2 – List of Agreements

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



Techa van Leeuwen
Director
Corporate Services

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer

Attachment 1 –Approved Capital Budget Projects

Capital Project No.	Description	Approved Capital Budget	Amount of Increase
71090	Mini-excavator	\$40,000	\$6,000
71091	Skid Steer Loader	\$100,000	\$15,000
71107	Skid Steer Loader	\$60,000	\$9,000
73268	Rehabilitation of Aurora North Pond Dam	\$700,000	\$105,000

Type of Agreement	Other Party	Date Signed
Rogers "Hometown Hockey"	Rogers Media Inc.	July 12/18
Permission for Region to Enter Town Lands	The Regional Municipality of York	August 29/18
Settlement & Release of Financing Agreement	Realterm Energy Corp.	September 10/18
Lease Agreement	Global Brand Foodservices Inc.	September 24/18
Lease Agreement	Cutting Edge Pro Shops Inc	September 24/18
Animal Control Services	Georgina and Newmarket	October 10/18
Temporary Occupancy Licence of Parking Lot for Santa Parade)	Canadian Tire Real Estate Limited	October 23/18
DC Deferral Agreement	Gottardo North (Aurora) Inc.	November 9/18
Emergency Plan, The Canadian Red Cross Society	The Regional Municipality of York	November 21/18
Inter-Municipal POA Fine Collection Agreement	The Regional Municipality of York	December 10/18
Cost-Sharing Agreement for new Firehall	The Corporation of the Town of Newmarket	December 11/18
Inspection of Town's Sewer System	The Regional Municipality of York	December 11/18