

Corporate Services Department



REPORT TO:	Committee of the Whole
DATE OF MEETING:	December 13, 2021
SUBMITTED BY:	Christine Tarling, Director of Legislative Services/City Clerk, 519- 741-2200 ext. 7809
PREPARED BY:	Christine Tarling, Director of Legislative Services/City Clerk, 519- 741-2200 ext. 7809
WARD(S) INVOLVED:	All Wards
DATE OF REPORT:	December 9, 2021
REPORT NO.:	COR-2021-37
SUBJECT:	Corporate Policy Review – Repeal of Policies

RECOMMENDATION:

That the corporate policies listed in Appendix "A" as attached to staff report COR-2021-37 be repealed.

REPORT HIGHLIGHTS:

- The purpose of this report is to repeal policies that are no longer needed and to provide the reason for the repeal.
- The financial implications are none.
- This report supports the delivery of core services.

BACKGROUND:

On November 16, 2015, Council ratified a corporate policy review process as outlined in staff report FCS-15-142. Council also approved a master policy which provides a framework for the City to govern the development, review and maintenance of corporate policies to ensure currency and relevancy in the future. This framework included the reasons for which policies could be repealed and an initial list of policies for repeal were brought forward for Council's approval in April 2016. Since that time, staff has continued to monitor the relevancy of all the corporate policies with a view to amending, repealing and replacing, or repealing only as appropriate.

REPORT:

Each Director has reviewed with their respective General Manager a list of policies relating to their area and identified those which should be repealed for one of the following reasons:

- 1. Program or program funding no longer exists (0 policies).
- 2. Regulation or legislation is already in place (4 policies).
- 3. Policy has been replaced with another policy (2 policies).
- 4. Policy conflicts with another policy (0 policies).
- 5. Policy found redundant, outmoded or dysfunctional (3 policies).

In addition to providing a reason for why each policy should be repealed, a short explanation has been provided to explain why staff deem it is valid to repeal these policies.

Policies which need to be substantially amended or repealed and replaced are not included as these will be brought forward to Council in due course. Human Resources policies will also be brought forward separately to Council in due course.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

None.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

• FCS-16-001 – Corporate Policy Review – Repeal of "No Longer Required" Policies

APPROVED BY: Dan Chapman, Chief Administrative Officer

ATTACHMENTS:

- Appendix A Corporate Policies Recommended for Repeal
- Appendix B ADM-AGR-310 Purchasing Terms & Conditions of Confidentiality - <u>ADM-AGR-310 - Purchasing - Terms & Conditions of Confidentiality.pdf</u>
- Appendix C GOV-COR-315 Resolutions Other Municipalities <u>GOV-COR-315</u>
 <u>- Resolution Other Municipalites (1).pdf</u>
- Appendix D GOV-COU-032 Protocol for In-camera Meetings <u>GOV-COU-032 –</u> <u>Protocol for In-Camera Meetings (1).pdf</u>
- Appendix E GOV-COU-035 Non-jurisdictional Matters <u>GOV-COU-035 Non-Jurisdictional (3).pdf</u>
- Appendix F MUN-LIC-875 Lottery-Bingo Regulations <u>MUN-LIC-875 Lottery -</u> <u>Bingo Regulations (1).pdf</u>
- Appendix G MUN-LIC-920 Midway Location Notice <u>MUN-LIC-920 Midway</u> Location - <u>Notice.pdf</u>
- Appendix H ADM-AGR-585 Golf Course Facility Rental Agreement http://lfprodas/weblink/0/doc/1605815/Page1.aspx
- Appendix I FIN-REP-510 Budget Over-expenditure <u>FIN-REP-510 Budget</u> <u>Overexpenditure.pdf</u>
- Appendix J FIN-PLA-2029 Budget Control Policy <u>FIN-PLA-2029 Budget</u> <u>Control Policy.pdf</u>



APPENDIX A – Corporate Policies Recommended for Repeal

Policy Number	Туре	Name	Division	Reviewed By	Reason for Repeal	Comments/Reasoning
ADM-AGR-310	Administrative	Purchasing - Terms & Conditions of Confidentiality	Procurement	Brenda Johnson, Ryan Hagey	Policy found redundant, outmoded or dysfunctional	Confidentiality is subject to MFIPPA and is addressed by a new set of procedures and current Purchasing By-law.
GOV-COR-315	Administrative	Resolutions - Other Municipalities	Legislated Services	Dianna Saunderson, Christine Tarling	Regulation or legislation is already in place	This is administrative in nature and is covered by the Procedural By-law and/or other protocols.
GOV-COU-032	Council	Protocol for In- camera meetings	Legislated Services	Dianna Saunderson, Christine Tarling	Regulation or legislation is already in place	This is administrative in nature and is covered by the Procedural By-law and/or other protocols.
GOV-COU-035	Council	Non-jurisdictional Matters	Legislated Services	Dianna Saunderson, Christine Tarling	Regulation or legislation is already in place	This is administrative in nature and is covered by the Procedural By-law and/or other protocols.
MUN-LIC-875	Council	Lottery-Bingo Regulations	Legislated Services	Helen Fylactou, Christine Tarling	Regulation or legislation is already in place	Authority and requirements are fully mandated through the Province and Council cannot override it.
MUN-LIC-920	Council	Midway Location - Notice	Legislated Services	Helen Fylactou, Christine Tarling	Policy found redundant, outmoded or dysfunctional	No longer relevant as by-law is no longer in effect.
ADM-AGR-585	Council	Golf Course Facility Rental Agreement	Sport	Kim Kugler	Policy found redundant, outmoded or dysfunctional	The City has contracted out the food and beverage operation so the position mentioned in the policy no longer exists. The City has also moved all the facility rental agreements into our facility booking system and signing authority is assigned to the facility booking staff to use the approved facility rental agreement.
FIN-REP-510	Council	Budget Over- expenditure	Financial Planning	Ryan Hagey	Policy has been replaced with another policy	Policy has been superseded by the Budget Control Policy – FIN-PLA-2029.

