



I. AGENDA ANNOUNCEMENTS / AMENDMENTS

II. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

III. CONFIDENTIAL SESSION

Milton Council will convene into confidential session to discuss personal matters about an identifiable individual, including municipal or local board employees with respect to the CAO recruitment.

IV. OPEN SESSION

V. ITEMS FOR CONSIDERATION

1 [Staff Report CORS-079-19 \(Pg. 1\)](#)

Subject: Updated Chief Administrative Officer (CAO) By-law

VI. BY-LAWS

[By-law No. 124-2019](#) BEING A BY-LAW TO DEFINE THE DUTIES AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER AND REPEAL BY-LAWS 50-92, 56-92 AND 90-97
Reference to: Staff Report CORS-079-19 ([Pg. 23](#))

VII. ADJOURNMENT

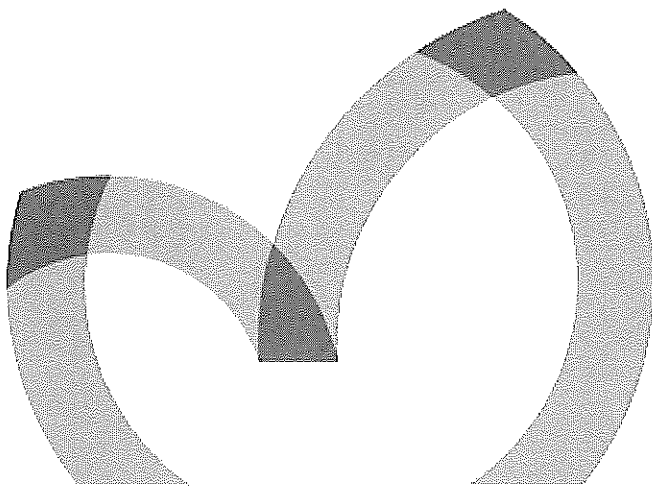
NOTE:

Please note that the meeting is not being held in Town Hall. It is being held offsite at the Best Western Milton Inn. Below is the address and phone number:

Best Western Milton Inn
161 Chisholm Drive
Milton, ON L9T 4A6

(905) 875-3818

THE CORPORATION OF THE
TOWN OF MILTON



MILTON

ITEMS FOR
CONSIDERATION



The Corporation of the Town of Milton

Report To:	Council
From:	Troy McHarg, Commissioner Corporate Services / Town Clerk
Date:	December 18, 2019
Report No:	CORS-079-19
Subject:	Updated Chief Administrative Officer (CAO) By-law
Recommendation:	THAT the necessary by-law, included on the December 18, 2019 Council meeting agenda, be considered for approval.

EXECUTIVE SUMMARY

The by-law outlining the duties and the responsibilities of the Chief Administrative Officer (CAO) for the Town of Milton, has not been updated since 1997.

As part of the recent CAO recruitment, Council approved the CAO Profile and Competencies document, which sets out Council's expectations for the key responsibilities of this position.

The proposed CAO by-law incorporates the key responsibilities listed within the CAO Profile and Competencies document and draws upon provisions contained within existing By-law 90-97 with updates to reflect current practice and/or the evolution of the CAO position since 1997. In addition, updates have been included within regard to the CAO's performance review and changes to some of the management, supervisory and administrative responsibilities in order to support the position expectations set out within CAO Profile and Competencies document.

REPORT

Background

The current by-law outlining the duties and the responsibilities of the CAO for the Town of Milton, has not been updated since 1997 and is attached for reference as Appendix 1.

As part of the recent CAO recruitment, Organization Consulting Limited (OCL) consulted with members of Council to prepare a profile and list of competencies to help guide this process. At the November 11, 2019 Council meeting, Council approved the CAO Profile and Competencies document, which sets out the key expectations and responsibilities of the CAO related to management, leadership and communications. This document is attached for reference as Appendix 2.



The Corporation of the Town of Milton

Report #:
CORS-079-19
Page 2 of 2

Discussion

In light of the CAO Profile and Competencies approved by Council, staff have developed an updated by-law to replace the existing position description in CAO By-law 90-1997.

The key responsibilities of the CAO Profile and Competencies document and the areas of responsibility within CAO By-law 90-97 have been incorporated within the proposed by-law. The proposed by-law recommended for approval is attached as Appendix 3.

Of note, the following substantive changes have been included within the updated CAO by-law to reflect current practice and/or the evolution of the CAO position as Milton has grown since 1997:

- a) Updated language with respect to the current CAO role of strategic oversight of areas that encompass policy development, reporting and delivery of services and programs. The existing by-law includes direct responsibilities that may now lie with other management positions;
- b) Updates to the CAO's management and supervisory role with respect to subordinate positions;
- c) Updated responsibilities regarding administrative organization and management, which will assist the CAO in meeting the mandate to "improve the efficiency and effectiveness of the programs and services delivered to the community;" and
- d) Clarity with regard to annual CAO performance reviews with Council.

Financial Impact

None arising from this report.

Respectfully submitted,
Troy McHarg
Commissioner, Corporate Services / Town Clerk

Attachments

Appendix 1 – Existing CAO Position Description within By-law 90-97
Appendix 2 – CAO Profile and Competencies Document
Appendix 3 – Proposed CAO By-law

SCHEDULE 'A' to By-law No. 90- 97.

