



CITY OF DAUPHIN

BYLAW 02/2023

BEING A BYLAW TO GOVERN THE ORGANIZATION OF THE CITY OF DAUPHIN AND THE COMMITTEES THEREOF

WHEREAS Section 148(1) of *The Municipal Act* provides that a Council must establish by bylaw an organization structure for the Municipality and review the bylaw at least once during its term of office;

THEREFORE BE IT RESOLVED that the Council of the City of Dauphin, in open meeting assembled, enacts as follows:

TITLE

1.0 This bylaw may be referred to as the "Organizational Bylaw."

ROLE OF COUNCIL

2.0 A Council is responsible:

- a) for developing and evaluating the policies and programs of the Municipality;
- b) for ensuring that the powers, duties, and functions of the Municipality are appropriately carried out; and
- c) for carrying out the powers, duties, and functions expressly given to Council under this or any other Act.

GENERAL DUTIES OF ALL COUNCIL MEMBERS

3.0 Each Member of Council has the following duties:

- a) to consider the welfare and interests of the Municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the Municipality;
- b) in consultation with Senior Management, establish goals for the organization;
- c) determine and evaluate goals, objectives, policies, and programs;
- d) review the goals on a regular basis;
- e) attend all meetings of Council and Committees as required;
- f) review information and make well-informed decisions;

- g) attend all outside Committee/Board Meetings as applicable and report to Council as required;
- h) adopt a bylaw for Council Members' Code of Conduct and conduct themselves accordingly;
- i) review, approve, and monitor budgets and other financial matters;
- j) declare Conflicts of Interest in accordance with the Act;
- k) follow the chain of command in obtaining information regarding the operations of the organization and interacting with employees;
- l) refrain from becoming involved in actual administration of the organization;
- m) ensure that the functions and duties of the organization are appropriately carried out;
- n) keep in confidence matters discussed in private at a Council Meeting or Committee Meeting until discussed at a meeting held in public;
- o) understand that decisions must be made by Council as a whole; and
- p) any other duty or function imposed as determined by Council or Legislation.

HEAD OF COUNCIL

- 4.0 The Head of Council for the City of Dauphin is to have the title of Mayor.
- 4.1 In addition to performing the duties of a member of a Council, the Mayor has the following duties:
 - a) to preside when in attendance at a Council meeting, except where the Procedures Bylaw or this or any other Act otherwise provides;
 - b) to provide leadership and direction to the Council;
 - c) to perform any other duty or function assigned to a Mayor by this bylaw or any Act; and
 - d) may recommend the Citizen and Council Appointments for the upcoming year.

DEPUTY MAYOR

- 5.0 At the first meeting of Council in November each year, Council must elect or appoint a Councillor as Deputy Mayor, who shall act in the place of the Mayor when the Mayor is unable to carry out the powers, duties, and functions of the Mayor. Nominations for Deputy Mayor must be provided to the City Manager prior to said November meeting. In the event no nominations are received, the Mayor may appoint the Deputy Mayor.

COMMITTEES

- 6.0 The general duties of Committees shall be as follows:
- a) to report from time to time on all matters connected with the duties imposed on the Committee and to recommend such action as may be deemed necessary;
 - b) to prepare and introduce to Council all such bylaws, policies, documents, or recommendations as may be necessary to give Council the opportunity to review, debate, and vote on them to give them effect if warranted; and
 - c) to consider and report on any and all matters referred to them by Council.
- 6.1 The following Committees are hereby established as the **Internal Standing Committees of Council** and are closed in accordance with Section 152(3)(b) of *The Municipal Act*:
- a) Audit and Finance Committee
 - b) Employee Relations Committee
 - c) Environmental Stewardship and Climate Adaptation Committee
 - d) Planning and Priorities Committee
 - e) Property Standards Task Force Committee
 - f) Protective Services Committee
- 6.2 The special duties of the Internal Standing Committees, in addition to the aforesaid general duties, shall be as follows in accordance with their specific Terms of Reference:
- a) **Audit and Finance Committee:**
 - i) Review the contents of the City of Dauphin's Annual Financial Plan; recommend for approval to Council.
 - ii) Review all documents forwarded to the City of Dauphin by the Corporation's external auditor along with any management letters with auditors and make recommendation to Council.
 - iii) Meet periodically with City Management to review and scrutinize the year-to-date internal financial statements and any attached analysis.
 - iv) Recommend to Council on the selection of the City's Audit Firm.
 - v) Any other matter referred to the Committee by Council.
 - b) **Employee Relations Committee:**
 - i) Review and recommend to Council all policies with respect to the Human Resources Management Programs of the Corporation.
 - ii) Review and recommend to Council all Staff Training Programs as proposed by Management with the Collective Agreements.
 - iii) Act as the Grievance Committee of the Council with respect to provisions contained within the Collective Agreements.
 - iv) Act as the Negotiation Committee of the Council with the Canadian Union of Public Employees (CUPE) Locals and as per Policy – Resolution of Issues.