APPENDIX B

KITCHENER	POLICY	Policy No: ADM-AGR-310
Policy Title:	PURCHASING - TERMS	Approval Date: March 25, 1995
	AND CONDITIONS OF CONFIDENTIALITY	Reviewed Date: July 2016
Policy Type:	ADMINISTRATIVE	<u>Next Review Date</u> : July 2021
<u>Category</u> :	Administration	<u>Reviewed Date</u> :
Sub-Category	Agreements & Contracts	Last Amended:
Author:	Author Unknown	<u>Replaces:</u>
<u>Dept/Div</u> :	Financial Services \ Supply Services	Repealed:
	Jel VICes	<u>Replaced by</u> :
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To set out the approved terms and conditions to be used when the City engages outside service providers and those service providers will or may receive the City's confidential information in the process of providing the services.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:			
□ All Employees			
All Full-Time Employees	All Union		
Management	C.U.P.E. 68 Civic		
Non Union	C.U.P.E. 68 Mechanics		
Temporary	□ C.U.P.E. 791		
□ Student	□ I.B.E.W. 636		
Part-Time Employees	🗆 K.P.F.F.A.		
Specified Positions only:	□ Other:		
	Local Boards & Advisory Committees		

To be included at next review.

Policy No: ADM-AGR-310

Policy Title: PURCHASING - TERMS AND CONDITIONS OF CONFIDENTIALITY

4. <u>POLICY CONTENT</u>:

- 4.1 In situations in which staff are engaging service providers by purchase order, field order or other Purchasing mechanism and that service provider will or may become privy to confidential or sensitive information, Staff shall use and ensure that the "Terms and Conditions Re: Confidentiality" are signed by the Service Provider before the services are provided and/or the service provider becomes privy to the confidential or sensitive information.
- 4.2 Purchasing staff shall use, when appropriate and at the discretion of the Supervisor of Purchasing, the "Terms and Conditions Re: Confidentiality" as part of the tendering process.
- 4.3 The "Terms and Conditions Re: Confidentiality" shall not be amended without the approval of the City Solicitor or designate.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2001-12 - Reviewed.

- 2016-06 Policy I-310 template re-formatted to new numbering system and given number ADM-AGR-310.
- 2018-04-03 Department name change due to corporate re-organization.

Formal Amendments

No amendment history to date.

APPENDIX C

KITCHENER	POLICY	Policy No: GOV-COR-315
Policy Title:	RESOLUTION - OTHER	Approval Date: September 28, 1981
Policy Type:	MUNICIPALITIES ADMINISTRATIVE	<u>Reviewed Date</u> : July 2016 <u>Next Review Date</u> : July 2021
<u>Category</u> :	Governance	Reviewed Date:
Sub-Category	: Corporate	Last Amended: May 27, 2002
<u>Author</u> :	Author Unknown, Council/Committee Services	Replaces: I-315 - Resolution - Other Municipalities
<u>Dept/Div</u> :	Finance & Corporate Services / Legislated Services	<u>Repealed</u> : <u>Replaced by</u> :
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To be included at next review.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:			
□ All Employees			
All Full-Time Employees	□ All Union		
Management	C.U.P.E. 68 Civic		
Non Union	C.U.P.E. 68 Mechanics		
Temporary	□ C.U.P.E. 791		
□ Student	□ I.B.E.W. 636		
Part-Time Employees	□ K.P.F.F.A.		
Specified Positions only:	□ Other:		
	Local Boards & Advisory Committees		

To be included at next review.

Policy No: GOV-COR-315

Policy Title: RESOLUTION - OTHER MUNICIPALITIES

4. <u>POLICY CONTENT</u>:

That the General Manager of Corporate Services & City Clerk be directed to refer all resolutions received from other Ontario Municipalities to the Association of Municipalities of Ontario with the exception of matters relating exclusively to Municipalities within the Regional Municipality of Waterloo. In such instances, the resolution would continue to be processed through the relevant Standing Committee.

Further, that any resolution which in the opinion of the General Manager of Corporate Services & City Clerk, is of national or international significance or importance, that same be referred to the Federation of Canadian Municipalities.

And further, that a copy of all in-coming resolutions be distributed to each member of Council for information purposes. If any member of Council wishes a resolution to be dealt with, the General Manager of Corporate Services & City Clerk be so advised.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-07-01- I-315 policy template re-formatted to new numbering system and given number GOV-COR-315.

Formal Amendments

1990-08-13 - As per Council/CLT directive. 2002-05-27 - As per Council/CLT directive.

