CITY OF MOOSE JAW

Office Consolidation

CITY ADMINISTRATION BYLAW

Bylaw No. 5175

Date of Passage January 6, 2003
(effective date January 6, 2003)

Including amendments to August 26, 2024

Disclaimer:
This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

(a) the original bylaw and of all bylaws amending it; and

(b) the fact of passage of the original and all amending bylaws.

AMENDMENTS	DATE PASSED	FORCE/EFFECT
Bylaw No. 5512	April 4, 2016	April 4, 2016
Bylaw No. 5538	July 10, 2017	August 1, 2017
Bylaw No. 5555	February 26, 2018	February 26, 2018
Bylaw No. 5578	May 13, 2019	May 13, 2019
Bylaw No. 5591	July 8, 2019	July 8, 2019
Bylaw No. 5592	August 12, 2019	August 12, 2019
Bylaw No. 5654	September 13, 2021	September 13, 2021
Bylaw No. 5663	March 28, 2022	March 28, 2022
Bylaw No. 5723	August 26, 2024	August 26, 2024

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BYLAW NO. 5175

A BYLAW OF THE CITY OF MOOSE JAW TO PROVIDE FOR THE ADMINISTRATION OF THE MUNICIPAL CORPORATION AND TO SET FORTH THE DUTIES AND POWERS OF DESIGNATED OFFICERS

==========

WHEREAS section 8 of *The Cities Act*, S.S. 2002, c.C-11.1**,** provides, in part, as follows:

> **"8**(1) A city has a general power to pass any bylaws for city purposes that it considers expedient in relation to the following matters respecting the city:
>
> (a) the peace, order and good government of the city;"

AND WHEREAS section 6 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

> "**6**. The power of a city to pass bylaws is to be interpreted broadly for the purposes of:
>
> (a) providing a broad authority to its council and respecting the council's right to govern the city in whatever manner the council considers appropriate, within the jurisdiction provided to the council by law; "

AND WHEREAS it is deemed expedient and in the public interest to provide for the administration of the Municipal Corporation of the City of Moose Jaw and to set forth the powers and duties of designated officers;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

PART I

INTERPRETATION

Title

1. This Bylaw may be cited as the City Administration Bylaw.

Purpose

2. The purpose of this Bylaw is to provide for the administration of the Municipal Corporation of the City of Moose Jaw by setting forth the powers and duties of the Office of City Manager, together with the powers and duties of other designated officers.

Definitions

3. In this Bylaw, in any amending Bylaws, and in any schedules attached hereto, the following words and terms shall have the following meaning unless there is something in the subject matter or context inconsistent therewith:

(a) the term "**approved budget**" means a budget of the City of Moose Jaw as approved and lawfully amended from time to time;

(Bylaw No. 5512, 2016)

(b) the term "**Budget Committee**" means the Budget Committee within the meaning of the Procedure Bylaw;

(c) the word "**City**" means the Municipal Corporation of the City of Moose Jaw;

(d) the term "**City Assessor**" means the person appointed by the Director of Financial Services as the City Assessor for the City of Moose Jaw and includes the duly authorized representative or designate of such person;

(e) the term "**City Clerk**" means the person appointed pursuant to section 19 of this Bylaw and includes the duly authorized representative or designate of such person;

(f) the term "**City Clerk/Solicitor**" means the person appointed as both the City Clerk and the City Solicitor in the event the function of these Offices are combined pursuant to section 27 and the same person is appointed to both positions;

(g) the term "**City Comptroller**" means the person appointed by the Director of Financial Services as the City Comptroller for the City of Moose Jaw and includes his/her duly authorized representative or designate;

(h) the term "**City Council"** means the elected officials of the City of Moose Jaw;

(i) the term "**City Manager**" means the person appointed by City Council as the City Manager for the City of Moose Jaw and includes his/her duly authorized representative or designate;

(j) the term "**City Solicitor**" means the person appointed pursuant to section 22 of this Bylaw and includes his/her duly authorized representative or designate;

(k) the term "**City Treasurer**" means the person appointed by the Director of Financial Services as the City Treasurer for the City of Moose Jaw and includes his/her duly authorized representative or designate;

(l) the term "**Department Head**" means the City Clerk, City Solicitor, (or City Clerk/Solicitor, as the case may be), the Director of Financial Services, the Director of Engineering Services, the Director of Human Resource Services, the Director of Planning and Development, the Director of Parks and Recreation, the Fire Chief and the Manager of Information Technology and includes any other person appointed as a department head by the City Manager and includes any duly authorized representative or designate of such persons;

(Bylaw No. 5512, 2016)

(i) the term "Designated Officers" has the meaning ascribed by s. 2(1)(1) of *The Cities Act*, and for ease of reference, that section as it currently reads defines Designated Officer as a person designated by a council or a person to whom a power or authority is delegated by the City Manager;

(Bylaw No. 5512, 2016)

(m) the term "**Director of Financial Services**" means the person appointed pursuant to section 24 and includes his/her duly authorized representative or designate;

(n) the term "**Executive Committee**" means the Executive Committee within the meaning of the Procedure Bylaw;

(o) the term "**Personnel Committee**" means the Personnel Committee within the meaning of the Procedure Bylaw;

(p) the term "**Procedure Bylaw**" means Bylaw No. 5176 of the City of Moose Jaw.

Schedules

4. The following schedules are attached to, and form part of, this Bylaw:

Schedule "A" - Declaration of City Manager and Designated Officers.

Schedule "B" - Purchasing Policy.

Schedule "C" - Public Notice Policy.

Schedule "D" - Investment Policy.

Schedule "E" – Budgeting Policy.

City Hall

5. The Office of the City of Moose Jaw shall be located at 228 Main Street North in the City of Moose Jaw.

PART II

OFFICE OF THE CITY MANAGER

Office of the City Manager Continued

6(1) The Office of City Manager for the Municipal Corporation of the City of Moose Jaw is continued.

(2) After consultation with the Personnel Committee, City Council shall appoint a person as the City Manager and shall establish the terms and conditions of the City Manager's employment.

(3) The City Manager shall:

(a) be the chief administrative officer for the City of Moose Jaw;

(b) perform the duties and exercise the powers and functions set forth in or prescribed by legislation, this Bylaw, or any other bylaw of the City, or assigned by law or resolution of City Council.

(4) The City Manager may resign his/her office in accordance with the terms and conditions of employment established by City Council.

(5) The City Manager may only be dismissed by an affirmative vote of a majority of members of City Council and in accordance with the procedure specified in section 87 of *The Cities Act*.

Powers, Duties and Functions of City Manager

7(1) Without limiting the generality of section 6, the City Manager shall:

(a) supervise all operations of the City and, in particular, direct, supervise and review the performance of all departments of the City;

(b) make recommendations to City Council with respect to the creation or elimination of departments of the City;

(c) ensure that the policies and programs of the City are implemented;

(d) routinely advise and inform City Council on the operations and affairs of the City;

(e) be responsible for the preparation and submission of estimates for the operating and capital budgets of the City, including any operating and capital budgets associated with the operation of any utilities operated by the City, and to do so on an annual basis or at any other interval as may be required by City Council;

(f) monitor and control civic spending within the budgets established by City Council;

(g) advise the Budget Committee and/or City Council, as the case may be, and make recommendations concerning the financial condition of the City, including the transfer of funds from one (1) department to another;

(h) advise City Council and make recommendations concerning policies or programs which may be necessary to carry out the powers, duties and functions of the City;

(i) cause the preparation and submission of such reports and recommendations to City Council as City Council may direct or that the City Manager may deem appropriate or necessary;

(j) attend all regular meetings of City Council and such other meetings as City Council may direct;

(k) cause the completion of Quarterly Reports to City Council reporting on the activities of all City departments responsible to the City Manager;

(l) keep the public informed, through reports to City Council, regarding the operations of the City;

(m) be responsible for the labour relations of the City and, without limiting the generality of the foregoing, to:

(i) coordinate and direct collective bargaining within the mandate established by the Personnel Committee;

(ii) act as the agent of City Council in collective bargaining with unionized employees and in negotiations with employees not covered by collective agreements, in respect of such matters as rates of pay, wages, salaries, fringe benefits and other working conditions;

(iii) report to Personnel Committee and/or City Council, as the case may be, on the status of collective bargaining with unionized employees and negotiations with employees not covered by collective agreements and to submit all collective agreements with unionized employees and agreements with employees not covered by collective agreements to City Council for approval;

(n) exercise such other powers and perform such other duties and functions as may be required by City Council.

(2) The power, duties and functions of the City Manager shall be exercised in accordance with, and subject to, any limitations set forth in *The Cities Act* and any other applicable statute or law, including applicable bylaws of the City of Moose Jaw.

City Manager's Authority, re: Employees

8. Subject only to the limitations set forth in *The Cities Act* and the provisions of this Bylaw regarding the City Clerk, City Solicitor and the Director of Financial Services, the City Manager shall have authority to recruit, retain, employ, appoint, discipline, suspend and dismiss all employees of the City.

City Manager's Authority, re: Budgets

9(1) The City Manager shall cause the preparation of an operating and a capital budget for each fiscal year in accordance with the requirements of *The Cities*

Act and shall present such budgets annually to the Budget Committee for approval.

