



BYLAW: 6099
DATE OF CONSOLIDATION: June 27, 2024

Amendment History:

BYLAW 6356	Add New 11.3
BYLAW 6431	Add Section 6.3(e) - delegation as Head of the Public Body under FOIP
BYLAW 6448	Add Sections 7.9, 7.10, 7.11, 7.12, 7.13 and 7.14

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Bylaw last revised: June 25, 2024
Effective: June 25, 2024
Bylaw 6448

A CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO
DEFINE THE DUTIES AND POWERS OF THE CITY MANAGER.

WHEREAS Section 205 of the Municipal Government Act, R.S.A. 2000, c. M-26, requires that Council establish a position of the Chief Administrative Officer by bylaw.

AND WHEREAS, Council wishes to delegate certain powers to the Chief Administrative Officer.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE ENACTS AS FOLLOWS:

TITLE

1.1 This Bylaw may be cited as the “City Manager Bylaw”.

DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires:

- (a) “Act” means the Municipal Government Act, R.S.A 2000, c. M-26;
- (b) “City” means the corporation of the City of Lethbridge;
- (c) “Council” means the elected municipal council of the City of Lethbridge;
- (d) “City Manager” means the Chief Administrative Officer of the City of Lethbridge;
- (e) “Chief Administrative Officer” is the administrative head of the municipality, ensures that the policies and programs of the City are implemented, advises and informs Council on the operation and affairs of the City, and performs the duties and functions and exercises the powers assigned to a Chief Administrative Officer;
- (f) “Administration” means the general operation of the City, including personnel, financial, and other related matters as permitted by the Act;
- (g) “Designated Officer” means a person appointed to a position established under section 210(1) of the Act;

- (h) “Senior Management Team” means the group of senior managers employed by the City and designated by the City Manager as the Senior Management Team;
- (i) “Special Purpose Body” means a committee, board, or commission which is established under the legislated powers of the City but that has its own legislation or bylaws, including the Galt Museum & Archives, Lethbridge Public Library, and Lethbridge Police Service.

APPOINTMENT

- 3.1 Council will by resolution appoint an individual to the position of City Manager.
- 3.2 Council will establish the terms and conditions of the appointment of the City Manager including:
 - (a) the term of the appointment; and,
 - (b) the salary and benefits to be paid or provided to the City Manager.

ACTING CITY MANAGER

- 4.1 The City Manager is authorized to designate an acting City Manager to act during periods of the City Manager’s temporary absence provided the temporary absence does not exceed four consecutive weeks.
- 4.2 If the absence exceeds or is expected to exceed four consecutive weeks, Council shall appoint an acting City Manager.

ACCOUNTABILITY

- 5.1 The City Manager shall be accountable to Council for the exercise of all the powers, duties and functions delegated to the City Manager by the Act, this Bylaw, any other enactment, any other bylaw, and any resolutions, policies or procedures adopted by Council from time to time whether such powers, duties and functions are exercised by the City Manager personally, or by someone to whom the City Manager has delegated that power, duty or function.

DUTIES OF THE CITY MANAGER

- 6.1 The City Manager has:
 - (a) all of the powers, duties, and functions that are given to a Chief Administrative Officer under the Act or any other enactment;
 - (b) all the powers, duties and functions delegated to the City Manager by Council in this or any other bylaw, resolution, policy or procedure.
- 6.2 The City Manager shall carry out their powers, duties and functions in compliance with:
 - (a) the Act;
 - (b) this Bylaw;
 - (c) any other enactment;
 - (d) any other bylaw, resolution, policy or procedure passed or adopted by

Council; and
(e) any contract binding on the City.

6.3 The City Manager shall:

- (a) be the contact between the Administration of the City and Council and communication from the Administration to Council shall flow through the City Manager;
- (b) be responsible for advising on and communicating with Council with respect to:
 - i. the operations of the City,
 - ii. the financial state of the City,
 - iii. the legal affairs of the City,
 - iv. legislative changes of other levels of government,
 - v. Council policies and procedures, and
 - vi. Administrative policies and procedures;
 - vii. Committees, Boards and Commissions
- (c) prepare and submit to Council such reports, including recommendations where appropriate, and answer such inquiries, as required by Council;
- (d) attend all Council meetings and the meetings of such other boards, authorities or other bodies as might be required by Council; and
- (e) act as the Head of the Public Body under the Alberta Freedom of Information and Protection or Privacy Act.

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ADMINISTRATIVE DUTIES

- 7.1 The City Manager shall be responsible for directing the Administration.
- 7.2 The City Manager has the authority to:
 - (a) establish administrative policies and procedures to govern the actions of employees;
 - (b) hire, appoint, suspend, remove or terminate any employee from any position in the City with the exception of any designated Special Purpose Body;
 - (c) direct, supervise and review the performance of the Administration; and
 - (d) establish the structure of the Administration including creating, eliminating, merging or dividing departments provided that any such reorganization does not result in any change in level of service to the community.
- 7.3 The City Manager shall review all materials which are submitted to Council.
- 7.4 The City Manager shall conduct reviews of the administrative structure, submitting recommendations to Council within each Council term, prior to budget deliberations.
- 7.5 The City Manager shall consult with Council in advance of implementing major changes to corporate structure, including changes that involve creating new departments or re-allocating departments to different groupings.