KITCHENER	POLICY	Policy No: GOV-COU-032
Policy Title:	PROTOCOL FOR IN- CAMERA MEETINGS	Approval Date: August 16, 2004
<u>Policy Type</u> : <u>Category</u> :	COUNCIL Governance	<u>Reviewed Date</u> : June 2016 <u>Next Review Date</u> : June 2021 <u>Reviewed Date</u> :
<u>Sub-Categor</u> Author:	<u>y</u> : Council Author Unknown	Last Amended:
<u>Dept/Div</u> :	Office of the Mayor & Council	<u>Replaces:</u> I-032, Protocol for In-Camera Meetings
		<u>Repealed</u> : <u>Replaced by</u> :
Related Polic	cies, Procedures and/or Guidelines:	

1. <u>POLICY PURPOSE:</u>

Provides direction on when and how items are to be submitted for Council's consideration in-camera (meaning meetings closed to the general public) and provides policy on authorization for in-camera items. This policy does not address un-scheduled in-camera meetings of Council or Standing Committees convened during the course of an open public meeting.

2. DEFINITIONS:

To be included at next review.

Policy No: GOV-COU-032

Policy Title: PROTOCOL FOR IN-CAMERA MEETINGS

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
All Full-Time Employees	All Union	
Management	C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	🗆 K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

4. <u>POLICY CONTENT</u>:

Submitting an Item for In-camera Meeting

- (a) All matters to be dealt with by Council at an in-camera meeting shall comply with the Municipal Act, as amended and Chapter 25 (Council Procedure) of the City of Kitchener Municipal Code.
- (b) Items for a scheduled in-camera meeting of Council must be submitted to the Manager of Council/Committee Services & Deputy City Clerk, Legislated Services, within the timelines specified and on the form provided by the City Clerk.

The information on the form must: indicate who is submitting the item; the appropriate classification under the Municipal Act; provide background information or indicate that background material is attached, or if no background material is being provided why; and, include sign off by the CAO/Deputy CAO of the Department submitting the item.

- (c) Items under the classification of 'Solicitor-Client Privilege' can only be submitted by a City Solicitor or member of Council.
- (d) An agenda for the in-camera meeting will be prepared by the Office of the City Clerk and circulated to Council on the Friday preceding the meeting unless the meeting has been called due to an emergency or other item of an urgent nature pursuant to Chapter 25 (Council Procedure). The agenda will include all relevant background information referred to in Item #2.

Policy No: GOV-COU-032

Policy Title: PROTOCOL FOR IN-CAMERA MEETINGS

(e) No late items will be added to the agenda unless considered urgent. Urgency is defined as an item which if not dealt with in a timely manner, will result in a detrimental impact on the City. The person requesting the addition of a late item must attend the Special Council meeting prior to the in-camera session to make the request and explain why the matter is urgent. Council must approve the addition of the late item at the Special Council meeting.

3. <u>HISTORY OF POLICY CHANGES</u>

<u>Administrative Updates</u> 2016-05-31 - Housekeeping changes to reflect title changes. 2016-06-01 - I-032 policy template re-formatted to new numbering system and given number GOV-COU-032.

<u>Formal Amendments</u> No amendment history to date.

APPENDIX E

KITCHENER	POLICY	Policy No: GOV-COU-035
Policy Title:	NON-JURISDICTIONAL MATTERS	Approval Date: February 9, 1987
Policy Type:	COUNCIL	<u>Reviewed Date</u> : June 2016 <u>Next Review Date</u> : June 2021
<u>Category</u> :	Governance	<u>Reviewed Date</u> :
Sub-Categor	<u>y</u> : Council	Last Amended:
Author:	Author Unknown	
<u>Dept/Div</u> :	Office of the Mayor & Council	<u>Replaces:</u> I-035, Non-Jurisdictional Matters
		<u>Repealed</u> :
		<u>Replaced by</u> :
Related Polic	cies, Procedures and/or Guidelines	<u>.</u>

1. POLICY PURPOSE:

To be included at new review.

2. <u>DEFINITIONS</u>:

To be included at new review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
All Full-Time Employees	□ All Union	
Management	□ C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	□ K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

Policy No: GOV-COU-035

Policy Title: NON-JURISDICTIONAL MATTERS

4. <u>POLICY CONTENT</u>:

- 1. That the following policy be adopted relative to the consideration of nonjurisdictional matters, namely:
 - a) 'Non-jurisdictional matters shall be defined as any subject outside the legislative jurisdiction of the City of Kitchener or the Regional Municipality of Waterloo.'
- 2. Further, that all non-jurisdictional matters introduced by a member of Council shall be initially introduced by means of a Notice of Motion and that consideration thereof not take place until a subsequent meeting of City Council. In the interim, the Council will be provided with written copies of all background information prior to the date on which discussion is to occur.
- 3. And further, that when a non-jurisdictional matter is introduced by a delegation, the delegation shall be heard as part of the normal Council Agenda. If the delegation has supplied written background information to members of Council prior to the date on which the delegation is heard, then City Council may debate the issue immediately following the presentation. If background information was supplied to City Council only at the time the delegation made its presentation then City Council shall defer debate until its next meeting so as to allow all members of Council to digest the contents of the written documentation.
- 4. And further, that any resolution containing reference to a non-jurisdictional item be introduced for Council discussion in the same manner as the content of any other resolution received from another municipality. Any member of Council under the current policy simply requests that the matter be placed on the next Committee of the Whole Agenda for discussion and debate.
- 5. With respect to a non-jurisdictional matter introduced by a letter or report from an organization or individual not appearing as a delegation, the document shall be placed on the next Committee of the Whole Agenda for discussion and debate.