(Bylaw No. 5512, 2016)

(2) Pending approval of the operating budget, the City Manager shall have authority to authorize routine expenditures necessarily incidental to the operation of the City.

(3) Subject to subsections (4) and (5), the City Manager shall have authority to transfer funds within and between approved budgets.

(4) The approval of the Budget Committee shall be required to transfer any sum in excess of $150,000.00 within or between approved budgets.

(Bylaw No. 5512, 2016)

(5) The City Manager shall inform City Council, by way of Quarterly Reports, of all transfers of funds within or between approved budgets in excess of $50,000.00.

(Bylaw No. 5512, 2016)

City Manager's Authority, re: Purchasing of Goods and Services

10(1) The policy set forth in Schedule "B" respecting the supply to the City of materials, equipment or other goods and respecting the provision of professional or other services to the City is adopted for the City of Moose Jaw.

(2) The City Manager shall have the authority to:

(a) call for bids, tenders or proposals for the supply to the City of goods, services or consulting and professional services where the anticipated purchase cost is within the City's approved budget;

(b) review or cause the review of all tenders, bids or proposals submitted to the City in accordance with a request for such submissions, and to reject any submissions as permitted by the applicable City policy or procedure;

(Bylaw No. 5512, 2016)

(3) The City Manager shall report to, and obtain the approval of, the Executive Committee prior to awarding any contract covered by the Purchasing Policy where the chosen proposal exceeds the approved budget by more than 10%:

(Bylaw No. 5512, 2016)

(4) The City Manager shall inform City Council, by way of Quarterly Reports, of all transactions respecting the supply to the City of goods, services, or consulting and professional services where the anticipating purchase cost exceeds $50,000.00.

(Bylaw No. 5512, 2016)

City Manager's Authority, re: Land Transactions

11(1) The policy set forth in Schedule "B" respecting the sale or disposal of City-owned land, respecting the use or rental of City-owned land or facilities, and respecting the purchase or acquisition of private land for City purposes is adopted for the City of Moose Jaw.

(2) The City Manager shall have the authority to:

(a) conduct negotiations on behalf of the City for the purchase, sale, lease or exchange of land;

(b) approve the securing of options for the purchase of land where the consideration for such options does not exceed the sum of $50,000.00;

(Bylaw No. 5512, 2016)

(c) approve agreements respecting the purchase of land where the purchase price does not exceed the sum of $100,000.00 and the terms and conditions of such agreement are consistent with the policies respecting the purchase or acquisition of land referred to in subsection (1);

(d) approve agreements for use or lease of city-owned land where the annual rental charge is not in excess of the sum of $50,000.00 and the terms and conditions of such agreement are consistent with the policies respecting the lease of City-owned land referred to in subsection (1);

(e) approve agreements for use or rental of city-owned facilities where the annual rental charge is not in excess of the sum of $50,000.00 and the facilities are not immediately required for the City operations;

(Bylaw No. 5512, 2016)

(f) approve agreements respecting the sale or disposal of land for residential development where the terms and conditions of such agreements are consistent with the policies respecting the sale of land referred to in subsection (1);

(g) approve the sale or disposal of land for commercial or industrial development, including multi-unit residential development, where:

(i) the terms and conditions of such transactions are consistent with the policies respecting the sale of land referred to in subsection (1);

(ii) the sale price is not below fair market value or the range of fair market value for the property determined by the City Assessor or independent appraisal;

(iii) the sale price does not exceed the sum of $100,000.00.

(3) The City Manager shall report to, and obtain the approval of, the Executive Committee on any land transactions, including the purchase, sale, lease or exchange of land, where the transactions exceed the authority granted to the City Manager pursuant to this section.

City Manager's Authority, re: Claims and Lawsuits

12(1) The City Manager shall have the authority to:

(a) authorize and instruct the City Solicitor to commence, defend or conduct any action or proceeding in any court or before any board or tribunal involving the City of Moose Jaw;

(b) authorize and instruct the City Solicitor or the Director of Financial Services, as the case may be, to settle any action, claim, grievance, lawsuit or other legal proceeding brought against the City in any amount not exceeding the sum of $150,000.00.

(Bylaw No. 5512, 2016)

(2) The City Manager shall report to, and obtain the approval of, the Executive or Personnel Committee, as the case may be, prior to settling any action, claim, grievance, lawsuit or other legal proceeding involving the City, where the sum involved exceeds the authority granted to the City Manager pursuant to subsection (1).

City Manager's Authority, re: Compromise Agreements

13(1) The City Manager shall have the authority to compromise or abate the whole or any part of a City's claim to an amount owing by a third party:

(a) where the amount owning to the City has not arisen as a result of outstanding or unpaid taxes; and

(b) where the amount to be compromised or abated does not exceed the sum of $150,000.00.

(Bylaw No. 5512, 2016)

(2) The City Manager shall report to, and obtain the approval of, the Executive Committee prior to the compromise or abatement of:

(a) a claim for outstanding or unpaid taxes; or

(b) any other indebtedness, where the sum to be compromised exceeds $150,000; or

(c) any compromise of indebtedness expected to be controversial in the opinion of the City Manager.

(Bylaw No. 5512, 2016)

City Manager's Authority, re: Agreements and Other Documents

14(1) Subject to the specific limitations set forth in this Bylaw, the City Manager shall have general authority to:

(a) approve the execution of any agreement on behalf of the City where the amounts involved do not exceed the sum of $150,000.00;

(b) approve the execution of any document, including permits, licenses and other authorizations, where the amounts involved do not exceed the sum of $150,000.00.

(Bylaw No. 5512, 2016)

(2) The City Manager shall report to, and obtain the approval of, the Executive Committee prior to the execution of any agreement or document involving the City of Moose Jaw where the amount involved, or the value of the transaction in question, exceeds the authority granted to the City Manager pursuant to subsection (1).

(3) Notwithstanding subsection (2), the City Manager shall inform City Council of all contracts approved by the City Manager pursuant to the provisions of this Bylaw where the amount of the contract exceeds $50,000.00 by way of the Quarterly Reports.

(Bylaw No. 5512, 2016)

Communications with City Council

15. The City Manager shall review and approve all minutes of advisory and other committees, communications, and reports from City departments prior to their transmittal to City Council and, where appropriate or necessary, may provide comments or recommendations for the benefit of City Council.

Delegation of Authority by City Manager

16. The City Manager is authorized to delegate, and to authorize the further delegation of, any authority, function or responsibility granted to the City Manager pursuant to this Bylaw or any other bylaw of the City to any City employee on such terms and conditions, and subject to such limitations, as the City Manager may deem appropriate.

Appointment of Acting City Manager

17(1) The City Manager may appoint a City employee as Acting City Manager during his/her temporary absence from the Office and, where practicable, shall give prior notice to City Council of such absences and the name of the person or persons so appointed.

(2) Upon the dismissal or resignation of the City Manager or where there is a vacancy in such position, the Mayor may temporarily appoint an Acting City Manager until the next meeting of the Personnel Committee.

(3) Upon the recommendation of the Personnel Committee, City Council may temporarily appoint an Acting City Manager and may establish the terms and conditions of such appointment.

(4) During the period of his/her appointment, the Acting City Manager shall perform the duties and exercise the powers and functions set forth in *The Cities Act*, this Bylaw, or any other bylaw of the City, or assigned by law or resolution of City Council.

Oath of Office, re: City Manager

18. Every person appointed as City Manager, before entering the duties of his/her office, shall, in addition to any requirements set forth in *The Cities Act*, make and subscribe a declaration of office, in the form set forth in Schedule "A", before the City Solicitor

PART III

DESIGNATED OFFICERS

Appointment of the City Clerk

19(1) Subject to the approval of the Personnel Committee, the City Manager shall appoint a person as the City Clerk and, in doing so, shall establish the terms and conditions of that person's employment with the City.

(2) The City Clerk shall perform the duties and exercise the powers and functions set forth in *The Cities Act* or prescribed by legislation or any bylaw of the City of Moose Jaw, or assigned by City Council or the City Manager, including duties delegated pursuant to the authority of this Bylaw.

(3) The City Clerk may resign his/her office in accordance with the terms and conditions of his/her employment.

(4) The City Clerk may only be dismissed by an affirmative vote of a majority of members of the Personnel Committee and in accordance with the procedure specified in section 87 of *The Cities Act*.

(5) Upon the dismissal or resignation of the City Clerk, the City Manager may temporarily appoint an employee of the City to perform the duties of the City Clerk until the next meeting of the Personnel Committee.

Duties of the City Clerk

20. In addition to the duties referred to in section 19, the City Clerk shall:

(a) summon all meetings of City Council, prepare and distribute the agendas in accordance with the requirements of the Procedure Bylaw, and communicate the resolutions and instructions of City Council to the affected parties;

(b) maintain an indexed register of all minutes of City Council and prepare and distribute true copies of such minutes to members of City Council, City Administration and the general public, as and when required;

(c) maintain an indexed register of all Bylaws of the City of Moose Jaw, and prepare and distribute true copies of such Bylaws to members of City Council, City Administration, and the general public, as and when required;

(d) maintain an indexed register of all agreements of the City of Moose Jaw, and prepare and distribute true copies of such agreements to members of City Council, City Administration, and the general public, as and when required;

(e) providing for the safe keeping of the Corporate seal, crest and coat of arms, as well as any books, documents and records of the Municipal Corporation committed to the charge of the City Clerk, and delivering them to his/her successor in office;

(f) perform the function of Returning Officer for civic elections and/or voting on bylaws/questions in accordance with the provisions of *The Local Government Election Act* and coordinate and oversee all required duties under the authority of that Act;

(g) administer the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*, including the processing and adjudication of all requests for information within the custody and control of the municipal corporation in accordance with, and under the authority of, that Act.

