

How can I do a better job on council as a Councillor or CAO?

Roles and Responsibilities for Council, Councillors and Administration

Alberta Municipal Affairs

Outline

- **Purpose of a Municipality**
- **Role Separation**
- **Duties of Council**
- **Responsibility and Duties of Administration**
- **Council Procedures**
- **Getting to Know Your Council**
- **Troubles in Paradise?**
- **Q & A**

Purpose of your Municipality

- To provide good government.
- To provide services, facilities, or other things in the opinion of council, are necessary or desirable for all or part of the municipality.
- To develop and maintain safe and viable communities.

Purpose of a Municipality

- **Municipal Powers, Duties, & Functions**
 - Powers to make local laws
 - Duties imposed by the *MGA*
 - Functions - leadership, development, effective use of funds (section 5)
 - Natural Person Powers – (section 6)

Role Separation

- **COUNCIL is the ultimate decision maker.**
 - Responsible to electorate
- **The CAO and staff implement these decisions.**
 - CAO reports to council
 - Staff reports to CAO
- **CAO is council's ONLY employee.**

Role Separation

- **Council's Principal role (section 201)**
 - **Making Policy:** provide programs & services
 - **Monitoring Programs:** ensuring the administration provides programs & services
 - NOT managing the programs!
- *MGA 201(2) – A council must not exercise a power of function, or perform a duty that is by this or any other enactment or bylaw specifically assigned to the CAO or a designated officer.*

Duties of Council

- **Legislated Duties**

- Consider welfare and interests of the municipality as a whole
- Develop & evaluate policies and programs
- Participate in council & committee meetings
- Obtain information about the municipality's operation and administration
- Keep confidences

Duties of the Chief Elected Official

- **Legislated Duties**

- Performs duties of a councillor and other duties imposed under the *MGA*
- Presides at council meetings (*unless a bylaw provides otherwise*)
- Is elected by vote (*unless council passes a bylaw appointing the CEO from among the councillors*)
- Is appointed by Council in Villages, Summer Villages, & Municipal Districts.
- Ex-officio on various boards & committees

Duties of Councillors

- **Unwritten**

- Talk to residents
- Reading long reports
- Work together
- Supporting council decisions



Councillor Responsibilities

- **Civil Liability**

- Councillors be *Aware!*
- A councillor can be held personally liable for unauthorized expenditures (Section 249)



Councillor Responsibilities

- **Pecuniary Interest**
 - Beware of potential for conflict of interest
 - Immediate family, in-laws or business interest
 - Council may pass a bylaw requiring disclosure of interests by all councillors

Councillor Responsibilities

- **Disqualification Provisions**

- never were, or cease to be, qualified for nomination (sections 12, 21 –23 *Local Authorities Election Act*)
- Violates the attendance requirements (section 174 MGA)
- does not vote (section 174(1)(f) MGA)
- becomes an employee of the municipality (section 174 MGA)

Council Procedures

- What does this mean?
- What is the purpose?
- What should be included?



**KEEP
CALM
&
FOLLOW
THE RULES**

Chief Administrative Officer

- **Legislated Responsibilities**
 - Administrative head of the municipality
 - Ensures policies & programs are implemented
 - Advises and informs council of the municipality's operations & affairs
 - Carries out responsibilities assigned by the council:

Chief Administrative Officer

- **Legislated Duties**

- Minutes; how to record
- Notify Minister
- Keep bylaws, minutes and corporate seal safe
- Revenues are collected and controlled and receipts are issued in the manner directed by council
- All money belonging to or held by the Municipality is deposited in a bank or others listed
- The accounts for authorized expenditures referred to in section 248 are paid

Chief Administrative Officer

- **Legislated Duties (Continued)**
 - Accurate records and accounts are kept of the financial affairs
 - Financial reporting to council as often as council directs
 - Investments in accordance with section 250
 - Assessments in accordance with Part 9 & 10 are prepared
 - Public auctions are held to recover taxes
 - Council is advised in writing of its legislative responsibilities under this Act.