Policy No: GOV-COU-035

Policy Title: NON-JURISDICTIONAL MATTERS

2. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

2001-12-01 - minor amendments

2016-06-01 - I-035 policy template re-formatted to new numbering system and given number GOV-COU-035.

Formal Amendments

No amendment history to date.

APPENDIX F

KITCHENER	POLICY	Policy No: MUN-LIC-875
Policy Title:	LOTTERY - BINGO REGULATIONS	Approval Date: December 13, 1993
Policy Type:	COUNCIL	<u>Reviewed Date</u> : <u>Next Review Date</u> :
<u>Category</u> :	Municipal Services	Reviewed Date:
Sub-Category	z Licence	Last Amended: June 11, 2007
<u>Author</u> : <u>Dept/Div</u> :	Author Unknown, Licensing Finance & Corporate Services	Replaces: I-875 - Lottery - Bingo Regulations
	/ Legislated Services	<u>Repealed</u> : <u>Replaced by</u> :
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To be included at next review.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:			
□ All Employees			
All Full-Time Employees	All Union		
Management	C.U.P.E. 68 Civic		
🗆 Non Union	C.U.P.E. 68 Mechanics		
Temporary	□ C.U.P.E. 791		
□ Student	□ I.B.E.W. 636		
Part-Time Employees	🗆 K.P.F.F.A.		
Specified Positions only:	□ Other:		
	Local Boards & Advisory Committees		

To be included at next review.

Policy Title: LOTTERY - BINGO REGULATIONS

4. <u>POLICY CONTENT</u>:

That the following consolidated bingo regulations, in addition to Alcohol and Gaming Commission of Ontario terms and conditions under which bingo lottery licenses are issued be:

- 1. <u>Administrative Costs</u>
 - a) That a bingo lottery licence covering a series of bingos may be issued to any charitable/religious organization for a period not to exceed four calendar months. The maximum number of bingo events any organization may be licensed for shall not exceed 52 in any calendar year.
 - b) The above is subject to the organization meeting the Terms and Conditions as set out by the Alcohol and Gaming Commission of Ontario, including the requirement with respect to the filing of any and all reports as may be required by the Lottery Licensing Officer within 30 days of the final event of the month. Failure to meet this requirement may result in the organization's licensing privileges being suspended for one licensing period.

2. Market Factors

- a) The maximum prizes to be awarded shall not exceed 70% of the total bingo wagering. This total will be determined by the Alcohol and Gaming Commission over a period of 3 months.
- b) All prizes to be awarded shall be in cash, cheque, merchandise or a combination of the two.
- c) No minimum time period will be required between bingo sessions.
- d) There will be no minimum or maximum on the number of games per session.
- e) Multiple sessions may be played in segregated areas within the same bingo hall provided all applicable Terms and Conditions are met and the organization is duly licensed.

Policy Title: LOTTERY - BINGO REGULATIONS

3. Advertising and Promotion

- a) That free bingo cards or discounts on the normal price of bingo cards shall not be given to any player. Licences will not be issued for the conduct of raffle lotteries or gaming devices at bingo games, except if the event is licensed as a bazaar.
- b) Price-cutting will not be permitted at any bingo lotteries operated within the City of Kitchener. The price of cards to be sold shall not be less than those that were in effect on May 1, 2007.
- c) All applications to manage and conduct a bingo lottery must be submitted to the municipality a minimum of 60 days before the next licensing period.
- d) All applications must be accompanied by a list of all games to be played, the value of the prizes to be awarded, the particular arrangement of numbers of symbols required to win the game, the prices of the cards to be sold at each game, and the name and address of the premises where the event is to be held. The application must also be accompanied by a Charitable Gaming Summary, Charitable Gaming Spreadsheet, Bingo Event Rules of Play and the House Rules.
- e) That upon receipt of a bingo lottery licence, all charitable/religious organizations shall not revise previously licensed game formats, prize payouts and card prices without formal authorization from the Licensing Authority of the City of Kitchener and the Alcohol and Gaming Commission of Ontario. At least 10 business days notification will be required in order to amend a licence.
- f) All promotional initiatives must meet the requirements as set by the Alcohol and Gaming Commission of Ontario and the funds used for these initiatives must be paid from the Marketing Account as set up by the Hall Charity Association.
- g) Advertising of prize monies, hall conditions, etc., shall not occur in a manner which may be misleading and which may reflect negatively on other charitable bingo operations.

Policy Title: LOTTERY - BINGO REGULATIONS

4. That the Licensee shall ensure that no person directly involved in or responsible for the conduct of the bingo lottery event, or involved in the sale of bingo paper, or break open tickets as the case may be, shall purchase any bingo paper, break open tickets, or participate in the game which he or she is assisting to conduct.

Without restricting the generality of the foregoing, this policy shall apply to the hall owner, lessee or manager, full or part-time concessions operator/manager and employees, bingo chairman, as well as to any other corporation director, official or employee involved in the operation and/or management of the said bingo hall;

However, this policy is not intended to prohibit a member involved in the management or conduct of a bingo from playing bingo in the said hall on any day in which his/or organization is not conducting a bingo.