City Clerk's Authority, re: Public Notice

21(1) The policy set forth in Schedule "C" respecting the minimum notice requirements associated with certain decisions or actions of City Council and the means or methods of providing such notice is adopted for the City of Moose Jaw.

(2) The City Clerk shall be responsible to City Council for ensuring compliance with the public notice policy referred to in subsection (1).

(3) The City Clerk shall review all communications and reports prior to their transmittal to City Council and may, in his/her discretion:

(a) refuse to place any item on the agenda of City Council, where there has been substantive non-compliance with the notice requirements of the public notice policy; or

(b) where there have been deficiencies in meeting the notice requirements provided for in this Bylaw, place any item on the agenda of City Council, with a caution to members of City Council that the matter should be

tabled pending full compliance with the notice requirements set forth in the public notice policy.

Appointment of the City Solicitor

22(1) Subject to the approval of the Personnel Committee, the City Manager shall appoint a person or firm as the City Solicitor and, in doing so, shall establish the terms and conditions of that person's employment or that firm's engagement with the City, as the case may be.

(2) The City Solicitor shall:

(a) be the general counsel for the City of Moose Jaw;

(b) perform the duties and exercise the powers and functions set forth in or prescribed by legislation or any bylaw of the City of Moose Jaw, or assigned by City Council or the City Manager, including duties delegated pursuant to the authority of this Bylaw.

(3) The City Solicitor may resign his/her office in accordance with the terms and conditions of his/her employment.

(4) The City Solicitor may only be dismissed by an affirmative vote of a majority of members of the Personnel Committee and in accordance with the procedure specified in section 87 of *The Cities Act*.

(5) Upon the dismissal or resignation of the City Solicitor, the City Manager may temporarily appoint an employee of the City to perform the duties of the City Solicitor until the next meeting of the Personnel Committee.

City Solicitor's Authority, re: Land Transactions

23. The City Solicitor shall have authority to execute all documents necessarily incidental to the conveyance, surrender or set-up of land or the registration or discharge of any interest or notice on behalf of the City of Moose Jaw within the meaning of, and in accordance with, *The Land Titles Act, 2000*.

Director of Financial Services

24(1) Subject to the approval of the Personnel Committee, the City Manager shall appoint a person as the Director of Financial Services and, in doing so, shall establish the terms and conditions of that person's employment with the City.

(2) The Director of Financial Services shall:

(a) be the chief financial officer for the City of Moose Jaw;

(b) perform the duties and exercise the powers and functions set forth in or prescribed by legislation or any bylaw of the City of Moose Jaw, or assigned by City Council or the City Manager, including duties delegated pursuant to the authority of this Bylaw.

(3) The Director of Financial Services may resign his/her office in accordance with the terms and conditions of his/her employment.

(4) The Director of Financial Services may only be dismissed by an affirmative vote of a majority of members of the Personnel Committee and in accordance with the procedure specified in section 87 of *The Cities Act*.

(5) Upon the dismissal or resignation of the Director of Financial Services, the City Manager may temporarily appoint an employee of the City to perform the duties of the Director of Financial Services until the next meeting of the Personnel Committee.

Delegation of Authority, re: Bank Accounts and Banking Procedures

25(1) The Director of Financial Services is authorized to establish bank accounts on behalf of the City of Moose Jaw for the proper conduct of the financial affairs of the City.

(2) All cheques drawn on any bank account established on behalf of the City of Moose Jaw shall be drawn by the City Comptroller and endorsed for payment by either the Director of Financial Services or the City Treasurer in accordance with generally accepted accounting practices and any applicable policies of the City of Moose Jaw.

(3) All electronic transfers of funds to third parties from any bank account established on behalf of the City of Moose Jaw shall be require appropriate financial controls such that no single individual can complete the entire process. The control mechanisms utilized will be in accordance with generally accepted accounting practices and any applicable policies of the City of Moose Jaw.

(Bylaw No. 5512, 2016)

Investment Policy

26(1) The policy set forth in Schedule "D" respecting the types of investments in which the City is authorized to invest is adopted for the City of Moose Jaw.

(2) The Director of Financial Services shall invest the available funds on behalf of the City of Moose Jaw in accordance with, and subject to the limitations:

(a) set forth in the investment policy referred to in subsection (1);

(b) prescribed by or pursuant to *The Cities Act* or any other applicable law.

(Bylaw No. 5512, 2016)

Combined Office of City Clerk/Solicitor

27. On the approval of the Personnel Committee, the City Manager may combine the functions, duties and responsibilities of the City Clerk and the City Solicitor into one (1) position to be known as the "City Clerk/Solicitor", in which case, any reference to the City Clerk or to the City Solicitor in *The Cities Act* or any other legislation, this Bylaw or any other bylaw of the City of Moose Jaw shall be deemed to be a reference, in the case of the City of Moose Jaw, to the City Clerk/Solicitor.

Authority, re: Communication with City Council

28. Notwithstanding section 15, the City Clerk, City Solicitor, or Director of Financial Services may, in any circumstances where such person considers it necessary and in the public interest, submit a report directly to City Council respecting a matter of concern within his/her area of responsibility and, if he/she does so, shall simultaneously submit a copy thereof to the City Manager.

Designated Officers within the Meaning of *The Cities Act*

29(1) The following individuals shall be designated as Designated Officers as follows:

(a) for purposes of section 9 of *The Cities Act* respecting the licensing of contractors, the Director of Planning is the "designated officer" for the City of Moose Jaw;

(Bylaw No. 5512, 2016)

(b) for purposes of sections 144, 145, 146, 147 and 148 respecting securities and debentures, the Director of Financial Services is the "designated officer" for the City of Moose Jaw;

(c) for purposes of sections 239 and 241 respecting tax notices, the City Treasurer is the "designated officer" for the City of Moose Jaw;

(d) for purposes of sections 242 and 243 respecting payment of taxes, the City Treasurer is the "designated officer" for the City of Moose Jaw;

(e) for purposes of section 244 respecting the withdrawal and discharge of tax liens, the City Treasurer is the "designated officer" for the City of Moose Jaw;

(f) for purposes of sections 246 and 247 respecting tax certificates, the City Treasurer is the "designated officer" for the City of Moose Jaw;

(g) for purposes of section 274 respecting transmission of statements of account to school boards, the Director of Financial Services is the "designated officer" for the City of Moose Jaw;

(h) for purposes of section 287 respecting the distress and seizure of goods, the Director of Financial Services is the "designated officer" for the City of Moose Jaw;

(i) for purposes of section 315 respecting writs of execution against the City, the City Solicitor is the "designated officer" for the City of Moose Jaw;

(j) for purposes of section 356 respecting orders issued by the minister, the City Clerk is the "designated officer" for the City of Moose Jaw.

(2) For the purposes of s. 163 of *The Cities Act*, "assessor" means the City Assessor for the City of Moose Jaw.

(Bylaw No. 5512, 2016)

Oath of Office, re: Designated Officers

30. Every person appointed to the position of City Clerk, City Solicitor (or City Clerk/Solicitor, as the case may be) and the Director of Financial Services, before entering the duties of his/her office, shall, in addition to any requirements set forth in *The Cities Act*, make and subscribe a declaration of office, in the form set forth in Schedule "A".

PART IV
EXECUTION OF CORPORATE DOCUMENTS

Execution of Contracts and Agreements

31(1) Subject to any specific provision of this Bylaw or any other bylaw of the City of Moose Jaw, the Mayor and City Clerk shall execute all contracts or other agreements on behalf of the City of Moose Jaw.

(2) No contract or agreement shall be executed unless the transaction or matter contemplated by that contract or agreement has been reviewed and approved for execution in accordance with the terms of this Bylaw.

Delegation of Signing Authority, re: Small Contacts and Routine Services

32(1) Subject to subsection (2), a Department Head or his/her duly authorized representative or designate may execute any contract or agreement on behalf of the City of Moose Jaw in relation to any matter that has been delegated to the Department Head by City Council or the City Manager.

(2) A Department Head shall not execute any contract or agreement on behalf of the City of Moose Jaw where the proposed City expenditure is not in the responsible department's approved budget.

(Bylaw No. 5512, 2016)

(3) Every contract or agreement executed in good faith pursuant to this section shall be deemed to be executed with full authority of, and binding upon, the City of Moose Jaw.

Execution of Corporate Documents

33(1) Subject to the specific provisions of this Bylaw or any other bylaw of the City of Moose Jaw, the Mayor and City Clerk shall execute all documents on behalf of the City of Moose Jaw.

(2) A Department Head or his/her duly authorized representative or designate may execute any document, including permits, licenses and other authorizations, on behalf of the City of Moose Jaw in relation to any matter which has been delegated to such Department Head by City Council or the City Manager.

(3) Every document executed in good faith pursuant to this section shall be deemed to be executed with full authority of, and binding upon, the City of Moose Jaw.