CHIEF ADMINISTRATIVE OFFICER POSITION DESCRIPTION

Position Summary

The Chief Administrative Officer exercises general control and management of the administration of the government and affairs of the Corporation of the Town of Milton consistent with the Municipal Act and related legislation and regulation. The Chief Administrative Officer performs such duties as Council by By-law prescribes and is responsible for the efficient administration of the Corporation of the Town of Milton to the extent provided by By-law.

Principal Responsibilities

A. Council

1. attends all Council and Committee Meetings
2. assists Council in policy management by recommending new and revised policies on all aspects of the Corporation's affairs
3. makes verbal and written reports to Council and responds to questions from Council members and the public where appropriate
4. ensures the implementation of all policy and executive decisions of Council through the appropriate departments
5. represents and advocates the Corporation's administration to Council
6. regularly reports to Council on the status and progress of all aspects of the Corporation's affairs consistent with priorities and plans.

B. Policy Development & Review

1. establishes direction in the development of all corporate programs and administrative policies
2. participates in the development of formulation of policies with other levels of government that have impact on Milton. These include infrastructure requirements (Halton Urban Structure Plan), governance and streamlining of services within the Region
3. directs the overall policy direction relating to the Town's Economic Development Program
4. prepares and coordinates the Town's position on major areas of concern eg. Municipal Governance, etc.

C. Services and Programs

1. co-ordinates the development of Corporation priorities and goals and objectives for services and programs
2. develops long and short range plans to achieve established priorities and goals and objectives, and recommends to Council services and programs to support the goals and objectives
3. coordinate the delivery of statutory and other services and programs for the community within the authority granted by legislation and/or regulation and/or by-law
4. establishes monitoring systems to ensure that expectations for service and program delivery are maintained
5. establishes specific plans for follow-up, and action is required

SCHEDULE 'A' TO BY-LAW NO. 90-97 - Cont'd**D. Administration**

1. enhances productivity by creating a positive work environment that motivates and improves morale.
2. ensures the adequacy of the Corporation's organization and structure to deliver services and programs effectively and efficiently
3. provides individual and group leadership and direction to Department Heads
4. develops and maintains open communication processes between all departments and staff
5. coordinate all legal services required by the Corporation reviews and ensures that all information presented to Council is accurate, pertinent, timely and facilitates decision making by Council
6. approves all reports from each Department in the Administration prior to consideration by Council and/or Committees of Council
7. ensures the implementation and maintenance of all health and safety legislation and lends executive direction to the Corporate Safety Committee Meetings.

E. Finance

1. assures the preparation and presentation to Council of annual estimates of revenues and expenditures and ten year capital budget estimates
2. ensures that Council is informed of the financial status of the Corporation on a regular basis
3. assures that systems of budget preparation and control exist to plan and monitor the financial resources of the Corporation
4. ensures the efficient management of financial resources assures the maintenance of accurate financial records and annual audited financial reports

F. Economic Development

1. directs the development of the Town's overall strategy on economic development
2. liaises with other governments and agencies on economic development strategy for the region
3. coordinates the preparation of and monitors the implementation of the Town's Action Plan for Economic Development & Tourism

G. Human Resources

1. responsible for the strategic management of the Town's Human Resources
2. ensures the establishment and implementation of the comprehensive, current and effective human resource policies, procedures and practices set out in the Personnel Administration Manual
3. responsible for coordinating union negotiations and acts as the Chief spokesperson in union negotiations, unless otherwise delegated
4. responsible for conducting performance evaluations of the Department Heads and recommending appropriate compensation adjustments to Council and/or any other action deemed appropriate
5. responsible for the coordination of the recruitment and selection of Department Heads and participate in same for other senior staff deemed appropriate
6. monitor complement control through the Director of Corporate Services including any Department's intent to recruit/replace any staff position and the promotion or formal discipline of any staff, and will act as final arbitrator in matters of disagreement
7. is the key liaison with the Personnel Committee of Council
8. can designate Department Heads as Acting Chief Administrative Officer during temporary absences for any cause

SCHEDULE 'A' TO BY-LAW NO. 90 97 - Cont'd

H. Liaison with other Governments and Agencies

1. participates on inter-agency committees and task forces that have impact on the municipal sector in general and Milton in particular
eg. Greater Toronto Coordinating Committee
 Sub-Committee on Economic Development
 Association of Municipalities of Ontario
 Halton area Chief Administrative Officers
 Crombie Who Does What Panel, etc.

I. Community (Public Relations)

1. keeps current with community needs and trends so they may be reflected in the Corporation's priorities, policies and plans
2. interprets the role, functions and priorities, plans, services and programs of the Corporation to the community
3. maintains effective working relationships with other levels of government and local municipalities and community agencies, organizations and individuals
4. assists in determining community priorities by monitoring and evaluating the Corporation's priorities, plans, policies and service and program effectiveness
5. ensures that all public inquiries and/or complaints are responded to in a timely manner
6. consolidate and enhance the Town's public relations and communication functions.