- 5. Not less than three active bona fide members of the licensed organization shall be in attendance at each bingo. See Section 1.4 of the Terms and Conditions from the Alcohol and Gaming Commission of Ontario.
- 6. The licensee shall on demand, make available to the Lottery Licensing Officer, or to such persons he or she may designate, all financial records, ledgers, vouchers and financial reports in connection with the operation of bingo. This may also include Books and Records related to monies derived from bingo-themed Lottery schemes conducted and managed by the Ontario Lottery and Gaming Corporation within the bingo hall, the use of proceeds from a Lottery and the Licensee's non-lottery accounts.
- 7. See Section 3 Financial Management and Administration Books and Records and Reporting Requirements of the AGCO Terms and Conditions for the submitting of fiscal year end reports.
- 8. That Licensing staff be allowed to refuse to issue bingo licences if the required fiscal year end reports have not been filed with the Licence Office within 180 days (6 months) of a group's fiscal year end.
- 9. That any organization licensed to operate bingo in the City of Kitchener may have not more than \$25,000.00 in their Lottery Trust Account at fiscal year end. This amount may be adjusted with permission from the Lottery Licensing Officer provided the organization is raising funds for a large project as approved by the Lottery Licensing Officer.

Policy Title: LOTTERY - BINGO REGULATIONS

10. If a hall operator wishes to make application to the AGCO for a liquor licence, they must first notify the municipality in advance of the application which shall give the municipality the opportunity to comment to the AGCO and the operator must provide a copy of that notification with the application to the AGCO.

11. Criteria for Licensing

That the following criteria apply to charities making application to the City of Kitchener for a Bingo Lottery Licence, namely:

- a) The group should have been in operation for at least one year so as to assure the municipality that it has some long term stability;
- b) Qualified organizations having a physical presence within the Regional Municipality of Waterloo and that utilize at least 75% of the proceeds from bingo lotteries for a charitable purpose within the Region of Waterloo shall be approved for licensing.
- c) Membership should be no less than 25 in number to provide that the charity has sufficient members to meet an identified need in the community;
- d) The charity provide proof of financial responsibility in the amount of \$2,500.00, and that this amount be maintained in the lottery trust account.
- e) Non-profit organizations which are not necessarily charitable in nature be required to describe to Council the charitable purposes for which proceeds from bingos are to be utilized.
- f) That organizations submit yearly copies of their budgets and membership lists which will include a list of their principal officers.

Further, that failure to meet any of the above criteria shall not preclude any organization from appealing directly to City Council for approval to obtain a Bingo Lottery Licence.

5. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

2016-06-01 - I-875 policy template re-formatted to new numbering system and given number MUN-LIC-875.

Policy Title: LOTTERY - BINGO REGULATIONS

Formal Amendments

2003-09-22 - As per Council resolution 2007-06-11 - As per Council resolution

APPENDIX G

KITCHENER	POLICY	Policy No: MUN-LIC-920
Policy Title:	MIDWAY LOCATION - NOTICE	Approval Date: June 16, 1997
	NOTICE	Reviewed Date:
Policy Type:	COUNCIL	Next Review Date:
<u>Category</u> :	Municipal Services	Reviewed Date:
Sub-Category	z Licence	Last Amended: May 27, 2002
Author:	Author Unknown, Licensing	Replaces: I-920 - Midway Location -
<u>Dept/Div</u> :	Finance & Corporate Services	Notice
	/ Legislated Services	Repealed:
		Replaced by:
Related Policies, Procedures and/or Guidelines: To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To be included at next review.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
All Full-Time Employees	□ All Union	
Management	C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	🗆 K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

To be included at next review.

Policy Title: MIDWAY LOCATION

4. <u>POLICY CONTENT</u>:

- 1. That prior to the approval of an application for a midway location, the proposed site and details as well as the dates and hours of operation be brought to the attention of the Ward Councillor and be put on an agenda of the Finance and Corporate Services Committee to allow an opportunity to address the potential concerns of residents; and further,
- 2. That between the time the application is considered by the Finance and Corporate Services Committee and the date of the next Council, the applicant be required to notify residents within 120 meters of the proposed midway location that it will be operating, the dates and hours of operation and the name of the sponsoring charity, and in this regard the City Clerk's will, upon receipt of a midway application, provide the applicant with the necessary mailing labels reflecting the circulation requirement.

5. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

2001-12 - Minor updates

2016-06-01 - I-920 policy template re-formatted to new numbering system and given number MUN-LIC-920.

Formal Amendments

2002-05-27 - As per Council resolution.

APPENDIX H

KITCHENER	POLICY	Policy No: ADM-AGR-585
Policy Title:	GOLF COURSE FACILITY	Approval Date: March 30, 1998
<u>Policy Type</u> : <u>Category</u> :	RENTAL AGREEMENT COUNCIL Administration	<u>Reviewed Date</u> : July 2016 <u>Next Review Date</u> : July 2021 <u>Reviewed Date</u> :
Sub-Category	<u>i</u> : Agreements & Contracts	Last Amended: May 27, 2002
<u>Author</u> : Dept/Div <i>:</i>	thor: Author Unknown ept/Div: Community Services / Sport Division	<u>Replaces:</u>
		<u>Repealed</u> : <u>Replaced by</u> :
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To be included at next review.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
□ All Full-Time Employees	All Union	
Management	C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	🗆 K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

To be included at next review.