Endorsement of Signatures

34. A person authorized to execute any document on behalf of the City of Moose Jaw may endorse his or her signature by hand, or through a mechanically produced or electronically generated method, in accordance with City of Moose Jaw policies then in effect.

(Bylaw No. 5512, 2016)

Execution of Bylaws and Minutes of City Council

35. The Mayor and City Clerk shall execute all Bylaws and Minutes of City Council.

Execution of Statutory Orders, Agreements or Documents

36. Notwithstanding any other provision of this Bylaw, where any statute expressly provides for the execution of any order, agreement or document by the Mayor and City Clerk, the Mayor and City Clerk shall attend to such execution in accordance with law.

PART V

MISCELLANEOUS

Bylaws repealed

37. Bylaw Nos. 5146, 5089 and 4960 are repealed.

Coming into Force

38. This Bylaw shall come into force on the day of its final passing.

PASSED AND ENACTED ON THE 6TH DAY OF JANUARY, A.D. 2003.

Per: "Al Schwinghamer"
MAYOR

Per: "Steven. D. Schiefner"
CITY CLERK

READ a first time the 6th day of January, A.D. 2003
READ a second time the 6th day of January, A.D. 2003
READ a third time the 6th day of January, A.D. 2003

Schedule "A"
Declaration of Designated Officer

I, _____, having been appointed to the Office of _____ for the Municipal Corporation of the City of Moose Jaw,

DO SOLEMNLY PROMISE AND DECLARE:

1. That I will truly, faithfully and impartially, to the best of my knowledge and ability, perform the duties of this office;

2. That I will be vigilant and active in causing the laws governing the City of Moose Jaw to be duly executed and obeyed;

3. That I will promote the peace, order and good government of the City and the health, safety, and welfare of its inhabitants;

4. That I have, and will continue to, faithfully observe all requirements of *The Cities Act* or any other statute or law, including the bylaws of the City of Moose Jaw, regarding disclosure of holdings, pecuniary interest, and conflict of interest.

DECLARED before me at the City of Moose Jaw in the Province of Saskatchewan, this day of , A.D. 20___

_____
A Commissioner for Oaths in and
for the Province of Saskatchewan.
Being a Solicitor or
My Commission expires: _____

_____
Signature of Declarant

Schedule "B"
City of Moose Jaw Purchasing Policy

as amended by Bylaw No. 5663, 2022

CITY OF MOOSE JAW
PURCHASING POLICY

POLICY TITLE *Purchasing Policy*	**ADOPTED BY** *City Council*	**EFFECTIVE DATE** *March 28, 2022*
ORIGIN *Financial Services*	**RESOLUTION #** *2022-03-14-0102*	**PAGE NUMBER** *Page 1of 10*

1. PURPOSE & OBJECTIVE

1.1 The purpose of this policy is to establish the parameters for the procurement of goods and services by the City of Moose Jaw. The policy establishes the direction, philosophies, climate and values upon which the purchasing function must operate. The Purchasing Policy will be supported by Purchasing Procedures as necessary to provide detailed direction on purchasing practices that support this policy.

1.2 The objective of the City's Purchasing Policy is to ensure that goods and services are acquired through a fair, open, transparent and competitive process that is effective and efficient, safeguards public funds, ensures Public and Supplier confidence and complies with all Federal and Provincial Trade Agreements while allowing the City of Moose Jaw to receive the best value in the goods and services it acquires.

2. DEFINITIONS

2.05 Best Value – This is determined by looking at the factors that determine value such as quality, expertise, life cycle costs, aesthetics, past performance, schedule, vision, adequate resources and price to determine the proponent offering the best value to the City. Best value will be used to evaluate and award all RFPs and the best value will be determined by setting out the evaluation criteria which will be used to determine the proposal with the best overall value to the City.

2.10 Qualified – Qualified means that the bidder has the expertise and ability, physically and financially, to supply or perform the goods or services tendered, bid or proposed, and whose past performance or references are satisfactory to the City.

2.15 Consulting and Professional Services – These are services provided by architects, engineers, designers, planners, accountants, auditors, appraisers, software and financial consultants and any similar types of services not specifically detailed above.

2.20 Direct Award Contract – An agreement entered into by the City for the purchase of goods or services which has not been publicly advertised or

for which written, telephone or electronic quotations have not been received from more than one vendor.

2.25 Emergency Purchase – This means a purchase contract entered into by the City when the procurement is being conducted in circumstances of emergency or unforeseeable urgency and could not have been predicted in advance.

2.30 Request for Proposals (RFP) – A request for proposals to vendors is more flexible in terms of a vendor's response to the required goods and services and evaluation criteria. Requests for proposals do not necessarily tie firms to existing processes or rigid specifications, but rather may encourage new approaches, techniques and methods for meeting the City's requirements. RFPs will be awarded based upon a best value analysis of the proposals. An RFP does not create a bid contract and does not establish irrevocable requirements. Rather, a performance contract between the City and successful proponent will be established in accordance with the RFP.

2.35 Request for Quotations (RFQ) – This method of purchase is a competitive process where specifications for the goods and services and terms of purchase are established in sufficient detail to allow the comparison of quotations from suppliers. Request for quotations shall involve obtaining quotations by invitation of three vendors where practical.

2.40 Tender – A tender is a request to vendors with detailed specifications of the product or service requirement. Tenders are used for products and services that lend themselves to detailed and specific specifications which permits the evaluation against clearly stated criteria. The lowest qualified bidder meeting those specifications/criteria will be awarded the contract for the supply of those goods and services without negotiation. A tender is intended to create a bid contract. All tenders will be opened publicly.

2.45 Change Order – A change order is work that is added or deleted from the original scope of work of an existing contract.

2.50 Pre-Qualification Process – A process to ensure there is a reasonable prospect that each bidder or proponent who participates in a tender or request for proposals has demonstrated the ability (expertise, physical ability to deliver, and financial resources) to perform the work in a satisfactory manner and is deemed qualified for subsequent tender or RFP submission.

2.55 Disqualified Bidder or Proponent – A disqualified bidder or proponent is one who has been excluded from the pre-qualification, tender or RFP review process and is not considered due to expertise, ability, physical or financial reasons, past performance, or unsatisfactory references. A bidder

who is eliminated via the pre-qualification, tender or RFP evaluation process is not considered a disqualified bidder or proponent.

3. ACQUISITION POLICY

3.1 Methods of Acquisition – When the City acquires goods or services, it shall do so through one of the processes outlined below:

a) Direct Purchases – In the general course of City business, Direct Purchases may be awarded if the acquisition is expected to be less than $10,000 unless it is deemed by the Department Head to be in the best interest of the City to obtain quotations from a number of suppliers. This method of purchase is intended to be utilized for low value goods where the cost and administrative burden of other methods of purchase are not practical.

b) Request for Quotations – A Request for Quotations may be used for the acquisition of goods or services expected to be less than $50,000. This method of purchase is a competitive process and shall be completed by obtaining quotations by invitation from a minimum of three vendors where practical and will generally be awarded to the lowest qualified bidder.

c) Public Tender or RFP with Public Advertising – A tender or RFP that is publicly advertised is required when the amount of the purchase is expected to exceed $50,000 or if it is deemed by the Department Head to be in the best interest of the City. Wherever possible, competitive bids on tendered specifications shall be utilized.

d) Direct Award Contracts – The City retains the right to use a Direct Award contract for the following:

Threshold of less than $75,000 for Goods & Services and less than $200,000 for Construction Contracts:

- Where only one vendor for the good or service exists.
- Only one vendor can supply the compatible good or service.
- For the extension of work on an existing contract.
- In the instance where a program or service will be interrupted due to the immediate need for a good or service.
- When goods or services are in short supply.
- Sourcing of goods for emergent situations.

Thresholds greater than $75,000 for Goods & Services and greater than $200,000 for Construction Contracts:

- Where only one vendor for the good or service exists.
- Only one vendor can supply the compatible good or service.

- Sourcing of goods for emergent situations.

e) Change Orders – The City retains the right to add, delete or otherwise revise an existing contract by issuance of a change order. The change order will detail the change in work and any associated changes in costs.

3.2 Advertising of Tenders and Requests for proposals

c) SaskTenders – SaskTenders is a Provincial Public tendering system and all public tenders and RFPs must be posted on this website.

d) City of Moose Jaw Website – All public tenders and RFPs must be posted on the City of Moose Jaw website.

e) MERX – MERX is a Canadian Public tendering system and all public tenders and RFPs may be posted on this website if deemed to be in the best interest of the City by the Department Head.

3.3 Environmental Purchasing – The City may, when possible and economically feasible, include tender specifications and RFP requirements that provide for the consideration of environmentally friendly goods and services.

3.4 Trade Agreements – Municipalities are subject to the Canadian Free Trade Agreement (CFTA), the New West Partnership Trade Agreement (NWPTA) and the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) and all subsequent amendments.

All municipal purchases except for those identified under exceptions and those below the prescribed dollar thresholds are subject to the rules and procedures required under these trade agreements and any amendments that may occur in the future.

Purchasing procedures outline the major components of these trade agreements that must be complied with and should be referenced in applying this policy.