This page intentionally left blank

ORGANIZATION CONSULTING LIMITED

Robert Johnston
Organization Consulting Limited
251 Consumers Road, Suite 1200
Toronto, Ontario M2J 4R3
Direct Tel. (416) 385 9975
rjohnston@oclsearch.ca



CHIEF ADMINISTRATIVE OFFICER SEARCH

CAO PROFILE AND COMPETENCIES

WORKING DOCUMENT

November 8, 2019

ROLE OF THE CHIEF ADMINISTRATIVE OFFICER

SUMMARY

Reporting to the Mayor and Council, the CAO provides key leadership for all aspects of Town business and services. The CAO is expected to facilitate the development of a clear vision, mission, values and behaviours in line with Council directions; implement a community based strategic plan; build a strong and effective executive team; challenge the organization to be innovative and responsive; shape organizational, administrative, financial, client service and change management excellence; and improve the efficiency and effectiveness of programs and services delivered to the community. The CAO is expected to be a visible leader and to proactively develop critical internal and external relationships; responsible for advising the Mayor and Council on all matters relative to Town operations and implementing Council policies.

KEY RESPONSIBILITIES

Leadership

- Provide leadership and direction to the organization to promote the effective and efficient delivery of Town services;
- Create within the Executive Team and Town staff an openness to new ideas, encouraging innovation and implementing a culture of accountability for actions and results - evaluating outcomes and determining the most effective use of resources;
- Provide inspiring leadership through communication, accessibility and a shared vision - setting a positive tone for the Town by suggesting new ways for the organization to embrace and participate in change in a positive and constructive manner;
- Co-ordinate initiatives with the Mayor and Council to maintain a clear focus on Council vision and direction as well as priority setting for key projects;
- In conjunction with the Executive Team, establish business plans and priorities to implement Council's vision and directions;
- Set a visible and positive leadership example in order to promote empowerment of employees through coaching, mentoring, two-way communications and delegation of decision making responsibility; take necessary steps to anticipate impact of changes and to identify and remove barriers;
- Act as the chief policy advisor to the Mayor and Council and provide Council with advice based on professional standards and best practices;
- Provide leadership in the on-going identification and tracking of "best practices" (including benchmarking of other municipalities) and latest technology; make recommendations for applications to support continuous improvement efforts.

Management

- Oversee the day-to-day operations and procedures of the Town under policy direction of Council and in accordance with current legislation and regulations;
- Consolidate and review annual work plans and capital and operating budgets with recommendations to Council for approval;
- Establish procedures to monitor the performance of the Town against plan / budget, identifying and correcting as necessary variances from plan / budget.
- Ensure that all high risk, complex situations with potential liability for the Town are reviewed and monitored on an ongoing basis;
- Conduct regular reviews and assessments of the programs, services and organization structure of Departments using best practice research, evaluating effectiveness of the allocation of responsibilities and authorities, and ensure adequate measurement systems are in place;
- Establish procedures to optimize financial resources, exercise financial control and conduct ongoing reviews on the Town's financial position to ensure expectations are being achieved.

Communications

- Establish regular formal and informal communication processes with the Mayor and members of Council regarding all key issues.
- Provide comprehensive advice and reports on Town operations and issues to Council, Council Committees and Community stakeholders / partners as required.
- Ensure that Council is informed of all high risk, complex situations that have potential liability for the Town.
- Communicate Council's directions and priorities to members of the Executive Team.
- Deliver regular periodic briefings of Town operations and results to ensure that employees across the Town can gain an appreciation of the "big picture" – enhanced visibility across the organization.
- Develop and maintain a contact network covering:
 - Citizen associations / rate payers groups;
 - Key Community Stakeholders and representatives of development, industry, and trade and professional associations;
 - Key stakeholders at the Region;
 - Counterparts in other municipalities; and
 - Federal and Provincial government officials at the policy and working levels.

PROFILE

The CAO candidate must possess a progressive track record of success in a leadership role within a multi stakeholder organization, ideally in a municipal environment. The ideal candidate will have significant and varied leadership and executive experience.

- A strategic communicator; able to adapt and tailor the conversation / presentation to a variety of audiences and contexts; understands the importance of both formal and informal communications.
- Ability to break down organizational silos. Given the many challenges facing the Town currently, the CAO needs to exhibit a strong horizontal style of leadership - lead initiatives across the organization, rather than using the more traditional up and-down approach.
- Talented broker and strategic negotiator in both an "at the table" sense as well as behind the scenes.
- An entrepreneurial, transformational leader who has the ability to vision and explore innovative service delivery models.
- A bold decision maker, who is not afraid to make a mistake and have the ability to learn from it. Track record as a decision maker - absolute results oriented and performance driven; links short term actions and long term goals.
- Believes in and drives for results and accountability at all levels; pragmatic, believes in delegating responsibility and holding individuals accountable for results/performance; encourages the establishment of high standards and stresses the importance of continuous improvement; is prepared to ask tough questions and address sub-standard performance quickly and effectively; assumes responsibility for decisions / results.
- Excellent interpersonal skills, capable of relating effectively to a diverse range of people, personalities and styles (both internal and external) - demonstrated ability to work collaboratively with stakeholders across the Town and in establishing and building relationships with all stakeholder groups; an objective sounding board and voice, able to listen to vested interest groups and make objective recommendations that are best for Milton; ability to speak the 'partners' language, establishing rapport immediately; exhibits a character of integrity and develops trust easily; willingly accepts the trust delegated by Council.
- Exhibits a "Boardroom" presence - credible and articulate, able to present and sell concepts and plans to Council, the Executive Team and other external stakeholders.