APPENDIX H

Policy No: ADM-AGR-585

Policy Title: GOLF COURSE FACILITY RENTAL AGREEMENT

4. POLICY CONTENT:

That Council delegate to the Facilitator of Food and Beverage – Golf Courses and the Facilitator of Administration – Golf Courses, and in their absence the Supervisor of Golf Courses, the authority to sign the Golf Course Facility Rental Agreement, as prepared by the Legal Services, dated March 1998, and further,

That, in the event the applicant requests changes to any condition of the Golf Course Facility Rental Agreement, the agreement must be reviewed by Legal Services, and if appropriate, brought before Council.

5. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

- 2016-06- 01 Policy I-585 -template -re-formatted -to- new numbering system and given number ADM-AGR-585.
- 2018-04-03 Department and division name change due to corporate reorganization.

Formal Amendments

2002-05-27 - As per Council directive

APPENDIX I

KITCHENER	POLICY	Policy No: FIN-REP-510
Policy Title:	BUDGET OVEREXPENDITURE	Approval Date: January 26, 1990
Policy Type:	COUNCIL	<u>Reviewed Date</u> : July 2016 <u>Next Review Date</u> : July 2016
<u>Category</u> :	Finance	<u>Reviewed Date</u> :
Sub-Category	z Reporting	Last Amended: July 2, 2002
<u>Author</u> : <u>Dept/Div</u> :	Author Uknown Finance & Corporate Services	<u>Replaces:</u> I-510 - Budget Overexpenditure
	\Financial Planning	<u>Repealed</u> : <u>Replaced by</u> :
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. <u>POLICY PURPOSE:</u>

To be included at next review.

2. <u>DEFINITIONS</u>:

To be included at next review.

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
All Full-Time Employees	□ All Union	
Management	□ C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	□ K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

Policy No: FIN-REP-510

Policy Title: BUDGET OVEREXPENDITURE

To be included at next review.

4. <u>POLICY CONTENT</u>:

- 4.1 That all requests for expenditures, for which there is no specific budget appropriation, be referred to the Finance and Corporate Services Committee for study and recommendation, and further that when any budget appropriation appears to be substantially inadequate, the matter be referred to the Finance and Corporate Services Committee for its study and recommendation.
- 4.2 It is further understood that 'substantially inadequate' be defined as an expenditure in excess of 10% over budget.
- 4.3 Further, the Chief Administrator shall have the authority to approve nonbudgetary items under \$10,000 [see Section 111.7.9(b) of Municipal Code].

5. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

2016-06 - Policy I-510 template re-formatted to new numbering system and given number FIN-REP-510.

Formal Amendments

1990-08-13-As per Council directive1992-06-61-As per Council directive2002-06-02-As per Council directive

KITCHENER	POLICY	Policy No: FIN-PLA-2029
Policy Title:	BUDGET CONTROL POLICY	Approval Date: March 9, 2020
<u>Policy Type</u> : <u>Category</u> :	COUNCIL Finance <u>y</u> : Financial Planning	<u>Reviewed Date</u> : <u>Next Review Date</u> : March 2025 <u>Reviewed Date</u> :
Author:	Chief Financial Officer	Last Amended:
<u>Dept/Div</u> :	Financial Services/Financial Planning	Replaces:
		<u>Repealed</u> : <u>Replaced by</u> :
Related Policies, Procedures and/or Guidelines: N/A		

1. <u>POLICY PURPOSE:</u>

The City of Kitchener recognizes the importance of having proper budget controls in place to support accountability and transparency, and to assure the public that the financial affairs of the municipality are being managed diligently. Effective budget control of operating and capital accounts promotes fiscal responsibility and is an essential aspect of the delivery of programs, services, and projects for the community.

The purpose of this policy is to establish guidelines and provide clarity regarding roles, responsibilities, and key accountabilities, related to the financial management and budget control for operating and capital accounts. This policy documents the process for the reporting of financial performance and results including the variance reporting process for the annual operating budget and the reporting of the status of capital projects.

2. <u>DEFINITIONS</u>:

Account – an individual line item that has been provided with a budget allocation

Capital Budget – means the annual Council approved plan for expenditures and financing sources to complete Capital Projects or one-time expenditures

Capital Budget Transfer – means the transfer of an unexpended budget amount from one Capital Project to another

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Capital Project – means an undertaking for which expenditures are incurred to acquire, improve, demolish or maintain land, buildings, structures, infrastructure, machinery and equipment, including installation of computer software, and any other project as defined from time to time to be capital and is the level at which Council approves funding in the capital budget

Department – Means any department of the City as reflected in the current organizational structure

Operating Budget – means the annual Council approved plan for expenditures, revenues, staffing levels and service levels for operations of the City taking place from January 1st to December 31st in a given year

Operating Budget Transfer – means the transfer of an unexpended budget amount from one current budget program to another

Program – means an organizational unit as defined in the Operating Budget that may encompass one or more related municipal services, usually a division of a department that is mandate driven and is the level at which Council approves funding in the operating budget