4. TENDER AND PROPOSAL ACCEPTANCE CRITERIA

4.1 The City reserves the right to refuse any or all tenders, bids or proposals if:

i) The bid does not meet with the tender requirements or the proposal does not provide the best value to the City based upon the City's evaluation criteria regardless of the price bid for the good or service.
ii) The award price exceeds the approved budget.
iii) The tender, RFP documents or specifications contain errors.

iv) The City decides to cancel the tender or RFP and not proceed with award.

These rights must be included in the tender/RFP documents.

4.2 Subject to the rights and reservations contained in the City's Purchasing Policies, Purchasing Procedures and tender documents, the City shall accept the lowest qualified tender or bid meeting the City's specifications for all tenders.

4.3 An RFP bid or proposal will be awarded to the successful proponent at the City's sole discretion if it demonstrates that the City is receiving the best value based upon the evaluation criteria. In determining best value, City Administration will adhere to the City of Moose Jaw's Best Value Determination purchasing procedure and the definition of best value as defined in Section 2.1.

4.4 The City Manager has the authority to award any tender or RFP which is over budget to a maximum of 10% above the approved budget subject to a funding source being identified from other approved budget provisions per the authorities granted the City Manager in the City's Administration Bylaw in respect to budget reallocations.

5. AWARDING OF CONTRACTS

5.1 The Department Head has the authority to award Requests for Quotations, Tenders, Direct Purchases (under $10,000) and, Requests for Proposals if all of the following conditions have been met:

(a) Sufficient funding has been provided for in the approved budget or the budget as amended pursuant to the City Administration Bylaw.

(b) Where none of the bidders or proponents have been disqualified due to expertise, ability, physical or financial reasons, past performance or unsatisfactory references. In any of these circumstances, City Manager approval of the award is required.

(c) The award of the contract is not of a controversial nature.

5.2 The City Manager has the authority to award any request for quotations, tender or request for proposal provided that the conditions in 5.1 (a) and (c) have been met.

5.3 All tenders, direct awards and RFP awards over $50,000 must be reported four times per year to City Council for the information of Council by the respective Department Head responsible for the tender or RFP. The report shall confirm that the City's Purchasing Policy and Purchasing Procedures

have been uniformly applied for each award or inform Council of any deficiencies. Where any bidder has been disqualified due to expertise, ability, physical or financial reasons, past performance or unsatisfactory references, the City Manager must be notified.

5.4 City Council shall award contracts if any of the following conditions exist:

a) Sufficient funding has not been provided for in the budget.
b) In the case of Direct Award Contracts, the contract is in excess of $150,000.
c) The award of the contract is of a controversial nature.
d) The City Manager, for any reason, refers the award of the contract to City Council.

5.5 The award of Direct Award Contracts are subject to the limitations of sections 3.1 (d) and shall be subject to the following:

- The award does not exceed the approved budget or the budget as amended pursuant to the City Administration Bylaw.
- Department Heads have authority to award up to $25,000.
- City Manager has authority to award up to $150,000.
- City Council will award all Direct Award contracts over $150,000.
- In cases of emergency, the City Manager or Department Head can award any quantum.

5.6 The issuance of Change Orders are subject to the limitations of sections 3.1 (e) and shall be subject to the following:

- The award does not exceed the approved budget or the budget as amended pursuant to the City Administration Bylaw.
- Department Heads have the authority to award change orders up to $50,000 in value unless the change order results in a major change to the scope of the project. Where the scope of the project has changed significantly, the change order requires City Manager approval.
- The City Manager has the authority to award change orders up to $150,000 in value.
- City Council has the authority to award all change orders which exceed the City Manager's Authority.
- In cases of emergency, the City Manager or Department Head can award any quantum.

5.7 Where a Pre-Qualification Process is utilized to determine suitable candidates for a tender or request for proposals, the City Manager must be notified of any candidates that are eliminated from the process and the reasons for elimination.

5.8 The Department Head or his/her designate will ensure compliance to the

City's Purchasing Policies and Procedures.

6. CONSULTING AND PROFESSIONAL SERVICES

Consulting and Professional service engagements by their nature do not lend themselves to the standard tender or RFP processes in many instances. Therefore, direct appointment of consulting and professional service engagements is permitted. Subject to the following conditions:

- Department Heads can make direct appointments of consulting and professional services contracts up to where the fees are expected to be less than $75,000.

- Subject to the exceptions set forth in the NWPTA, CFTA and CETA trade agreements, all consulting and professional services contracts over the limits established in these agreements will be sourced utilizing Tender or RFP processes as described in this policy.

7. EXCEPTIONS

7.1 The requirement for a tender or RFP does not apply to the purchase of the following goods or services:

a) Utility contracts (e.g. telephone, power, etc.)
b) Contracts or agreements relating to employee compensation, reimbursements, training, education, etc.
c) Goods available for resale to the public
d) Contracts with public body or non-profit organizations
e) Cultural Goods and Services
f) Land
g) Legal Services
h) Treasury Services or Products (borrowing, lending, investing, managing money, securities or other property).

7.2 Purchase of goods and services for longer terms than normal budget approvals is permitted as long as the budgeted funding source is expected to continue and the total contract award does not exceed the expected budget over that period of time.

7.3 Cooperative purchasing arrangements with other organizations such as SUMA, Saskatchewan Government, or other municipalities will be allowed to occur as long as the City expects to receive a benefit from participation in the cooperative purchasing endeavour. The Purchasing Policy and Procedures of the organization managing the cooperative purchasing process will apply.

8. DISCLOSURE OF INFORMATION

8.1 The awarding of tenders and associated winning bid will be public information. The CFTA Trade Agreement provides the specific information that must be disclosed, that information is reproduced below:

No later than 72 days after the award of each contract covered by this Chapter, a procuring entity shall publish a notice on one of the tendering websites or systems designated by its Party. The information shall remain readily accessible for a reasonable period of time. The notice shall include at least the following:

(a) a description of the goods or services procured;
(b) the name and address of the procuring entity;
(c) the name and address of the successful supplier;
(d) the value of the successful tender;
(e) the date of award; and
(f) if limited tendering was used, the conditions and circumstances described in Article 513 that justified its use.

The City will disclose this information on the Sask Tender website and each Department will report the successful bidder and award amount in their quarterly reports to City Council for both tenders and RFPs.

8.2 The City shall not provide any supplier or contract information that would disclose proprietary information.

8.3 Where the Department Head deems it appropriate, a debriefing session will be held for unsuccessful bidders/proponents after the contract award has occurred. The purpose of this debriefing session is to aid unsuccessful bidders/proponents in presenting a better bid or proposal for future submissions.

9. PURCHASING PROCEDURES

9.1 The Financial Services Department shall develop and maintain Purchasing Procedures that provide City personnel with the guidelines and, where appropriate, the specific action sequences to assist with the uniformity, compliance and control of purchasing activities based upon the Purchasing Policy.

10. DISPOSAL OF SURPLUS ITEMS

10.1 The Department Head shall dispose of all valuable surplus items in a manner that sees the City receive the best value for that item.

11. CONFLICT OF INTEREST

11.1 No City employee shall place himself/herself or another in a position of advantage or conflict when acquiring goods or services on behalf of the City or from the City. Accepting gifts or favors from suppliers is prohibited except promotional items such as caps, pens, golf shirts, etc. with a value of under $100 and entertainment (excluding alcohol) for the strict purpose of business discussions.

Schedule C"
City of Moose Jaw Public Notice Policy

as amended by Bylaw No. 5654, September 13, 2021

CITY OF MOOSE JAW
COUNCIL POLICY

POLICY TITLE *Public Notice – City Council Proceedings*	**ADOPTED BY** *City Council*	**EFFECTIVE DATE** *September 13, 2021*
ORIGIN/AUTHORITY *City Council*	**CITY FILE NO.** *2101-43*	**PAGE NUMBER** *Page 1*

1. PURPOSE

1.1 The purpose of this Policy is to set forth the minimum notice requirements associated with certain decisions or actions of City Council, together with the means or methods of providing such notice, as well as the minimum length of time between the provision of such notice and City Council's consideration of a matter.

1.2 The notice provisions in this policy are intended to provide for a minimum period for public input. Nothing in this Policy prevents Council from adopting, by Resolution, a longer notice period in specific circumstances where a longer period of notice is deemed appropriate.

2. DEFINITIONS

2.1 For the purpose of this policy, the following terms and words shall have the following meanings:

(a) the term "**affected parties**" shall mean those members of the public who are, in the opinion of the City Clerk, directly and uniquely affected by a matter under consideration by City Council, to an extent greater than other members of the general public;

(b) the term "**City Council**" means the elected officials of the City of Moose Jaw;

(c) the term "**City Clerk**" means the person appointed as the City Clerk for the City of Moose Jaw or his/her duly authorized representative or designate;

(d) the term "**clear days**" shall mean the number of calendar days, excluding the day of original posting, publishing or mailing, as the case may be, as well as the day of the Council meeting;

(e) the term "**interested party**" means any person who has communicated in writing to City Council or the City Clerk respecting a matter and has provided a method of communication.