- Track record of building strong teams; demonstrates the ability to energize, motivate and lead an organization to achieve objectives; demonstrates the ability to build a sense of confidence and consensus, and create a positive and constructive work environment; sensitive to team needs, shows honesty and genuine interest in their concerns, avoids arrogance and defensiveness, develops sound solutions or approaches; requests, listens, and responds to feedback.
- Track record of managing financial performance and the dynamics of organizational change and growth.
- A solid strategic visionary and implementer of plans; experience in the development of strategic plans including developing operational priorities and associated resource allocation requirements - ability to translate strategic vision into plans for implementation and execution.
- Enhanced analytical problem solving skills; an ability to think critically; a realist who exhibits a common sense approach to problem resolution.
- High energy level, a self-starter who exhibits high adaptability and flexibility to changing systems, conditions, or priorities; responds quickly to requests, meets deadlines and budgets.
- Utilizes a variety of management styles, depending on the situation, with a capacity to facilitate groups through issues; leads by example; action oriented, generates original and innovative ideas and solutions – a continuous improvement perspective; high tolerance for change.
- Has a solid personal awareness – ability to build an executive team to capitalize on strengths and minimize limitations.
- Wants to have fun and enjoy their role in the community.

PRELIMINARY CORE COMPETENCIES

- **Leadership**
The ability to create and communicate a vision and engage others in its achievement. It is the ability to demonstrate behaviours that model and support the organization's aspirations and values and ensure its success.
- **Leading Change**
The ability to initiate, facilitate or implement change. Helping staff and stakeholders understand what the change means to them, building a shared vision and providing the ongoing guidance and support which will generate and maintain enthusiasm and commitment to the change process:
- **Strategic Orientation**
The ability to link long-range vision and concepts to daily work. Strategic orientation moves from understanding business fundamentals and strategies to a sophisticated awareness of the impact of the external environment on strategies and how external factors affect choices.
- **Shaping the Organization**
The ability to work effectively within structures, stakeholders and relationships within the Town. The ability to identify the decision-makers and the individuals who can influence them and work with them to achieve objectives. The ability to predict how new events or situations will affect individuals and groups both within and external to the Town and to utilize that knowledge to achieve the organization's objectives.
- **Relationship Building**
Establishing, building, and maintaining strong and reciprocal relationships and a network of contacts to keep a pulse on the Town's, political and internal issues and to make informed decisions. Identifying who to involve and when and how to involve them in order to accomplish objectives and minimize obstacles.
- **Political Acuity**
Dealing with the culture of the Town. Navigating the formal and informal channels and networking with Council, the Executive Team, management groups, the media and the community.
- **Innovation**
An effort to enhance performance by being creative, promoting new ideas and introducing new solutions or processes.

- **Customer First Orientation**

A desire to identify and meet/exceed the requirements of both internal AND external customers / clients. Clear emphasis on service to customer groups:

- Recognizing the variety of “customers” within the Town and at all levels of the organization and accommodating their diverse needs;
- Recognizing the variety of external customers including residents, community groups and other stakeholders.

- **Communication**

High degree of interpersonal skill, tact and diplomacy. Ongoing contact and dialogue with members of Council and various stakeholders at all levels. External contact with Community stakeholders and partners, the provincial and federal governments, the media and related organizations to provide and exchange information and solve problems. Able to adapt and tailor the conversation / presentation to a variety of audiences and contexts.

- **Partnering**

Creating an organizational environment that is open to alliances and attracting partnerships. Able to strategically identify and then approach potential partners – understands what’s in it” for the other partner. Negotiating and managing the strategic nature of alliances and determining when adjustments, fine tuning or termination of partnerships is required.

- **Results Orientation**

The desire or drive to achieve or surpass identified goals. Establishes performance objectives and measures to continuously improve performance and the standard of excellence across the Town. Includes innovative or entrepreneurial behaviours.

- **Holding People Accountable**

Ensuring others meet objectives and expectations in an appropriate and effective manner. Ensuring the performance management process is conducted throughout the year. Provides clear direction, appropriate tools, resources and authority to support success.

- **Fiscal Accountability and Acumen**

The ability to effectively manage and optimize human, financial and physical resources, undertake qualitative and quantitative measurement, planning and control of resources to maximize results. Includes the ability to oversee the development of financial benchmarks and performance targets as they relate to the achievement of the organization’s financial goals

- **Teamwork**

Being part of a team and working co-operatively with others. "Team" is broadly defined as any task or process-oriented group of individuals working towards a common goal.

**MILTON CAO SEARCH
NOVEMBER 8, 2019
STAKEHOLDER INPUT SUMMARY**

The following notes are meant to capture the key themes / points that emerged from individual stakeholder discussions. The summary reflects perceptions of the future: “what’s needed in our next CAO”.

