

Background

The Municipal Act, 2001 provides in section 23.1 (general power to delegate), the ability to delegate powers and duties to a person or body. Council utilizes the Delegation by-law to delegate certain powers and responsibilities to various individuals employed by the City of Greater Sudbury to deal with administrative matters on behalf of the City.

The City has been approached on various occasions to work with related service providers or entities where the City would be in a better position to provide the service at a lower cost and would benefit the City and the relationship it has with the service provider or related entity. The current Delegation of Authority by-law does not currently provide the General Managers the ability to enter into agreements for the provision of non-routine services and the Miscellaneous User By-law does not currently provide the authority or flexibility to charge fees on an ad hoc basis.

Examples of such services include:

- Utilizing information in PeopleSoft Human Capital Management (HCM), through Human Resources and/or Payroll to communicate to an employee group on behalf of a local union for union business
- Calculate and pay adjustments to employees for union business
- Amend T4s for prior years due to adjustments required by the union
- Deducting additional pay from employees for social clubs

The City incurs additional staff time and resources to provide these services that are not mandated but are recommended to be provided to maintain good working relationships.

There is language in the existing Delegation by-law that provides for similar administrative responsibility such as partnership contracts (section 12), other agreements (section 13), however the language in these sections would not address the situations described above.

It is recommended that the signing authority be delegated to the General Managers, to establish the form of, sign and administer non-routine services. The proposed wording amendment to the delegation by-law would permit entering into agreements to provide services of a non-routine nature while recovering the cost of providing these services.

Where, in the opinion of the General Manager, it is appropriate in the circumstances, a General Manager may, with the approval of the Executive Director of Finance, Assets & Fleet, negotiate the terms of and sign agreements for the provision of non-routine services by his or her department, on a cost recovery basis, where the services have a total value of less than \$5,000 per year, and do not extend beyond 2 years.

Resources cited

By-law: Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury

<https://www.greatersudbury.ca/city-hall/by-laws/by-law-2019-241/>

By-law: Delegation of Authority to Various Employees of the City

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&attachment=17188.pdf>