3. <u>SCOPE</u>:

POLICY APPLIES TO THE FOLLOWING:		
□ All Employees		
All Full-Time Employees	All Union	
🛛 Management	C.U.P.E. 68 Civic	
Non Union	C.U.P.E. 68 Mechanics	
Temporary	□ C.U.P.E. 791	
□ Student	□ I.B.E.W. 636	
Part-Time Employees	🗆 K.P.F.F.A.	
Specified Positions only:	□ Other:	
	Local Boards & Advisory Committees	

Responsibilities

Council

Under section 224(d) and (d.1) of the Municipal Act 2001, Council is responsible for "ensuring that controllership policies, practices and procedures are in place to implement the decisions of Council" and "to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality." Council approves the spending plans as outlined in annual operating and

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capital budgets and is responsible for monitoring the performance against those plans throughout the year.

Chief Administrative Officer

Under section 229(a) of the Municipal Act 2001, the Chief Administrative Officer is responsible for "exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality." This includes monitoring financial performance of the organization throughout the year, holding those that have been delegated financial responsibility accountable for the development, monitoring, and management of their budgets, and advising Council at the appropriate time of any significant financial matters arising.

Chief Financial Officer (Treasurer)

Under section 286(1) of the Municipal Act 2001, the treasurer is responsible for "handling all of the financial affairs of the municipality on behalf of and in the manner directed by the council." For the purpose of this policy this includes:

- Directing the development, maintenance and communication of all financial policies, procedures, or practices to support fiscal responsibility
- Ensuring departments have access to timely financial information to enable responsible decision making for the effective and efficient delivery of programs, services, and implementation of projects or initiatives
- Monitoring financial performance of the organization throughout the year, ensuring compliance with the reporting requirements as outlined in this policy
- Advising the CAO and Council in a timely manner of any significant financial matters arising.

General Managers

General Managers (department heads) are responsible for the efficient and effective delivery of programs, services, projects, and initiatives within their respective portfolios and operational areas of responsibility. For the purpose of this policy they are responsible to:

- Develop an annual operating and capital budget for their area of responsibility in accordance with budget guidelines
- Ensure budgets established related to the delivery of service are accurate, realistic to be able to meet service levels identified to Council
- Make decisions regarding how services are delivered within the limits of Council approved service levels and approved budgets
- Where appropriate, delegate responsibility for the departmental budgets (e.g. Directors, Managers, Supervisors)
- Hold those who have been delegated financial responsibility accountable for the development, monitoring and management of their budgets

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- Monitor financial performance of department throughout the year and take appropriate corrective action to ensure the department remains in a balanced budget position
- Advise the CFO of any significant financial matters arising that may impact their ability to remain in a balanced budget position by fiscal year end

Directors

Management staff within departments are responsible for the efficient and effective delivery of programs, services, projects, and initiatives within their respective portfolios and operational areas of responsibility. General Managers are ultimately responsible for the overall financial performance of their department, but Directors are responsible for the financial performance for their respective divisions and projects under their portfolio. Responsibilities related to this particular policy include:

- Developing an annual operating or capital budget for their respective area of responsibility
- Monitoring financial performance throughout the year
- Advising the Department Head in a timely manner of any significant financial matters that will impact their ability to deliver an expected program, service, project, or initiative
- Carry out all transactions in accordance with municipal policies and procedures (e.g. hiring, purchasing, contracts)

Managers and Project Managers

Management staff within departments are responsible for the efficient and effective delivery of programs, services, projects, and initiatives within their respective portfolios and operational areas of responsibility. Managers are responsible for the financial performance for their respective sections. This is also applicable to those staff that have been assigned, or as part of their role, or have responsibility for managing capital projects or initiatives. Responsibilities related to this particular policy include:

- Developing an annual operating or capital budget for their respective area of responsibility
- Monitoring financial performance throughout the year
- Advising the Director in a timely manner of any significant financial matters that will impact their ability to deliver an expected program, service, project, or initiative
- Carry out all transactions in accordance with municipal policies and procedures (e.g. hiring, purchasing, contracts)

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4. POLICY CONTENT:

The controls outlined in this policy apply only to budgeted operating and capital accounts where over-expenditures may occur from time to time. Unbudgeted items related to new projects or initiatives require Council or CAO approval, based on the authority provided under municipal code 115.5.4 related to unbudgeted expenditures.

Operating Budget Financial Controls

The approved budget represents the approved spending authority for a particular program or service and overall for the department. The following guidelines are intended to provide departments with some flexibility to ensure the efficient and effective delivery of services while providing proper level financial control and oversight related to the operating budget accounts:

- 1. A General Manager, together with their staff, has the responsibility to deliver programs or services based on the budgeted level of service approved by Council as part of the annual budget process. This includes working within the net total budget allocation that has been provided for their respective departments.
- 2. A Director may approve overspending of any particular account or budget line by making the necessary balancing decisions within a program or between programs within their portfolio/or area of responsibility, provided that:
 - a. Total expenditures for the department do not exceed the net operating budget approved by Council
 - b. Over-expenditures for a particular program do not exceed \$100,000
 - c. Any transfers that are done to remain in a balanced budget position are not between tax supported, enterprise, or utility programs
- 3. A General Manager may approve overspending of any particular account or budget line by making the necessary balancing decisions between programs within their department, provided that:
 - a. Total expenditures for the department do not exceed the net operating budget approved by Council
 - b. Over-expenditures for a particular program do not exceed \$100,000
 - c. Any transfers that are done to remain in a balanced budget position are not between tax supported, enterprise, or utility programs
- 4. A General Manager shall report to the CFO any anticipated over-expenditure in a Program that will result in them exceeding their net total budget for their