ATTITUDES / ABILITIES

- Broad background including financial acumen / fiscally literate
- Optimistic and confident – Boardroom presence
- Excellent communicator – verbal and written
- Collaborative / supportive
- Innovative and creative
- Measured risk taker
- Delivers results; consultative but not afraid to make decisions
- Transparent and honest; builds trust and respect
- High integrity and ethical
- Dynamic

LEADERSHIP

- Visionary; influencer; creates excitement; inspires confidence
- Strong leader
- Communicates / shares information with staff / engages and collaborates
- Strategic leader and a strategic communicator
- Transformational leader
- Track record as a builder - proactive and forward looking; challenge the status quo
- Creative / innovative - thinks outside the box
- Responsive to Council and that Council objectives are being implemented
- Highly interactive and must be visible
- Must be constantly engaged - ability to engage the Mayor, Council, SMT, internal and external groups
- Balanced fiscal understanding / value for money / continuous improvement
- Consensus builder – but able to make the tough decision
- Sets high expectations and builds strong teams
- Able to build the SMT and inspire confidence – one voice / no silos
- Leader who encourages, promotes and identifies strengths - capitalizes on strengths; coaches and mentors; identifies talent; recognizes performance and excellence; rewards and celebrates wins
- Not afraid to take bold action

BUILDING RELATIONSHIPS AND PARTNERSHIPS

- A consensus builder
- Internal stakeholder groups:
 - With the Mayor – critical to success
 - Council – political acuity
 - Senior Management Team
- Community and key external stakeholders – be visible:
 - Key community stakeholders
 - The Region; and
 - Neighbouring municipalities

CANDIDATE GENERAL EXPERIENCE

- Broad background and experience
- CAO experience not essential; could be #2
- Municipal experience is very important; broader public sector ok
- Private sector experience might be ok
- Proven leadership track record is a must
- Change management / culture change experience
- Network / contacts with Provincial and Federal governments
- Financial savvy
- Understands the role differences – Mayor / Council and CAO / staff
- Strong negotiator

CHALLENGES / ISSUES

- Dealing with the Provincial cuts / downloads
- Creating a sense of stability; engage employees
- Break down silos - the Senior Management Team must be cohesive group
- Regular and frequent communications to internal AND external stakeholders
- Engaging key community stakeholders
- Manage growth – with respect to the culture of the community
- Rebuild the relationships with Region and Province
- Eliminate rigidity and “red tape”
- Engage Council with respect to Town / Community needs and expectations opposite minimal budget increases
- Mayor is FT and Councillors are PT – need to recognize this and the need for frequent and transparent communications
- Continuous improvement / service reviews / value for money
- Milton is unique
 - Low tax rate;
 - High growth rate; and
 - Mix of urban and rural

EXPECTATIONS – FIRST YEAR

- Develop a new shared vision – aligned with and in concert with the Mayor and Council – where are we going / where should we be in 10 years:
 - Develop a new strategic plan
 - Assist Council in developing priority areas for 2020 and beyond
 - Develop KPI's and Dashboards for Council priority areas
- Gain the respect of Council - develop positive relationships with the Mayor and members of Council; connect with each Councillor
- Get to understand Milton's culture and community
- Undertake own organization assessment:
 - assess the Town's needs and challenges
 - Assess employee engagement and satisfaction
 - continue core services review – implement Phase 1 recommendations and start Phase 2
 - ensure the Senior Management Team is a cohesive group
 - present organization options for Council review
 - introduce / make changes
 - continually monitor service levels
- Start to reduce red tape and build a customer service mentality and culture
- Visibility / building stakeholder relationships:
 - Internally with:
 - The Mayor and Council
 - Senior team and Staff
 - Externally with:
 - Key community stakeholders / potential partners
 - The Region;
 - Neighbouring CAO's
 - Provincial and Federal governments
- Ensure key projects continue moving forward / communications:
 - Education Village – Laurier / Conestoga
 - Complete the Official Plan
 - Transit – GO and Region
 - Derry Green Business Park
 - Intermodal (at Tribunal currently)
 - Quarry (decommissioned gravel pit)

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2019

BEING A BY-LAW TO DEFINE THE DUTIES AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER AND REPEAL BY-LAWS 50-92, 56-92 AND 90-97

WHEREAS section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may appoint a Chief Administrative Officer who shall be responsible for: (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and (b) performing such other duties as are assigned by the municipality;

AND WHEREAS the Council of The Corporation of the Town of Milton (the "municipality") desires to define the duties and responsibilities of the Chief Administrative Officer;

NOW THEREFORE the Council of The Corporation of the Town of Milton hereby enacts as follows:

1. THAT the Chief Administrative Officer, appointed by Council, shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality, and for performing such other duties as are assigned by the municipality, in accordance with Schedule "A" attached hereto;
2. THAT By-laws 50-1992, 56-1992 and 90-1997 are hereby repealed.
3. THAT this by-law shall come into force and effect on the date of its passing.

PASSED IN OPEN COUNCIL ON _____, 2019.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

Schedule "A"
To By-law Number XXX-2019
Duties and Responsibilities of the
Chief Administrative Officer

1. Introduction

- a) Reporting to Council, the Chief Administrative Officer (the "CAO") provides key leadership for all aspects of Town business and services. The CAO is expected to facilitate the development of a clear vision, mission, values and behaviours in line with Council directions; implement a community based strategic plan; build a strong and effective executive team; challenge the organization to be innovative and responsive; and improve the efficiency and effectiveness of programs and services delivered to the community. The CAO is expected to be a visible leader and to proactively develop critical internal and external relationships; responsible for advising the Mayor and Council on all matters relative to Town operations and implementing Council policies.
- b) The CAO shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by the Council of The Corporation of the Town of Milton (the "Town", the "municipality", or the "corporation").
- c) Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act that shall in any manner or extent whatsoever encroach upon the legislative powers of Council. Subject to the provisions of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and as herein provided, the duties and responsibilities of the CAO shall be set out within this by-law.

