



OFFICER AND GENERAL MANAGER

BYLAW NO. 8215

EFFECTIVE DATE – APRIL 10, 2007

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
9217	October 13, 2015	

CITY OF RICHMOND
OFFICER AND GENERAL MANAGER
BYLAW NO. 8215
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Officer and General Manager Bylaw No. 8215

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 146 of the *Community Charter*;

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

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 and Corporate Services**, and (ii) **Director, City Clerk's Office**.

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 147 of the *Community Charter*;
- (b) responsibility for the administration of exempt staff compensation within the corporate policies and budget established by **Council**;
- (c) authority to execute agreements and licences of occupation, or other legal instruments, with regard to the use of **city**-owned property, except where the instrument
 - (i) would result in a disposal of land or an interest in land; or
 - (ii) is required by an enactment to be adopted by **Council**;
- (d) authority together with the **General Manager Engineering and Public Works** to direct City forces to undertake capital funded infrastructure installations when all the following conditions are met:

- (i) the decision is cost effective for the **City**;
 - (ii) staff have the skills to carry out the work;
 - (iii) **Council** has approved the funding for the project; and
 - (iv) the manpower capacity is available to complete the project within the time frame.
- (e) authority, together with the applicable Department General Manager to award construction contracts to the lowest qualified bidder when the following conditions are met:
- (i) the contract has been publicly tendered;
 - (ii) the contract amount is within the budget approved by **Council** for the project.
- (f) authority, together with the **General Manager, Finance and Corporate Services**, or in the absence of the **General Manager, Finance and Corporate Services**, any General Manager, to award bids or authorize spending between \$100,001 and \$500,000 on behalf of the **City**, and to execute agreements and legal instruments with respect thereto, in accordance with the annual budget and any applicable policies and procedures adopted by **Council**,
- (g) authority to terminate any employee other than the **General Manager, Finance and Corporate Services** or the **Director, City Clerk's Office**;
- (h) authority to perform the duties and functions of the other Officers of the **City** in their absence;
- (i) the authority to execute any agreements or legal instruments necessary to implement **Council**-approved programs, services or directives:
- (i) within authorized spending limits for the **Chief Administrative Officer**, or
 - (ii) in accordance with funding limits specifically approved by **Council**,
- but excluding agreements to acquire or dispose of an interest in land.
- (j) the powers, duties and functions of the "head" for the purposes of the *Freedom of Information & Protection of Privacy Act*; and
- (k) the authority in section 1.3.1.1 to execute agreements, legal instruments, contracts and licences of occupation includes the authority to grant an indemnity that is an integral and usual part of the agreement, legal instrument, contract or licence.

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 and 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 149 of the *Community Charter*;
- (b) collector of taxes for the **City**;
- (c) the authority together with any General Manager, to award bids or authorize spending between \$100,001 and \$500,000 on behalf of the City, and to execute agreements and legal instruments with respect thereto, in accordance with the annual budget and any applicable policies and procedures adopted by **Council**; and
- (d) the authority in section 1.3.2.1 to execute agreements and legal instruments includes the authority to grant an indemnity that is an integral and usual part of the agreement or legal instrument.

1.3.3 Director, City Clerk's Office

1.3.3.1 The **Director, City Clerk's Office** 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 148 of the *Community Charter*;
- (b) the overall management of the operation of the City Clerk's Office;
- (c) the administration of civic elections as the Chief Election Officer;
- (d) the "head" for the purposes of the *Freedom of Information & Protection of Privacy Act*; and
- (e) the authority to provide a notice required by statute or other law in relation to a bylaw or to an action, decision or other matter.

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 departments, including the appointment and termination of any employee, except an Officer, within their department;
- (b) the authority to award bids or authorize spending up to \$100,000 on behalf of the **City**, and to execute agreements or legal instruments with respect thereto, in accordance with the annual budget and any applicable policies and procedures adopted by **Council**;
- (c) the power to delegate spending authority and award contracts to department staff in performing their work.
- (d) 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;
- (e) 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 department is designated as a “department head” that officer or employee may hear the grievance;
- (f) the power to appoint an Acting General Manager in the General Manager’s absence;
- (g) within the area of responsibility assigned to the position of the General Manager, the authority to execute any agreements or legal instruments necessary to implement **Council**-approved programs, services or directives:
 - (i) within authorized spending limits established for the General Manager, or
 - (ii) in accordance with funding limits specifically approved by **Council**,but excluding agreements to acquire or dispose of an interest in land;
- (h) the authority to provide notice required by statute or other law in relation to a bylaw or to an action, decision or other matter; and
- (i) the authority in section 2.2.1 to execute agreements, legal instruments and contracts includes the authority to grant an indemnity that is an integral and usual part of the agreement, legal instrument or contract.

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 147 of the *Community Charter*.

CITY means the City of Richmond.

COUNCIL means the Council of the **City**.

DIRECTOR, CITY CLERK’S OFFICE means:
(a) the Corporate Officer appointed by **Council** and assigned responsibility for corporate administration of the City under Section 148 of the *Community Charter*; and
(b) City Clerk for the purposes of all other City bylaws.

GENERAL MANAGER, ENGINEERING & PUBLIC WORKS means the person appointed by **Council** to the position of General Manager, Engineering & Public Works.

GENERAL MANAGER, FINANCE AND CORPORATE SERVICES means the person appointed by **Council** to the position of General Manager, Finance and Corporate Services, which includes the powers, duties and functions specified in Section 149 of the *Community Charter*.

PART FOUR: PREVIOUS BYLAW REPEAL

4.1 Officer and General Manager Bylaw No. 8062 (adopted on May 23, 2006), 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. 8215**”.

FIRST READING

SECOND READING

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER