



SUBJECT: Investigation report from Burlington Ombudsman MUN-463-0719

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Clerks Department

Report Number: CL-15-20

Wards Affected: All

File Numbers: 110-03

Date to Committee: August 13, 2020

Date to Council: August 24, 2020

Recommendation:

Receive the investigation report regarding file MUN-463-0719 from ADR Chambers, Ombudsman for the City of Burlington.

PURPOSE:

An Engaging City

- Good Governance

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

The Public Sector and MPP Accountability and Transparency Act came into force on January 1, 2016. This legislation expanded the function of the provincial Ombudsman to include investigation of decisions or recommendations with respect to the administrative actions of a municipality. The Municipal Act enables a municipality to appoint their own Ombudsman, who is tasked with conducting investigations with respect to the administrative actions of the municipality.

In January 2016, Council appointed ADR Chambers as the Ombudsman for the City of Burlington. The established procedures require that any investigative reports with recommendations must be considered by Council.

- At the July 9, 2020 meeting committee requested that an executive summary be included as part of the package submitted with the report. ADR Chambers has complied, and it now forms Appendix A to this report.
- Appendix B is an investigation report conducted by ADR Chambers on the file MUN 463-0719, which features a narrative style of reporting on their investigation, it also includes a recommendation section.
- Appendix C is a memorandum from the Chief Building Official in response to the recommendations made by ADR Chambers. In addition, through the memorandum an update on MUN-347-0918 (received at the February 13 CSSRA) has been included as due to COVID the next steps were not actioned. Both MUN-347-0918 and MUN-463-0719 are related to noise nuisance matters, with similar recommendations and therefore an update to the previous file has been included.

Financial Matters:

The administrative fee for ADR Chambers is \$1,000 per month. There are additional costs for investigations. Total costs are reported publicly through an annual report process.

Enterprise Risk:

Not applicable

Conclusion:

This report transmits the investigation report from ADR Chambers and staff's response.

Respectfully submitted,

Kevin Arjoon

City Clerk

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Appendices:

- A. Executive Summary of Investigation MUN-463-0719 from ADR Chambers
- B. Final Report with Recommendations from ADR Chambers
- C. Memorandum from Chief Building Officer in response to ADR Chambers Recommendations.

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.