Chief Administrative Officer

- **Unwritten Duties**
 - Takes care of the everyday work of running a municipal corporation
 - Follows a policy manual
 - Follows an organization chart
 - Ensures staff development
 - Administrative guidance
 - Agendas & Packages
 - Research and Investigation
 - Sounding board & Confidant

Evaluation of CAO

MGA section 205.1

- A council must provide the CAO with an annual written performance evaluation of the results the CAO has achieved with respect to the CAO's responsibilities under section 207
 - Better understanding of expectations
 - Growth document
 - One voice from Council



"Your evaluation will be based on what you do in the next thirty seconds. Go!"

Getting to Know Your Council

- Why is this important?
- What can you learn?
- How can you get to know your council?



Trouble in Paradise

- Inappropriate Behaviour
- Pecuniary Interest
- Split Council
- Trust
- Inappropriate Use of In-Camera

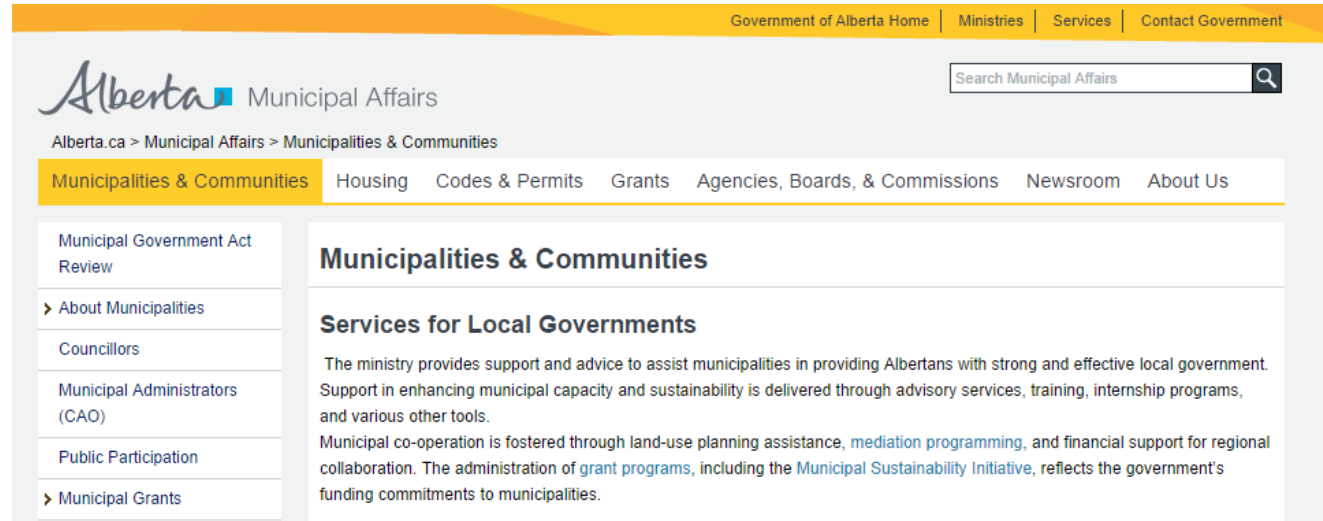


Council Self Evaluation

- **Not a legislated process**
 - Best practice of high performing organizations
 - Inward looking
 - Are we doing what we said we would do?



Questions, Final Thoughts?



The screenshot shows the Government of Alberta website for Municipal Affairs. At the top, there is a navigation bar with links for 'Government of Alberta Home', 'Ministries', 'Services', and 'Contact Government'. Below this is the 'Alberta Municipal Affairs' header with a search box. The main navigation menu includes 'Municipalities & Communities', 'Housing', 'Codes & Permits', 'Grants', 'Agencies, Boards, & Commissions', 'Newsroom', and 'About Us'. A left sidebar contains links for 'Municipal Government Act Review', 'About Municipalities', 'Councillors', 'Municipal Administrators (CAO)', 'Public Participation', and 'Municipal Grants'. The main content area is titled 'Municipalities & Communities' and features a section for 'Services for Local Governments'. This section includes text stating that the ministry provides support and advice to assist municipalities in providing Albertans with strong and effective local government, and that municipal co-operation is fostered through land-use planning assistance, mediation programming, and financial support for regional collaboration.

MSB 780-427-2225

Toll-free 310-0000

Website www.municipalaffairs.gov.ab.ca