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

3.1 Public notice in accordance with this policy shall be given before Council initially considers the following matters:

(a) prohibiting or limiting the number of businesses of a particular type in an area of the City or specifying separation distances between businesses of a particular type;

(b) permanently closing or blocking off a street, lane or walkway;

(c) permanently modifying an intersection with the use of physical barriers;

(d) permanently closing a median opening;

(e) borrowing money, lending money or guaranteeing the repayment of a loan;

(f) moving capital moneys to an operating budget or reserve;

(g) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;

(h) establishing an investment policy;

(i) selling or leasing land for less than fair market value and without a public offering;

(j) selling or leasing park lands and dedicated lands except where the land is covered by public notice provisions in an Act other than *The Cities Act*;

(k) establishing a purchasing policy;

(l) establishing a business improvement district;

(m) setting remuneration for council or committee members;

(n) increasing or decreasing the number of councillors on Council;

(o) appointing a wards commission and dividing the City into wards;

(p) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;

(q) any matter where holding a public hearing is required under *The Cities Act* or any other Act;

(r) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and

(s) an amendment or repeal of a bylaw or resolution when the resolution or bylaw was passed as a result of a vote of the electors.

4. NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

4.1 Notice shall be given to the general public for all matters set out in section 3.1 in accordance with this section:

(a) notice of the matter shall be published, either digitally or in print, on a local media website serving Moose Jaw residents or local newspaper circulated in the City at least seven (7) clear days prior to the meeting at which Council will initially consider the matter; and

(b) notice of the matter shall be posted at City Hall at least seven (7) clear days prior to the meeting at which Council will initially consider the matter; and

(c) notice of the matter shall be posted on the City's website at least seven (7) clear days prior to the meeting at which Council will initially consider the matter.

4.2 In addition to the general notice requirements of section 4.1, additional notice shall be given in accordance with subsection 4.3 to all affected parties when Council is initially considering the following matters:

(a) prohibiting or limiting the number of businesses of a particular type in an area of the City or specifying separation distances between businesses of a particular type;

(b) permanently closing or blocking off a street, lane or walkway;

(c) permanently modifying an intersection with the use of physical barriers;

(d) permanently closing a median opening;

(e) imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and

(f) establishing a business improvement district.

4.3 Additional notice of the matters listed in subsection 4.2 shall be given using either of the following methods:

(a) by mailing notice of the matter to all affected parties by ordinary mail which is to be postmarked no later than seven (7) clear days prior to the Council meeting at which the matter will initially be considered; or

(b) by leaving notice of the matter in a mail receptacle at the address of the affected party at least seven (7) clear days prior to the Council meeting at which the matter will initially be considered.

5. NOTICE OF FURTHER DEALINGS RESPECTING A MATTER

5.1 Subject to subsection 5.2, the notice requirements provided for in this policy shall only be applied when Council initially considers a matter. For purposes of clarity, unless otherwise directed by Council and subject only to subsection 5.2, no notice, including notice to affected parties, will be given of any subsequent meeting of Council at which the matter will be considered.

5.2 The City Clerk shall provide at least four (4) hours notice to any interested party of any further proceedings by or before City Council involving a matter for which such party has expressed an interest.

6. DISCRETION OF COUNCIL

6.1 The notice requirements set forth in this policy are minimum requirements and are not intended to limit City Council's discretion to provide additional notice, utilizing different or additional methods or repeating notice, as may be deemed appropriate by City Council.

7. RESPONSIBILITIES OF CITY CLERK

7.1 The City Clerk shall be responsible to City Council for ensuring compliance with this policy and may, in his/her absolute discretion:

(a) refuse to place any item on the agenda of City Council, where there has been substantive non-compliance with the notice requirements of this Policy; or

(b) where there have been deficiencies in meeting the notice requirements provided for in this Bylaw, place any item on the agenda of City Council, with a caution to members of City Council that the matter should be tabled pending full compliance with the notice requirements set forth in this Policy.

Schedule "D"
City of Moose Jaw Investment Policy Statement

As amended by Bylaw No. 5591, 2019 and Bylaw No. 5723, 2024

SECTION 1: OVERVIEW

Purpose of Statement

The purpose of the policy is to provide specific guidelines regarding the portfolio management for the City of Moose Jaw's (City) investment assets. This policy ensures that City portfolios are invested primarily to achieve the real (inflation protected) preservation of capital, the maintenance of liquidity sufficient to meet ongoing financial requirements and to maximize return on investment.

Definitions

I. City means the Municipal Corporation of the City of Moose Jaw;
II. City Council means the elected officials of the City of Moose Jaw;
III. City's Investment Portfolio refers to monies of the City that are in excess of daily operational requirements and are available to be invested on a long-term basis.
IV. Investment Committee means the City of Moose Jaw Investment Committee.
V. Investment Manager means the duly authorized financial management company and its representatives as appointed from time-to-time by the Investment Committee.
VI. Prudent person principle means to act in all matters regarding investments with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would act. This includes undue risk of loss, obtaining a reasonable rate of return and does not restrict the assets which a prudent person can invest.
VII. A custodian provides safekeeping of assets, income collection, settlement of transactions and administrative services for the City's securities.
VIII. Bond Rating Service is a corporation whose primary business mandate is to analyze the audit worthiness of debt securities issued by all levels of government and corporations and make recommendations as to the risk level of such debt. Debt ratings refer to the ratings issued by Dominion Bond Rating Service (DBRS) or other recognized bond rating services (Standard & Poor's, Moody's Investor Services).
IX. Relevant Money Market and Bond Ratings Definitions
    a. R-1 (High): is the highest quality, unquestioned ability to repay assessed liabilities as they fall due
    b. R-1 (Mid): superior credit quality, above average strength in key areas of consideration for debt reduction
    c. R-1 (Low): satisfactory credit quality, considerations for debt repayment
    d. AAA: bonds rated AAA are of the highest credit quality with exceptionally strong protection for the timely repayment of principal
    e. AA: Bonds rated AA are of superior credit quality and protection of interest and principal is considered high, they differ from bonds rated AAA only to a small degree.
    f. A: bonds rated A are of satisfactory credit quality as the protection of principal and interest is still substantial; the degree of strength is less than AA rated entities.

g. BBB: bonds rated BBB are of adequate credit quality. Protection of interest and principal is considered adequate, but the entity is more susceptible to adverse changes in financial and economic conditions.

X. Asset Allocation is the proportion in which assets are divided among various types of investments, such as equities and bonds.

XI. "Real" rate of return or the preservation of the "real" value of capital is the annual percentage return realized on an investment or growth of investment principal, which is adjusted for changes in prices due to inflation or other external factors and maintain the purchasing power of City's investments over time.

XII. American Depositary Receipt (ADR) is a negotiable certificate issued by a U.S. bank representing a specified number of shares (or one share) in a foreign stock traded on a U.S. exchange. Holders of ADRs realize any dividends and capital gains in U.S. dollars, but dividend payments in euros are converted to U.S. dollars, net of conversion expenses and foreign taxes.

XIII. Index is a public investment benchmark which is considered to be representative of a specific securities market (eg. The S&P/TSX Composite Index representing Canadian equities).

XIV. A derivative is a financial instrument whose characteristics and value depend upon (derived from) the characteristics and value of an underlying asset such as a commodity, bond, equity or currency. Examples of derivatives include futures and options. Derivatives are used to manage the risk associated with the underlying security, to protect against fluctuations in value, or to profit from periods of inactivity or decline.

XV. An alternative investment is a financial asset that does not fall into one of the conventional investment categories, such as stocks, bonds, and cash. Most alternative investment assets are held by institutional investors or accredited, high-net-worth individuals because of the complex nature and potential lack of liquidity. Examples include real estate, private equity/venture capital, hedge funds, managed futures, art, antiques, commodities, and derivatives contracts.

XVI. Passive Management is an investment strategy where a portfolio of securities is designed to replicate the performance of an index, such as an exchange traded funds.

XVII. Active Management is an investment strategy where a portfolio of securities is designed to produce returns in excess of a relative index.

XVIII. Volatility is a statistical measure of the dispersion of returns for a given security or market index.

XIX. Risk is the uncertainty of future investment returns.

XX. Risk Tolerance is the financial ability to withstand a short to medium term value decline.

XXI. GICs are Guaranteed Investment Certificates issued by Canadian Banks and Trust Companies.

XXII. Canadian Insurance Deposit Corporation (CDIC) is a Federal Crown Corporation that protects investor deposits from the insolvency of member institutions to a maximum of $100,000 per insured deposit category.

SECTION 2: ROLES & RESPONSIBILITIES

The ultimate responsibility for approval of the City's Investment Policy lies with City Council. The most effective management and oversight of the investment portfolio is best achieved through the delegation of its responsibilities to the Investment Committee, Department of Financial Services and Investment Manager.

City Council

Approve the Investment Policy for the City of Moose Jaw and approve any amounts to be withdrawn from invested funds during the annual budget process.

Investment Committee

As per City of Moose Jaw bylaw #5558, the purpose of the Investment Committee is to provide management and oversight of the City's Investment Portfolio following the prudent person principle in all of the committee's actions. The Investment Committee will delegate the day-to-day management of the Investment Portfolio to the Department of Financial Services in consultation with the Investment Manager.

Department of Financial Services

The Department of Financial Services will work closely with the Investment Manager to monitor compliance with the Investment Policy, performance and the achievement of the City's stated objectives. The department will ensure adequate liquidity for approved expenditures, regardless of economic or market conditions and work with the Investment Managers when transferring between various investment pools outlined in this Policy.

