



Council Report

Report Number: CAO2022-006

Meeting Date: December 13, 2022

Title: **Summary of Delegated Authority Approvals for the Restricted Acts Period – August 19 to November 15, 2022**

Description: To report to Council on approvals granted by the CAO through delegated authority for the Restricted Acts Period (also known as the Lane Duck Period).

Author and Title: Ron Taylor, Chief Administrative Officer

Recommendation(s):

That Report CAO2022-006, Summary of Delegated Authority Approvals for the Restricted Acts Period – August 19 to November 15, 2022, be received.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The Restricted Acts “Lame Duck” period begins when the nomination for municipal election candidates closes (August 19, 2022), and concludes when a new Council is sworn in (November 15, 2022). Restricted Acts are triggered in circumstances when it is determined that a future Council will include less than three-quarters of its current members. This was triggered through the 2022 City of Kawartha Lakes election.

The Municipal Act, 2001 s.275 provides that there are certain restrictions for Council actions:

- the appointment or removal from office of any officer of the municipality;
- the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- making any expenditures or incurring any other liability which exceeds \$50,000.

At the Council meeting of February 22, 2022, Council adopted the following Resolution:

That Report CLK2022-001, 2022 Municipal Election Update and Related By-Laws be received;

That the By-Law to Delegate Authority for Decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day in the City of Kawartha Lakes, attached to Report CLK2022-001 as Appendix A, be brought forward to Council for adoption;

That the By-Law to Approve the 2022 Election Accessibility Plan for the City of Kawartha Lakes, attached to Report CLK2022-001 as Appendix B, be brought forward to Council for adoption; and

That the Procedural By-law Amendment to set the date of the Inaugural Meeting for each term of Council attached to Report CLK2022-001 as Appendix C be brought forward to Council for adoption.

Carried

By-Law 2022-013 was passed on February 22, 2022 by Council. The By-law gives the Chief Administrative Officer the authority beyond the current delegated authorities in the event that the municipality finds itself subject to Section 275 of the Municipal Act, 2001, as amended, regarding “Restricted Acts after Nomination Day”:

- The appointment or removal from office of any officer of the municipality including an Integrity Commissioner;
- The disposition of any real or personal property of the municipality which has a value exceeding \$50,000.00 at the time of disposal; and
- Making any expenditure or incurring any other liability which exceeds \$50,000.00.

A Report to the new Council from the Chief Administrative Officer is required to identify all decisions and approvals made through this delegated authority. This report is to provide Council with that summary of approvals during the 2022 Restricted Acts Period.

Rationale:

Attached in Appendix A is a summary listing of approvals granted by the CAO through delegated authority during the 2022 Restricted Acts Period.

Other Alternatives Considered:

No other alternatives were considered. This reporting requirement is intended to inform council, and to maintain transparency and accountability in delegated decision-making.

Alignment to Strategic Priorities

Providing timely reporting to Council of decision-making and approvals granted through delegated authority represents Good Government, and supports the Strategic Plan guiding principles of fiscal responsibility and operating in an open and transparent manner.

Financial/Operation Impacts:

Expenditures outlined in Appendix A were funded through existing 2022 budgets, reserves and/or external funding sources.

Revenues outlined in Appendix A were secured through approval of long-term land lease agreements as part of an ongoing vacant land lease program for hangars at the Municipal Airport.

Consultations:

All Departments/Staff involved in the projects

Attachments:

Appendix A – Summary of Approvals by the CAO During the 2022 Restricted Acts Period



List of Delegated
Reports.docx

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Department Head: Ron Taylor