

March 21, 2018

REPORT TO: Mayor & Council

FROM: Elizabeth (Lisa) Slomke, Clerk

SUBJECT: Lame Duck Council

The *Municipal Act, 2001*, Section 275 (3) restricts the acts of an outgoing council if certain conditions hold following Nomination Day in a municipal election year.

This section as it relates to our council provides as follows:

After the day (nomination day July 27th or as late as election day October 22nd) it is determined that a new council will include less than 75% of the members of the outgoing council, (5 is less than 75% of 7), the outgoing council shall not take any of the following actions:

- a) The appointment or removal from office of any officer of the municipality;
- b) The hiring or dismissal of any employee of the municipality;
- c) The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of the disposal; and *
- d) Making any expenditure or incurring any liability which exceeds \$50,000. *

Please note: * c) and d) do not apply if the disposition or liability was included in the most recent budget adopted by the council before nomination day in the election year.

Nothing in this section of the Act prevents any authority of a municipality that has been delegated to a person prior to nomination day. In past elections, Council has elected to delegate authority for the above four matters to the Chief Administrative Officer during the lame duck period by passing a by-law (i.e. 28/14).

RECOMMENDATION

The Administration & Finance Executive Committee considered this matter at their March 20, 2018 meeting and recommends that Council pass and enact a by-law which would delegate decision making authority for the above four actions to the CAO.

Council approval of this report will agree to the recommendation of the Administration & Finance Executive Committee to bring forward a by-law to delegate decision making authority for the four restricted matters of a Lame Duck Council, to the CAO during the Lame Duck period which could begin on July 27, 2018.