2. Definitions

- a) "Act" means the Municipal Act 2001, S.O. 2001, c. 25, as amended and any successor legislation thereto;
- b) "Council" means the elected Mayor and Councillors of the Town of Milton;
- c) "Strategic Management Team" means a collective of the senior management staff persons appointed or employed to lead the affairs of the departments of the Town of Milton and may also be called an Executive Team or renamed as it is deemed necessary by the CAO;
- d) "Town" means The Corporation of the Town of Milton.

3. Management Duties and Responsibilities

- a) Report to, be accountable to, and receive authority from Council and to perform their duties in conformity with Council decisions;
- b) Oversee the day-to-day operations and procedures of the Town under policy direction of Council in accordance with current legislation and regulations;
- c) Consolidate and review annual work plans and capital and operating budgets with recommendations to Council for approval;
- d) Ensure the establishment of procedures to monitor the performance of the Town against plan and/or budget, as well as identifying and correcting necessary variances from the plan and/or budget;
- e) Provide hands-on direction and assistance in planning and implementing difficult and complex tasks, which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- f) Ensure that all high-risk, complex situations with potential liability for the Town are reviewed and monitored on an on-going basis;
- g) Conduct regular reviews and assessments of the programs, services and organization structure of departments, using best practice research, evaluating effectiveness of the allocation of responsibilities and authorities and ensuring adequate measurements systems are in place;
- h) Ensure the establishment of procedures to optimize financial resources, exercise financial control and conduct ongoing reviews on the Town's financial position to ensure expectations are being achieved;
- i) To delegate duties and responsibilities to Strategic Management Team members or other staff that the CAO may deem appropriate;
- j) Attend meetings of Council required or as delegated, with the right to speak, but not to vote. Notwithstanding the generality of the foregoing, the CAO is precluded from attending those meetings where matters specific to the CAO contract and Council's deliberation of the results of the CAO performance review process are to be discussed.

4. Leadership

- a) Provide leadership and direction to the organization to promote the effective, safe, and efficient delivery of Town services;
- b) Create and foster a culture where innovation is encouraged as is accountability for actions and results - evaluating outcomes and determining the most effective use of resources;
- c) Responsible for motivating and developing the skills of the Strategic Management Team members and fostering productivity, professionalism, adherence to the corporate values and open communications;
- d) Provide inspiring leadership through communication, accessibility and a shared vision - setting a positive tone for the Town by suggesting new ways for the organization to embrace and participate in change in a positive and constructive manner;

- e) Co-ordinate initiatives with the Mayor and Council to maintain a clear focus on Council vision and direction as well as priority setting for key projects;
- f) In conjunction with the Strategic Management Team, establish business plans and priorities to implement Council's vision and directions;
- g) Set a visible and positive leadership example and actively supporting a workplace that is safe, inclusive, respectful and free of any form of harassment or discrimination
- h) Promote the empowerment of employees through coaching, mentoring, two-way communications and delegation of decision making responsibility; take necessary steps to anticipate impact of changes and to identify and remove barriers;
- i) Act as the chief policy advisor to the Mayor and Council and provide Council with advice based on professional standards and best practices;
- j) Provide leadership in the on-going identification and tracking of "best practices" (including benchmarking of other municipalities) and latest technology; make recommendations for applications to support continuous improvement efforts.

5. Communications

- a) Establish regular formal and informal communication processes with the Mayor and members of Council regarding all key issues;
- b) Provide comprehensive advice and reports on Town operations and issues to Council, Council committees and community stakeholders / partners as required;
- c) Ensure that Council is informed of all high risk, complex situations that have potential liability for the Town;
- d) Ensure that Council's directions and priorities are communicated to members of the Strategic Management Team and staff throughout the organization;
- e) Be a visible, accessible, and effective leader and communicator within the organization to staff at all levels;
- f) Develop and maintain a contact network covering, but not limited to:
 - i. The general public, including citizen associations / community groups;
 - ii. Key community stakeholders and representatives of development, industry, and trade and professional associations;
 - iii. Key stakeholders at the Region;
 - iv. Counterparts in other municipalities, school boards and public agencies and institutions; and
 - v. Federal and Provincial government officials at the policy and working levels.

6. Human Resource Management and Administration

- a) Authorized to have authority and responsibility for appointing, promoting, demoting, suspending or dismissing any employees of the corporation in

- accordance with the lines of authority defined in the Town's organizational structure;
- b) Authorized to have authority and responsibility for appointing, promoting, demoting or dismissing any other employees of the corporation in accordance with procedures contained in all collective agreements and in accordance with the lines of authority that are defined in the organizational structure;
 - c) Notify Council as to the appointment, promotion, demotion, suspension or dismissal of a Strategic Management Team member reporting directly to the CAO;
 - d) Oversee the collective bargaining process with all unionized corporation employees and to recommend to Council collective agreements concerning wages, benefits and terms of service and, upon approval of Council, to direct the administration of such collective agreements;
 - e) Administer all salaries and performance reviews of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and
 - f) Carry out an annual performance evaluation of all Strategic Management Team members, improving overall individual or departmental performance in consultation with Council, as required.