Investment Manager

The Investment Manager is responsible to manage the City's investments in accordance with the Investment Policy and provide advice, research, guidance and technical expertise to assist the City in achieving its investment objectives. The Investment Manager shall provide a high level of service, reporting, as well as the due diligence, selection and continuous monitoring of the portfolio managers, investments and overall asset allocation. The Investment Manager will provide custodial services for all city owned marketable securities. Based on the statement of Investor Rights developed by the CFA institute, the City of Moose Jaw can expect from their Investment Manager:

1. Honest, competent and ethical conduct that complies with applicable law;
2. Independent and objective advice and assistance based on informed analysis, prudent judgment and diligent effort;
3. City's financial interests taking precedence over those of the professional and the organization;
4. Fair treatment with respect to all clients;
5. Disclosure of any existing or potential conflicts of interest in providing products or services;
6. Understanding circumstances, so that any advice provided is suitable and based on City's financial objectives and constraints;
7. Clear, accurate, complete and timely communications that use plain language and are presented in a format that conveys the information effectively;

8. An explanation of all fees and costs charged and information showing these expenses to be fair and reasonable;
9. Confidentiality;
10. Appropriate and complete records to support the work done on the City's behalf.

SECTION 3: INVESTMENT OBJECTIVES & INVESTMENT BELIEFS

Investment Objective

The City of Moose Jaw has a fiduciary responsibility to the taxpayers to maximize the financial benefit of the investment portfolio and enhance the long term sustainability of the city. Investment reserves should be prudently managed to assist in avoiding excessive volatility in achieving targeted rates of return. Therefore, the overall portfolio objectives are:

- To preserve the real (inflation adjusted) value of the investments over the long term.
- To maintain sufficient planned liquidity to enable the City to fulfill all operating and capital requirements, regardless of economic and market conditions.
- To mitigate risk with professional investment management and prudent diversification requirements.
- To maximize investment returns without compromising the other investment objectives, over the long term.

Investment Beliefs

City's Investment Policy was developed with the following considerations and generally accepted investment beliefs:

- As a corporation providing services for residents and businesses in perpetuity, The City of Moose Jaw has a long term (indefinite) time horizon.
- Protecting the real (inflation adjusted) value of the investment reserves is critical with a long term (indefinite) time horizon.
- Equity investments have historically provided greater returns than fixed income investments over the long-term, although with greater short-term volatility.
- Liquidity must be planned and prioritized in the event that the City requires funds for specified purposes.
- The long-term asset mix is the most important component of a portfolio's risk and return.
- The investment return is a function of capital market returns, asset allocation, specialized individual portfolio managers and investment products.
- Active management can add value to portfolio returns with the opportunity to outperform common market indices over the long-term and manage volatility or downside risk, but with added costs and effort. Passive management minimizes the risk of underperformance relative to a benchmark index and is generally less expensive. Both management styles can be utilized within the portfolio.
- Asset mix rebalancing generally adds value relative to buy and hold strategies.
- Alternative strategies/asset classes may be appropriate and will be evaluated based on their liquidity and transparency because of their low correlation to bonds and equities.

- Diversification of asset classes, implementation strategies, and security selection can improve the risk and return characteristics of the portfolio.
- Market timing at the policy level is an inefficient strategy for consistently increasing returns.
- Effective manager structure can improve the net returns and lower the risk of the investment portfolio.

SECTION 4: ASSET MIX GUIDELINES & DIVERSIFICATION REQUIREMENTS

The asset mix provides the investment parameters, which enable, over the long-term, to achieve the investment objectives of the City. In order to achieve the objectives, the City will maintain asset guidelines on three pools of investment capital to maximize the best of use funds on behalf of the taxpayers.

Fixed Income Pool:
The fixed income pool has a short term mid-term investment horizon and will only invest in high quality Canadian money market and fixed income securities. The primary objectives of the pool is capital preservation, liquidity and the enhancement of yield. Investments in the fixed income pool are intended to match the duration for approved city expenditures with a time horizon of 5 years or less.

Fixed Income Pool Permitted Investments & Diversification Requirements:

The minimum quality standard for individual money market instruments is R-1 (Low) and BBB- (investment grade) for individual bonds or the equivalent as rated by a recognized rating agency at the time of purchase, with a maximum aggregate weight of 15%.

Bond/GIC Issuer	Maximum Aggregate Weighting	Maximum Individual Holding
Government of Canada	100%	100%
Provincial Governments	100%	30%
Municipalities	40%	10%
Other Corporate Bonds	20%	5%
TD Bank, CIBC, RBC, ScotiaBank, BMO & National Bank	100%	100%
GICs issued by CDIC Members other than banks above	100%	$100,000 per issuer

Moderate & Long Term Investment Pools:
The primary objective of the moderate and long term pools is to maximize returns, provide a sustainable source of revenue and protect the real (inflation adjusted) value of the investment principal. In order to achieve long-term investment objectives, the portfolio must utilize assets that provide uncertain returns such as Canadian equities, foreign equities and non-government bonds. To assist with the prudent management which includes minimizing volatility and managing risk, the City will utilize multiple professional portfolio managers, styles and asset classes. In this way added diversification is obtained for the portion of the City's investments that are expected to be more volatile and mitigate exposure to any single risk.

Moderate Term Pool:
The moderate term pool is designed for investments with a time horizon greater than five years, but not an indefinite time horizon. The primary objective of the pool is the

preservation of the real value of capital, minimized volatility, liquidity for approved annual sustainable withdrawals and a secondary objective of maximized returns.

Asset Class	Minimum	Target	Maximum
Cash	0.00%	5.00%	35.00%
Fixed Income	45.00%	60.00%	75.00%
Equity	20.00%	35.00%	50.00%

Long Term Pool:

The long term pool is designed for investment reserves the city has determined to have an indefinite time horizon. The primary objective of the pool is maximized returns, minimizing volatility, preserving the real value of capital and liquidity for sustainable withdrawals.

Asset Class	Minimum	Target	Maximum
Cash	0.00%	5.00%	35.00%
Fixed Income	10.00%	25.00%	40.00%
Equity	55.00%	70.00%	90.00%
Alternative	0.00%	0.00%	10.00%

Moderate & Long Term Pool Permitted Investments & Diversification Requirements:

Cash and Cash Equivalents: All fixed income securities with less than 12 months to maturity are considered a cash equivalent.

Fixed Income: Investments in the fixed income securities of a single issuer may not exceed 10% of the portfolio or 15% of the fixed income and cash portfolio. The majority of the fixed-income and cash portfolio will be invested in investment-grade securities.

Equities: The majority of the equity holdings will be mid-to-large companies as measured by market capitalization. Foreign equity is included to provide diversification to reduce the overall risk profile of the equity portfolio and to enhance returns. The maximum amount allowable per equity security, will be greater of 10% of the portfolio or 15% of equity portfolio.

The portfolio will be diversified across multiple sectors. From time to time, market fluctuations may cause the portfolio to be temporarily inconsistent with the Asset Allocation and/or the Investment Management Guidelines set out in this Investment Policy Statement. When this occurs, realignment of the portfolio is to be undertaken within a reasonable period of time in accordance with this Investment Policy Statement.

Other Considerations:

Non-Investment Grade Bonds: fixed income securities rated as non-investment grade are limited to 15% of the total value for each of the Moderate and Long Term Pools.

Alternative Investments: This asset class includes non-traditional investments whose returns have low correlation to equity and bond markets. These include professionally

managed pools in non-traditional asset classes with a limit of 5% per individual issuer and 10% of the entire portfolio.

Derivatives: The use of derivatives is permitted to replicate a security or to hedge foreign currency exposure utilized in professionally managed pooled funds (mutual funds, exchange traded funds, & alternative investments).

Conflicts between the investment policy and pooled fund investment policies
While this investment policy is intended to guide the management of the portfolio, it is recognized that, there may be instances where there is a conflict between City's Investment Policy and investments of a professionally managed pooled fund (mutual funds or exchange traded fund). An investment can be made in such a pooled fund to improve the diversification, risk management and/or return potential of the overall portfolio if the Investment Manager communicates the conflict to the investment committee.

Environmental, social and governance (ESG)
ESG factors will be considered when selecting investments and fund managers.

SECTION 5: PERFORMANCE MONITORING

Fixed Income Pool:
The financial objective of the Fixed Income Pool is capital protection, liquidity and yield enhancement. Investments in City's Fixed Income Pool will generally be matched to the duration of an expenditure, unlike any passive benchmark. However, the Fixed Income portfolio will be pegged against an appropriate blend of the FTSE TMX Canada Short Term Bond Index and FTSE TMX Canada Medium Term Bond Universe Index to assist in the monitoring of overall investment effectiveness.

Moderate & Long Term Pool Absolute Return Objectives:
- The financial objective of Moderate Term Portfolio is to earn a rate of return of 2.25% over the Bank of Canada target rate for inflation (2.0%) on a rolling five year basis net of all investment management costs.
- The financial objective of the Long Term Portfolio is to earn a rate of return of 4.0% over the Bank of Canada target rate for inflation (2.0%) on a rolling five year basis net of all investment management costs.

