

City of Mississauga

Corporate Report



<p>Date: October 13, 2023</p> <p>To: Chair and Members of General Committee</p> <p>From: Raj Sheth, P.Eng, Commissioner of Corporate Services</p>	<p>Originator's files:</p> <hr/> <p>Meeting date: November 15, 2023</p>
---	---

Subject

Housekeeping Amendments to Various City By-laws Necessitated by Administrative Restructurings at the City of Mississauga

Recommendation

1. That a by-law be enacted to amend various City by-laws substantially in the form attached as Appendix 1 to the Corporate Report dated October 13, 2023 from the Commissioner of Corporate Services, entitled "Housekeeping Amendments to Various City By-laws Necessitated by Administrative Restructurings at the City of Mississauga", to update:
 - a) City staff position titles;
 - b) Delegation of authorities (execution of agreements, administration of by-laws, undertaking other actions); and
 - c) To implement other housekeeping amendments, necessitated by administrative restructurings at the City of Mississauga.
2. That a by-law be enacted to amend the Council Procedure By-law 0044-2022, as amended to authorize the City Clerk to bring forward housekeeping by-laws directly to Council for enactment without the need for a corporate report in order to update any references to City staff position titles, departments or divisions that have changed as a result of any administrative restructurings at the City of Mississauga, as outlined in the corporate report.
3. That a by-law be enacted to authorize the Director, Finance and Treasurer to execute agreements on behalf of The Corporation of the City of Mississauga under the Mississauga Development Charges By-law 0133-2022, which delegated authority will be the same as and in addition to the authority already delegated to the Commissioner of Corporate Services in By-law 0133-2022.
4. That a by-law be enacted to authorize the City Manager and Chief Administrative Officer to execute agreements on behalf of the Corporation of the City of Mississauga under the Community Benefits Charges By-law 0134-2022, which delegated authority will be the

same as and in addition to the authority already delegated to the Commissioner of Corporate Services in By-law 0134-2022.

Background

The *Municipal Act*, 2001, S.O. 2001, c. 25 (Municipal Act, 2001) permits Council to delegate legislative and administrative powers that are minor in nature where Council has explicitly provided for the terms and conditions under which the powers shall be exercised. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability. Following administrative restructurings at the City of Mississauga (the “City”), housekeeping amendments to various by-laws are required to update and revise position titles and references that have been renamed, re-designated or otherwise changed for the purposes of by-law administration, or with respect to certain delegations of authority to execute certain agreements, or to undertake certain actions on behalf of the City and to implement other housekeeping amendments necessitated by the administrative restructurings.

Comments

City staff performed a comprehensive review of City by-laws that may need amendment due to the administrative restructurings, which is outlined in Appendix 1 attached to this report. In most situations, the amendments update the applicable Department Head (City Manager or Commissioner, as applicable) or Director. However, there are a few instances where the delegation would change from a Department Head to the appropriate Director. These by-laws are as follows:

By-law 0188-2015, being a by-law to delegate authority for the management of cash and securities, will be amended by deleting delegations to the “Commissioner, Corporate Services and Treasurer” and replacing it with the “Director, Finance and Treasurer and the Deputy Treasurer”, as applicable.

By-law 0211-2009, as amended, being a by-law to delegate the powers and duties of the Treasurer with respect to the collection of taxes and the sale of land for tax arrears, will be further amended by deleting the title “Commissioner of Corporate Services and Treasurer” and replacing it with the “Director, Finance and Treasurer”.

By-law 0121-2017, being a by-law to delegate authority for the execution of agreements between The Corporation of the City of Mississauga and the Town of Newmarket on its acquisition of the TXM Tax Manager, be amended by deleting the title “Commissioner of Corporate Services and Chief Financial Officer” and replacing it with the title “Director, Finance and Treasurer”.

By-law 0206-2020, being a by-law to delegate authority to enter into agreements for the licensing of intellectual property assets and to delegate authority to enter into non-disclosure agreements, will be amended by deleting the title “Commissioner of Corporate Services and Chief Financial Officer” and replacing it with the title “Director, Strategic Communications and Initiatives”.

By-law 0167-2021, being a by-law to delegate authority to execute agreements pursuant to Corporate Policy 04-01-08 – Development Charges Interest Rates and Associated Payments, will be amended by deleting the title “Commissioner of Corporate Services and Chief Financial Officer” and replacing it the title “Director, Finance and Treasurer”.

Staff are requesting that By-law 0215-1994 be amended to remove Section 3 (a) which is the delegation of the authority to the Director, Human Resources or designate to execute documents under the authority of the Director, Human Resources when the Commissioner of Corporate Services is absent as this is no longer required.

To ensure that any future administrative restructurings are administered more efficiently, Commissioners are referenced in many of the by-laws being amended as the Commissioner appointed by Council with administrative responsibility for a specific service/division instead of referencing the specific Commissioner’s title. Further to this, staff are recommending that the Council Procedure By-law 0044-2022, as amended, be further amended to authorize the City Clerk to bring forward housekeeping by-laws directly to Council for enactment without the need for a corporate report in order to update any references to City staff position titles (for the purposes of by-law administration or delegations of authority), departments or divisions that have changes as a result of the administrative restructurings at the City of Mississauga.

Two by-laws are also required to delegate authority to the City Manager under the Mississauga Development Charges By-law 0133-2022 and to the Director, Finance and Treasurer under the Community Benefits Charges By-law 0134-2022 to execute agreements under these by-laws. This authority to execute agreements would be the same as and in addition to the authority already delegated to the Commissioner of Corporate Services in By-laws 0133-2022 and 0134-2022.

Financial Impact

There is no financial impact.

Conclusion

Amendments are required to various City by-laws to update, City staff position titles, delegation of authorities (execution of agreements, administration of by-laws, undertaking other actions), and to implement other housekeeping amendments, necessitated by administrative restructurings at the City of Mississauga.

Attachments

Appendix 1: Draft by-law to amend various City By-laws necessitated by certain
Administrative restructurings within the Corporation of the City of Mississauga



Raj Sheth, P. Eng., Commissioner of Corporate Services

Prepared by: Sacha Smith, Manager/Deputy Clerk, Secretariat and Access and Privacy