7. Financial Management

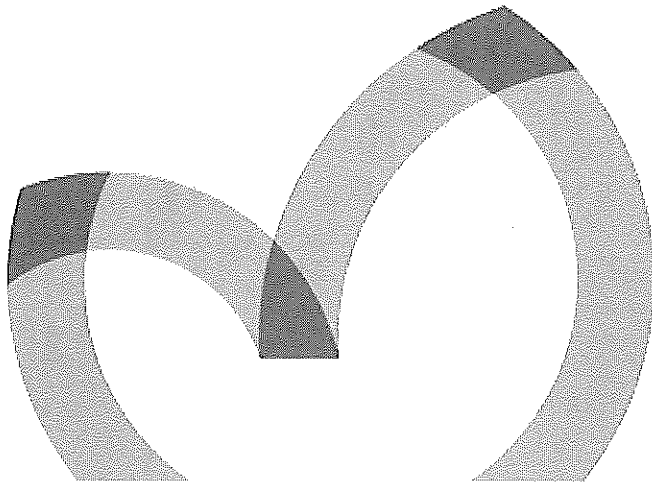
- a) Lead, in co-operation with the Chief Financial Officer/Treasurer and the Strategic Management Team, the preparation and presentation of operating and capital budgets and long-term financial plans;
- b) Exercise financial control over all corporate operations in conjunction with the Chief Financial Officer/Treasurer;
- c) To adjust staffing levels to maintain the level of Council approved programs and services in accordance with policy;
- d) To secure Council approval where emerging priorities (e.g., provincial initiatives, changing community priorities, Council direction) give rise to the need to introduce new programs or increased/decreased service levels;
- e) Ensure the establishment of fiscal policies and their management;
- f) Approve purchasing awards in accordance with Town by-laws and policies.

8. Administrative Organization and Management

- a) Create and re-organize, in consultation with the Strategic Management Team, such departments of the Town as may be considered necessary and proper to fulfil obligations for the corporation, and notify Council of the changes;
- b) Meet annually with Council to review and assess performance of the CAO during the past year as well as priorities to be pursued during the following year; and
- c) Hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO, subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such committee thereof as Council may, by by-law, authorize in respect of such suspension or dismissal, if so requested by the CAO.

DRAFT

THE CORPORATION OF THE
TOWN OF MILTON



MILTON

BY-LAWS

This page intentionally left blank

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 124-2019

BEING A BY-LAW TO DEFINE THE DUTIES AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER AND REPEAL BY-LAWS 50-92, 56-92 AND 90-97

WHEREAS section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may appoint a Chief Administrative Officer who shall be responsible for: (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and (b) performing such other duties as are assigned by the municipality;

AND WHEREAS the Council of The Corporation of the Town of Milton (the "municipality") desires to define the duties and responsibilities of the Chief Administrative Officer;

NOW THEREFORE the Council of The Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** the Chief Administrative Officer, appointed by Council, shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality, and for performing such other duties as are assigned by the municipality, in accordance with Schedule "A" attached hereto;
2. **THAT** By-laws 50-1992, 56-1992 and 90-1997 are hereby repealed.
3. **THAT** this by-law shall come into force and effect on the date of its passing.

PASSED IN OPEN COUNCIL ON DECEMBER 18, 2019.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

Schedule "A"
To By-law Number XXX-2019
Duties and Responsibilities of the
Chief Administrative Officer

1. Introduction

- a) Reporting to Council, the Chief Administrative Officer (the "CAO") provides key leadership for all aspects of Town business and services. The CAO is expected to facilitate the development of a clear vision, mission, values and behaviours in line with Council directions; implement a community based strategic plan; build a strong and effective executive team; challenge the organization to be innovative and responsive; and improve the efficiency and effectiveness of programs and services delivered to the community. The CAO is expected to be a visible leader and to proactively develop critical internal and external relationships; responsible for advising the Mayor and Council on all matters relative to Town operations and implementing Council policies.
- b) The CAO shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by the Council of The Corporation of the Town of Milton (the "Town", the "municipality", or the "corporation").
- c) Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act that shall in any manner or extent whatsoever encroach upon the legislative powers of Council. Subject to the provisions of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and as herein provided, the duties and responsibilities of the CAO shall be set out within this by-law.

2. Definitions

- a) "Act" means the Municipal Act 2001, S.O. 2001, c. 25, as amended and any successor legislation thereto;
- b) "Council" means the elected Mayor and Councillors of the Town of Milton;
- c) "Strategic Management Team" means a collective of the senior management staff persons appointed or employed to lead the affairs of the departments of the Town of Milton and may also be called an Executive Team or renamed as it is deemed necessary by the CAO;
- d) "Town" means The Corporation of the Town of Milton.