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department as soon as such over-expenditure is reasonably known. The CFO is authorized to approve in-year department budget adjustments provided that:

- a. The amount of over-expenditure is less than \$100,000
- b. It's been determined that funding from other programs are not available to offset the over-expenditure
- c. The over-expenditure is reported to Council as part of the next operating budget variance report
- 5. Any expenditures that would result in total expenditures exceeding the funding available in a Program by an amount greater than \$100,000 requires Council approval. Council approval is deemed to have been provided for:
 - a. Purchases that are made in accordance with the emergency provisions of the Purchasing By-law
 - b. Costs to be incurred that in the opinion of the General Manager and CFO are unavoidable and required in order to ensure approved service levels are met (e.g. winter maintenance)

Any costs incurred under the above provisions will be reported to Council as part of the next operating budget variance report. A separate report to Council is required for any other over-expenditures that fall outside of this process.

6. Operating Budget variances will be identified and reported to Council three times a year based on June, September, and December financial results. An explanation will be provided for variances of \$100,000 or greater.

Capital Budget Financial Controls

The approved capital budget represents the approved spending authority for a particular capital project or initiative. The following guidelines are intended to provide some flexibility for the execution of projects while at the same time establish an appropriate level of financial controls for capital budget accounts:

- 1. A General Manager, together with their staff, has the responsibility to effectively implement and manage projects based on the approved scope, timeline, and budget as approved by Council as part of the annual budget process.
- 2. General Managers may approve additional over-expenditures in a Capital Project that exceed the original project budget where:
 - a. The original scope of the project has not changed
 - b. The amount of the over-expenditure does not exceed 10% of the original budget or \$250,000

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- c. Funding is available to fund the over-expenditure through the reallocation of funding from other project(s) within the same program area
- d. The over-expenditure is reported to Council as part of the next Capital Status Report
- 3. A General Manager shall notify the CFO of any anticipated over-expenditure in a Capital Project where it is determined that funding is not available through the reallocation from other projects(s) within the same program area. The CFO will work with the General Manager to determine other potential sources of funding. The CFO is authorized to approve additional funding for a Capital Project where:
 - a. The original scope of the project has not changed
 - b. The amount of the over-expenditure does not exceed 10% of the original budget or \$250,000
 - c. Funding is available to be transferred from other department projects or there is sufficient funding available in an appropriate Capital Reserve Fund to fund the over-expenditure
 - d. The over-expenditure is reported to Council as part of the next Capital Status Report
- 4. Any Capital Project for which anticipated expenditures will exceed the funding available by an amount greater than 10% of the original budget or \$250,000 requires Council approval. Council approval will be requested through:
 - a. A separate report to Council outlining the amount and reason for the anticipated over-expenditure or;
 - b. A tender report that identifies the over-expenditure, justification for proceeding with the award, and identifies an appropriate source of funding to cover the anticipated budget shortfall or;
 - c. The next regular Capital Status Report

An exception to the above provisions is any purchase that is made in accordance with the emergency provisions of the purchasing by-law.

- 5. Project Closures
 - a. A project is to be closed and any surplus funds returned to the original source of funding if any of the following criteria are met:
 - Project completed at or under budget as determined by the General Manager
 - Project completed over budget and recommended funding source for over-expenditure has been identified

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- Project deleted or deferred in order to finance new project or to fund over expenditures in other projects and reported to Council
- The project has not commenced within two years after budget approval and cannot be completed within a three year timeframe after commencement (no signed contractual agreement or POs issued)
- There has been no account activity on the project for the last 18 months
- b. Exceptions to the above conditions:
 - There is a need for funding to be rolled to future years, to be utilized in projects that have a similar scope and require additional funding (e.g. phase 1, phase 2)
 - Project has not commenced within two years but an extension has been requested by the General Manager and approved by the CFO or their designate
- 6. Capital Status Updates to Council

To accurately administer and report on the capital budget, Departments will be required to forward to Financial Planning, twice a year, an accurate status of each project owned or managed by their department. The status must include a description of the work in progress, the percentage of work complete, and a projected forecast for completion. A semi-annual Capital Status Report (based on June and December), will be prepared in each year to provide Council with an update on the status of Capital Projects. This report would:

- a. Provide the status of each Capital Project
- b. Report any anticipated over expenditures in accordance with the provisions of this policy and related financing adjustment recommendations
- c. Report any anticipated over expenditures for which there is insufficient funding in the appropriate project and related financing adjustment recommendations
- d. Report any additional expenditures incurred after the project has been closed and related financing recommendations
- e. Report any proposed deletion or deferral of projects to either finance new projects or to fund over-expenditures in other projects

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- f. Address material changes in scope or nature of capital projects, material changes in timing with related financing adjustment recommendations
- g. Report on any closures of capital projects

5. <u>HISTORY OF POLICY CHANGES</u>

Administrative Updates

Formal Amendments