- 7.6 The City Manager shall, subject to the directions and approval of Council, negotiate all collective agreements with City employees.
- 7.7 The City Manager shall establish and monitor all salaries of City employees, within the limitation of any Salary Plan or Salary Contract Agreement approved by Council.
- 7.8 The City Manager shall be responsible for ensuring that members of the Senior Management Team are familiar with the duties and responsibilities of the City Manager, Council processes and procedures, issues being addressed by Council and issues of concern to the City.
- 7.9 The City Manager may approve:
 - (a) Agreements for acquiring fee simple interests in land for fair market value or less, that do not exceed \$5,000,000, or are less than 5 acres in size, and are for the maintenance and enhancement of public infrastructure; and
 - (b) Reasonably necessary ancillary and incidental agreements related to Section 7.9(a).

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- 7.10 The City Manager may with regards to real estate leases:
 - (a) Establish fair market lease rates based upon current market conditions for real estate leases, including real estate leases to non-profit organizations; and
 - (b) Approve lease agreements for real estate up to maximum of 1 acre in size and up to a maximum term of 15 years, inclusive of renewal terms.

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- 7.11 The City Manager may with regards to real estate leases to non-profit organizations:
 - (a) Approve real estate leases that are at or below market value where the estimated fair market value lease rate of such real estate lease does not exceed \$750,000 annually, and the term of which shall not exceed 15 years, inclusive of renewals.

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- 7.12 The City Manager may with regards to real estate licence agreements:
 - (a) Approve real estate licence agreements for space within a City owned building, or land up to a maximum of 5 acres in size, and up to a maximum term of 12 months; and
 - (b) Approve real estate licence agreements for land greater than 5 acres, up to a maximum term of 2 weeks during any 12 month period.

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- 7.13 The City Manager may establish pricing for and approve the sale of residential lots.

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- 7.14 The City Manager may establish pricing for and approve the sale of non-

residential lots at fair market value, that are less than 5 acres in size, and the consideration for the sale does not exceed \$1,500,000.

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FINANCIAL POWERS AND FUNCTIONS

- 8.1 The City Manager shall:
 - (a) Prepare and submit budgets to Council for operating and capital programs in accordance with the Act; and
 - (b) Monitor and report to Council as directed by Council, on the operating and capital budgets approved by Council and in particular report on variances between budgeted and actual expenditures.
- 8.2 At no time shall the City Manager authorize operating or capital expenditures in excess of the approved total operating or capital budgets.
- 8.3 The City Manager may authorize over expenditures within programs of the operating budget. Such changes will be reported to Council.
- 8.4 The City Manager shall report on capital improvements projects showing the budgeted amounts and costs to date annually or as requested by Council.
- 8.5 The City Manager shall authorize payment of any amounts the City is legally required to pay pursuant to an Order or Judgment of a Court, board or other tribunal having jurisdiction over an action, claim or demand against or by the City, provided that all rights to appeal the Order or Judgment have expired.

LEGAL AFFAIRS

- 9.1 The City Manager is authorized to appoint a City Solicitor in order to provide legal services to the City, Council, and Committees of Council.

REPORTS

- 10.1 Council may request reports from the City Manager as outlined in the Procedure Bylaw.
- 10.2 The City Manager is authorized to establish any administrative committee that may be necessary to carry out the proper and efficient administration of the City's Business.
- 10.3 The City Manager shall report to Council on the activities of any substantive administrative cross functional committee.
- 10.4 It is the responsibility of the City Manager to be kept fully informed of the transactions of all Committees, Boards and Commissions as it pertains to the daily operations of the City's business and report out to City Council as needed.

DELEGATED DUTIES

- 11.1 The City Manager must either personally carry out all of the powers, duties and functions that are given to the City Manager unless they are delegated to a designated officer of the City by bylaw or legislation.
- 11.2 The City Manager has the authority to delegate any of the powers, duties and

functions given to the City Manager and can authorize the recipients of such delegations to further delegate their powers, duties and functions to other City employees.

11.3 The City Manager may direct the disposal of lost or unclaimed legal tender with a value of less than \$5,000.00.

Bylaw 6356 – March 22, 2022

INDEMNIFICATION

12.1 The City Manager is not liable for loss or damage caused by anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties or powers under this Act or any other enactment.

INTERPRETATION

13.1 Any reference in this Bylaw to the Act, any other enactment, any other bylaw, resolution, policy or procedure shall include all amendments thereto, all regulations and orders thereunder and any successor thereto.

13.2 In the event that the provisions of this Bylaw conflict with the provisions of any other bylaw, this Bylaw shall prevail.

REPEAL OF PREVIOUS BYLAWS

14.1 Bylaws 2915, 4784, and 5524 are hereby repealed.

14.2 This Bylaw shall come into force and effect upon the date of final passing thereof.

READ A FIRST TIME this 20th day of February, 2018

READ A SECOND TIME this 5th day of March, 2018

READ A THIRD TIME this 5th day of March, 2018

C.A. Spearman (Sgd).
Mayor

Aleta Neufeld (Sgd).
City Clerk