Relative return monitoring:
The primary focus is on the absolute long-term performance objectives. However, the short-term performance will be evaluated on an ongoing annual basis. This short-term evaluation will be completed by the investment manager and made by comparing the actual performance of the portfolio with the returns from an index portfolio constructed with reference to the benchmark asset allocation. This will be a key tool for the investment managers to evaluate the performance of the portfolio managers and guidance in achieving the absolute return objectives. The passive index will be the evaluated at the current weightings of the portfolio represented by FTSE TMX Bond Universe (Fixed Income), S&P/TSX Composite (Canadian Equities), S&P 500 (US Equities),

MSCI EAFE (International Equities) and MSCI World Index (Global Equities) in Canadian dollars.

Period of Performance Measurement:
For purposes of evaluating the performance of the portfolios and the Investment Manager, the primary time period for evaluation will be five years. Return objectives are net of fees and include realized and unrealized capital gains or losses plus income from all sources. Recognizing that the returns achieved over shorter periods may vary significantly from the relevant goals, the general trend of results relative to the goals and the likelihood that satisfactory returns can reasonably be expected over five year moving periods should form the basis for the evaluation of the long term portfolios performance.

Voting Rights:
The Committee delegates the Investment Manager the responsibility of exercising all voting rights acquired through the fund's investments. The Investment Manager shall exercise such voting rights with the intent of fulfilling the investment objectives and policies of the Investment Policy Statement and for the long-term benefit of the City's investments.

SECTION 6: ADMINISTRATION

A major goal of this policy is to establish ongoing communication between the Investment Committee and the Investment Manager. Effective communication will contribute to the management of the portfolio in a manner that is consistent with meeting the objectives of the City.

Reporting:
On a monthly basis, the Investment Manager will provide custodial statements and reporting to include all transactions and market values.

On a quarterly basis, the Investment Manager will provide a report for the City including asset allocation, performance, and market value history and confirm compliance with the Policy.

Variances from Policy:
The Investment Manager will provide a quarterly letter of compliance with the investment policy. Where it is determined that a variance needs to be corrected, the Investment Manager is to correct the variance in a timely manner while mitigating any adverse effects to the market value of the investment portfolio, affected by the timing of the required correction.

Investment Review Meetings:
The Investment Manager shall meet with the Investment Committee quarterly, or less frequently as agreed to by both parties, to provide a review of portfolio transactions, portfolio performance, capital markets outlook and other relevant matters and material changes.

Investment Policy Review:

On an annual basis (as of March 31), the Investment Manager and Investment Committee may determine changes are required to the Investment Policy. Any changes to the Investment Policy must be recommended to and approved by City Council. These changes may be a result of:

- Governance changes;
- Changes in general economic conditions;
- Needs for liquidity, regularity of income and preservation of capital;
- Changes in expectations of long-term returns and risks associated with the different asset classes of investments;
- Changes to risk tolerance;
- Expectations of the City's future cash flow requirements;
- New investment products; and
- Any practical issues that arise from the application of the Investment Policy.

Conflict of Interest:

Any person involved in investment or administration of investment may not permit personal interests to conflict with the exercise of duties and powers with respect to City's investments. Such conflicts, actual or perceived, must be disclosed to the Investment Committee immediately. These guidelines shall not be read to contravene or otherwise limit the scope of any prior or subsequent conflict of interest guidelines that the City may have established or may establish for the conduct of Council, officers, employees, and agents.

Schedule "E"
Budgeting Policy

As amended by Bylaw No. 5592, August 12, 2019

CITY OF MOOSE JAW
BUDGETING POLICY

POLICY TITLE *Budgeting Policy*	**ADOPTED BY:** *City Council*	**EFFECTIVE DATE** *August 12, 2019*
ORIGIN *Financial Services Department*	***RESOLUTION #*** *351*	**PAGE NUMBER** 1 of 6

1. PURPOSE & OBJECTIVE

1.1 The purpose of this policy is to establish the parameters for the annual preparation of the City of Moose Jaw's Operating, Capital and Equipment Budgets.

1.2 The objective of the City's Budgeting Policy is to ensure that a framework is in place that allows for the efficient creation of annual budgets while meeting a timetable that provides for City Council to have the opportunity to approve the budgets prior to the start of a fiscal year.

2. DEFINITIONS

2.1 Approved Budget – This means a budget that has been approved by the City Council of the City of Moose Jaw.

2.2 Capital Budget – A budget that Includes the estimated amounts required to acquire, construct, remove or improve capital property and the anticipated sources of funding.

2.3 Equipment Budget – A budget that includes the estimated amounts required to acquire new or replacement equipment.

2.4 Fiscal Year – The City's fiscal year is January 1 to December 31.

2.5 Planning Session – This refers to the City Council's ability to meet in a closed session for the purpose of long-range or strategic planning.

2.6 Operating Budget – A budget that contains a detailed projection of revenues and expenditures for the fiscal year related to the delivery of the City's programs and services on an annual basis.

2.7 Strategic Plan – This is an organizational plan that is used to set priorities, focus energy and resources, strengthen operations and ensure that all stakeholders are working toward those common goals.

3. GUIDING PRINCIPLES OF BUDGETING

3.1 The annual budget process is guided by a number of principles as outlined below:

3.1.1 The City should live within its means.

3.1.2 The City should only budget what work can reasonably

be expected to be completed within each year.

3.1.3 The City should seek to invest in infrastructure when productivity, efficiency and effectiveness increases are possible.

3.1.4 The City may borrow from reserves on a short term basis (7 to 10 years), however the borrowing must be paid back with interest at the expected rate of return that the Institutional Investing program provides.

3.1.5 The City should generally focus on completing one major study at a time before starting another and ensure that the existing systems are operating as intended before completing a study to determine system enhancements.

3.1.6 The City should be innovative and make the most effective use of its existing funds.

3.1.7 The City should reduce reliance on external consultants and where possible and economically feasible develop the required expertise internally.

3.1.8 The City should seek to centralize functions and refine core services when prudent to do so.

3.1.9 City Administration is expected to carefully scrutinize every budget item and only present to City Council what is considered necessary.

4. BUDGETING FRAMEWORK

4.1 The City will annually embark on a budgeting process that will result in the development of Operating, Capital and Equipment Budgets which represent the City's financial plans for the upcoming fiscal periods.

4.2 The Operating Budget will be for the upcoming fiscal period, while the Capital and Equipment budgets will be for a period of five years.

4.3 Each fall an update of the Strategic Plan looking ahead to the next budget cycle will occur.

4.4 In May/June of each year, a Planning Session with Council to discuss budget challenges, economic factors, specific operating and capital issues and to get Council's input on priorities they would like to see in the budget. Budget development by Administration starts around this time as well.

4.5 Over the summer, a pre-budget online budget survey to provide citizens with the opportunity for public input prior to the budget being fully developed.

4.6 A public Preliminary Budget Review and Economic Update communication to Executive Committee. This is a public document which will usually be transmitted to Executive Committee in August and provides the citizens with an update on economic factors and pressures facing the

City in the upcoming budget.

4.7 In early October, a Planning Session with Council where a preview of the budget and feedback is received from Council so any final adjustments can be made.

4.8 Administration releases the budget publicly and it is placed on the City website and advertising directs members of public to review and provide feedback.

4.9 Approximately three weeks after budget release, the budget is transmitted to City Council who will spend approximately two sessions deliberating on the transmittal communication and the suggested motions.

4.10 The budget is approved before the start of the budget year.

5. BUDGET ROLES AND RESPONSIBILITIES

5.1 City Council will:

5.1.1 Establish priorities through the Strategic Plan and input provided at planning sessions.

5.1.2 Approve the proposed level of public communication and engagement.

5.1.3 Review the budget submission at City Council meetings.

5.1.4 Amend the budget submission as City Council deems appropriate.

5.1.5 Approve the budget as amended.

5.1.6 Approve the annual Property Tax Bylaw.

5.2 The City Manager will:

5.2.1 Direct in cooperation with the Director of Financial Services and City Directors, the preparation and presentation of the Operating, Capital and Equipment budgets.

5.2.2 Review and revise all departmental budget submissions ensuring they are aligned with the City's strategic and operational goals.

5.2.3 Exercise financial control over all corporate operations in conjunction with the Director of Financial Services to ensure compliance with the City Council approved budgets.

5.3 The Senior Management Team will:

5.3.1 Lead the development of realistic and responsible departmental budgets in accordance with the established guidelines, timelines

and process.

5.3.2 Ensure that the resources and assets under their authority are effectively managed on an ongoing basis.

5.4 The Director of Financial Services will:

5.4.1 Lead and coordinate the overall preparation and administration of the City's budget processes.

5.4.2 Ensure adherence to budget policies and financial polices approved by City Council.

6. BUDGET MONITORING

6.1 The Operating, Capital and Equipment budgets once approved by City Council will be monitored on a regular basis.

6.1.1 Monthly reporting on actual revenues and expenditures to budget will be prepared by the Department of Financial Services and distributed to the City Manager, Directors and other Managers involved in the management of the City's operations.

6.1.2 The City Comptroller will provide a monthly narrative on significant variances in comparison to budget and distribute those to the City Manager, Directors and Managers.

6.1.3 City Council will be provided with a quarterly Financial Report which will contain actual to budgeted results and their variances along with analysis.

6.1.4 Significant Budget overages will require approval of the City Manager or City Council per the limitations set forth in the City Administration Bylaw.

7. STATUTES

Budget development shall comply with all relevant provisions of the Cities Act, 2003 as amended from time to time by the Provincial Government.