3. Management Duties and Responsibilities

- a) Report to, be accountable to, and receive authority from Council and to perform their duties in conformity with Council decisions;
- b) Oversee the day-to-day operations and procedures of the Town under policy direction of Council in accordance with current legislation and regulations;
- c) Consolidate and review annual work plans and capital and operating budgets with recommendations to Council for approval;
- d) Ensure the establishment of procedures to monitor the performance of the Town against plan and/or budget, as well as identifying and correcting necessary variances from the plan and/or budget;
- e) Provide hands-on direction and assistance in planning and implementing difficult and complex tasks, which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- f) Ensure that all high-risk, complex situations with potential liability for the Town are reviewed and monitored on an on-going basis;
- g) Conduct regular reviews and assessments of the programs, services and organization structure of departments, using best practice research, evaluating effectiveness of the allocation of responsibilities and authorities and ensuring adequate measurements systems are in place;
- h) Ensure the establishment of procedures to optimize financial resources, exercise financial control and conduct ongoing reviews on the Town's financial position to ensure expectations are being achieved;
- i) To delegate duties and responsibilities to Strategic Management Team members or other staff that the CAO may deem appropriate;
- j) Attend meetings of Council required or as delegated, with the right to speak, but not to vote. Notwithstanding the generality of the foregoing, the CAO is precluded from attending those meetings where matters specific to the CAO contract and Council's deliberation of the results of the CAO performance review process are to be discussed.

4. Leadership

- a) Provide leadership and direction to the organization to promote the effective, safe, and efficient delivery of Town services;
- b) Create and foster a culture where innovation is encouraged as is accountability for actions and results - evaluating outcomes and determining the most effective use of resources;
- c) Responsible for motivating and developing the skills of the Strategic Management Team members and fostering productivity, professionalism, adherence to the corporate values and open communications;
- d) Provide inspiring leadership through communication, accessibility and a shared vision - setting a positive tone for the Town by suggesting new ways for the organization to embrace and participate in change in a positive and constructive manner;
- e) Co-ordinate initiatives with the Mayor and Council to maintain a clear focus on Council vision and direction as well as priority setting for key projects;

- f) In conjunction with the Strategic Management Team, establish business plans and priorities to implement Council's vision and directions;
- g) Set a visible and positive leadership example and actively supporting a workplace that is safe, inclusive, respectful and free of any form of harassment or discrimination
- h) Promote the empowerment of employees through coaching, mentoring, two-way communications and delegation of decision making responsibility; take necessary steps to anticipate impact of changes and to identify and remove barriers;
- i) Act as the chief policy advisor to the Mayor and Council and provide Council with advice based on professional standards and best practices;
- j) Provide leadership in the on-going identification and tracking of "best practices" (including benchmarking of other municipalities) and latest technology; make recommendations for applications to support continuous improvement efforts.

5. Communications

- a) Establish regular formal and informal communication processes with the Mayor and members of Council regarding all key issues;
- b) Provide comprehensive advice and reports on Town operations and issues to Council, Council committees and community stakeholders / partners as required;
- c) Ensure that Council is informed of all high risk, complex situations that have potential liability for the Town;
- d) Ensure that Council's directions and priorities are communicated to members of the Strategic Management Team and staff throughout the organization;
- e) Be a visible, accessible, and effective leader and communicator within the organization to staff at all levels;
- f) Develop and maintain a contact network covering, but not limited to:
 - i. The general public, including citizen associations / community groups;
 - ii. Key community stakeholders and representatives of development, industry, and trade and professional associations;
 - iii. Key stakeholders at the Region;
 - iv. Counterparts in other municipalities, school boards and public agencies and institutions; and
 - v. Federal and Provincial government officials at the policy and working levels.

6. Human Resource Management and Administration

- a) Authorized to have authority and responsibility for appointing, promoting, demoting, suspending or dismissing any employees of the corporation in accordance with the lines of authority defined in the Town's organizational structure;
- b) Authorized to have authority and responsibility for appointing, promoting, demoting or dismissing any other employees of the corporation in accordance

- with procedures contained in all collective agreements and in accordance with the lines of authority that are defined in the organizational structure;
- c) Notify Council as to the appointment, promotion, demotion, suspension or dismissal of a Strategic Management Team member reporting directly to the CAO;
 - d) Oversee the collective bargaining process with all unionized corporation employees and to recommend to Council collective agreements concerning wages, benefits and terms of service and, upon approval of Council, to direct the administration of such collective agreements;
 - e) Administer all salaries and performance reviews of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and
 - f) Carry out an annual performance evaluation of all Strategic Management Team members, improving overall individual or departmental performance in consultation with Council, as required.

7. Financial Management

- a) Lead, in co-operation with the Chief Financial Officer/Treasurer and the Strategic Management Team, the preparation and presentation of operating and capital budgets and long-term financial plans;
- b) Exercise financial control over all corporate operations in conjunction with the Chief Financial Officer/Treasurer;
- c) To adjust staffing levels to maintain the level of Council approved programs and services in accordance with policy;
- d) To secure Council approval where emerging priorities (e.g., provincial initiatives, changing community priorities, Council direction) give rise to the need to introduce new programs or increased/decreased service levels;
- e) Ensure the establishment of fiscal policies and their management;
- f) Approve purchasing awards in accordance with Town by-laws and policies.

8. Administrative Organization and Management

- a) Create and re-organize, in consultation with the Strategic Management Team, such departments of the Town as may be considered necessary and proper to fulfil obligations for the corporation, and notify Council of the changes;
- b) Meet annually with Council to review and assess performance of the CAO during the past year as well as priorities to be pursued during the following year; and
- c) Hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO, subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such committee thereof as Council may, by by-law, authorize in respect of such suspension or dismissal, if so requested by the CAO.