- v) Recommend to Council the proposals for negotiations and the final contents of the Collective Agreements.
 - vi) Address common concerns with the Collective Agreements between the City of Dauphin and CUPE Locals.
 - vii) Review all vacant management positions with respect to the need for the position and the position description (including position qualifications).
 - viii) Negotiate out-of-scope personnel salaries, benefits, and terms of employment.
 - ix) Work with all of Council when recruiting, interviewing, and hiring the City Manager.
 - x) Participate in an interview of senior management with the City Manager if the outgoing manager is unavailable to participate in the interview, and/or it would be inappropriate for the outgoing manager to do so and/or if it is deemed necessary to do so (with the ultimate hiring decision being the City Manager's). All interviews for senior managers are to have an in-person component.
 - xi) Be a resource to Staff if they have issues with the City Manager, after all other methods of resolution have proven ineffective.
 - xii) Coordinate the performance reviews for the City Manager; for review by Council.
 - xiii) Any other matter referred to the Committee by Council.
- c) **Environmental Stewardship Committee**
- i) Review and provide input/feedback on policies and bylaws governing issues relating to the environment, climate adaptation strategies, and related issues.
 - ii) Review and provide input/feedback on information from Administration or others that deal with issues that do or may affect the environment, including water and wastewater, waste management, and climate adaptation.
 - iii) Review and provide input/feedback on issues regarding the water supply, water quality, water distribution system, or wastewater treatment and discharge.
 - iv) Review and provide input/feedback on waste, recycling, and compost services, including the quality of service, and the kind of service to be provided.
 - v) Provide input regarding the communication strategies to share information on these issues (e.g. tips to conserve power or water, initiatives run by the City, new programs).
 - vi) Review any other matters referred to the Committee by Council.
- d) **Planning and Priorities Committee**
- i) Review, discuss, and make recommendations on issues as provided for in Item 152(3)(b) of the *Municipal Act*, those being:
 - o (i) [repealed]
 - o (ii) An employee, including the employee's salary, duties, and benefits and any appraisal of the employee's performance.
 - o (iii) A matter that is in its preliminary stages and respecting which discussion in public could prejudice a municipality's ability to carry out its activities or negotiations.
 - o (iv) The conduct of existing or anticipated legal proceedings.
 - o (v) The conduct of an investigation under, or enforcement of, an Act or bylaw.
 - o (vi) The security of documents or premises.

- o (vii) A report of the Ombudsman received by the head of the Council under clause 36(1) (e) of the *Ombudsman Act*.
- e) **Property Standards Task Force Committee**
- i) Review and provide input and direction to Staff regarding the administration of the Property Standards Bylaw.
 - ii) Provide input and direction regarding the review of the Property Standards Bylaw.
 - iii) Identify Property Standards initiatives or areas to address in the community.
 - iv) Present inquiries or complaints from the public to the committee regarding properties (e.g. derelict houses, derelict vehicles, weeds, overhanging foliage, shrubs).
- f) **Protective Services Committee:**
- i) Review and recommend to Council on matters relating to the operations of the following Departments:
 - o Police
 - o Fire
 - o Emergency Measures
 - o Animal Control
 - o Bylaw Enforcement
 - ii) Review and recommend to Council the regular organizational evaluation and recommendations as completed by the Senior Management Department Head.
 - iii) Review, research, and recommend changes from items referred to Committee by Council.
 - iv) Review, research, and recommend any organizational or management changes to Council for approval.
 - v) Any other matter referred to the Committee by Council.
- 6.3 Each Internal Standing Committee is composed as follows:
- a) Audit and Finance Committee – Mayor and two Council Members
 - b) Employee Relations Committee – Mayor and two Council Members
 - c) Environmental Stewardship Committee – All of Council
 - d) Planning and Priorities Committee – All of Council
 - e) Property Standards Task Force Committee – Two Council Members
 - f) Protective Services Committee – Mayor and two Council Members
- 6.4 Regular Meetings of the Internal Standing Committees may be held as determined by each Standing Committee.
- 6.5 **A Special Committee of Council** may be struck by resolution of Council at any time, specifying the Terms of Reference of the Special Committee. The Terms of Reference must include the issue to be resolved and when the Committee shall be dissolved.

BOARD OF REVISION

- 7.0 At the first regular meeting in each year, Council shall by resolution appoint a Board of Revision to hear assessment appeals during the year; appoint a member of the Board as the Chair; and appoint the Deputy City Manager as Secretary.

- 7.1 The Board of Revision shall consist of the entire Council of the City of Dauphin and two additional persons appointed by Council.

AUTHORIZATION

- 8.0 Agreements, cheques, and other negotiable instruments must be signed or authorized by:
- a) The Mayor, Deputy Mayor, or an alternate Council Member as appointed by resolution, and
 - b) The City Manager, Deputy City Manager, or Director of Finance.

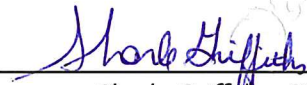
REPEAL

- 9.0 Bylaw 08/2022 be and is hereby repealed.

DONE AND PASSED by the Council of the City of Dauphin in regular session assembled, this 13th day of February 2023.



David Bosiak, Mayor



Sharla Griffiths, City Manager

READ A FIRST TIME this 23rd day of January 2023.
READ A SECOND TIME this 13th day of February 2023.
READ A THIRD TIME this 13th day of February 2023.