Agenda – Council – March 23, 2011

Report "A"– Executive Policy Committee – March 16, 2011

Item No. 5 Amendments to the Execution of Documents By-law No. 7367/99

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2011, the Executive Policy Committee submitted the following to Council:

1. That the Execution of Documents By-law No. 7367/99 be amended to include the following delegations of signing authority:

   A. To the Chief Administrative Officer, or designate, to execute the following:
      i. Sponsorship agreements approved in accordance with the City of Winnipeg's Sponsorship Policy
      ii. Grant applications by the City being made to an outside funding source
      iii. Grant agreements specifying the terms and conditions under which a grant to the City is made by an outside funding source
      iv. Multi-year funding agreements between the City and non-profit community organizations

   B. To the Chief Administrative Officer to execute the following, which delegation shall not be further sub-delegated:
      i. All employment contracts, excepting employment contracts for the Chief Administrative Officer and staff employed by the Office of the Mayor

   C. To the Mayor's Chief of Staff to execute the following, which delegation shall not be further sub-delegated:
      i. All employment contracts for staff employed by the Office of the Mayor

   D. To the Chief Financial Officer, or designate, to execute the following:
      i. Tax credit agreements
      ii. Loan guarantees
      iii. Discharges of deferments of local improvements

   E. To the Director of Public Works, or designate, to execute the following:
      i. Railway crossing agreements that involve either: (a) a street being built over a railway; or (b) a railway being built over a street

   F. To the Director of Water and Waste, or designate, to execute the following:
      i. Railway crossing agreements that involve either: (a) a water/sewer line being built under a railway; or (b) a railway being built over a water/sewer line

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G. To the Director of Legal Services and City Solicitor, or designate, to execute the following:
   i. Documents regarding registration and renewal of a business name
   ii. Documents regarding registration and renewal of trademarks

H. To the Director of Planning, Property and Development, or designate, to execute the following:
   i. All documents required to be registered at the Winnipeg Land Titles Office in order for title to vacant and derelict buildings to be transferred to the City of Winnipeg.

2. That the Execution of Documents By-law No. 7367/99 be further amended to provide that

   A. The execution of documents, instruments and agreements authorized in the By-law is authorized only if the documents, instruments and agreements have been approved by a body or individual with authority to do so; and

   B. The execution of documents, instruments and agreements authorized in the By-law only requires the signature of a single designated employee, and does not require the seal of the City being affixed, unless otherwise specified in the By-law.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2011, the Executive Policy Committee passed the following motion:

WHEREAS the Execution of Documents By-Law No. 7367/99 delegates the execution of certain documents, instruments, and agreements to the Chief Administrative Officer, department directors, or specific administrators, as the case may be;

AND WHEREAS it is desirable to reduce red tape by ensuring that, insofar as possible or practical, the execution of documents, instruments and agreements can be conducted without requiring signatures at multiple levels of the organization;

AND WHEREAS there currently exist additional categories of documents, instruments and agreements, the execution of which could be delegated to the City of Winnipeg Public Service to further reduce red tape;

THEREFORE BE IT RESOLVED THAT the Executive Policy Committee recommend that Council amend the Execution of Documents By-Law No. 7367/99 to include the following delegations of signing authority:

(i) to the Chief Administrative Officer, or designate, to execute the following:

- sponsorship agreements approved in accordance with the City of Winnipeg's Sponsorship Policy
- grant applications by the City being made to an outside funding source
- grant agreements specifying the terms and conditions under which a grant to the City is made by an outside funding source
- multi-year funding agreements between the City and non-profit community organizations

(ii) to the Chief Administrative Officer to execute the following, which delegation shall not be further sub-delegated:

- all employment contracts, excepting employment contracts for the Chief Administrative Officer and staff employed by the Office of the Mayor

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DECISION MAKING HISTORY (continued):

(iii) to the Mayor's Chief of Staff to execute the following, which delegation shall not be further sub-delegated:

- all employment contracts for staff employed by the Office of the Mayor

(iv) to the Chief Financial Officer, or designate, to execute the following:

- tax credit agreements
- loan guarantees
- discharges of deferments of local improvements

(v) to the Director of Public Works, or designate, to execute the following:

- railway crossing agreements that involve either: (a) a street being built over a railway; or (b) a railway being built over a street

(vi) to the Director of Water and Waste, or designate, to execute the following:

- railway crossing agreements that involve either: (a) a water/sewer line being built under a railway; or (b) a railway being built over a water/sewer line

(vii) to the Director of Legal Services/City Solicitor, or designate, to execute the following:

- documents regarding registration and renewal of a business name
- documents regarding registration and renewal of trademarks

(viii) to the Director of Planning, Property and Development, or designate, to execute the following:

- all documents required to be registered at the Winnipeg Land Titles Office in order for title to vacant and derelict buildings to be transferred to the City of Winnipeg;

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DECISION MAKING HISTORY (continued):

AND BE IT FURTHER RESOLVED THAT the Execution of Documents By-law be further amended to provide that

(i) the execution of documents, instruments and agreements authorized in the By-law is authorized only if the documents, instruments and agreements have been approved by a body or individual with authority to do so; and

(ii) the execution of documents, instruments and agreements authorized in the By-law only requires the signature of a single designated employee, and does not require the seal of the City being affixed, unless otherwise specified in the By-law.

and submitted the matter to Council.