



SUBJECT: Service Re-design Temporary Delegated Authority to City Manager

TO: Mayor and Members of Council

FROM: City Manager's Office

Report Number: CM-14-21

Wards Affected: All

File Numbers: 155-03-01

Date to Committee: July 13, 2021

Date to Council: July 13, 2021

Recommendation:

Approve the delegation of authority for service re-design decisions up to \$250,000 per individual decision to the City Manager or his delegate during the Council approved break in scheduled committee and Council meetings from July 14 to September 6, and;

Direct the City Manager or his delegate and the City Clerk to consult with the Mayor for a call of a special council meeting for service re-design decisions over \$250,001 per individual decision during this same period, and;

Direct the City Manager to report any and all decisions made under this delegated authority to Council in the September Corporate Services, Strategy, Risk and Accountability committee meeting.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

As of the writing of this report, the City remains in a declared state of emergency, as has been the case since March 21, 2020, due to the COVID-19 pandemic in our community and country.

As per the City's Municipal Emergency and Continuity Management Program (By-law 76-2020), the corporation is required to implement procedures to allow for continuity and mitigation activities to be carried out concurrently during response. These procedures include regular meetings of the Emergency Control Group (ECG) which have occurred, at least bi-weekly or more frequently as needed, since the pandemic was declared. ECG discusses emerging issues and ways for the City to respond and its primary focus is on resourcing ongoing COVID 19 emergency response needs.

In addition, the City's Corporate Continuity of Governance & Operations Plan describes the importance of the succession of leadership, particularly when involved in an emergency situation, to ensure the City of Burlington can carry out mandated responsibilities. In the case of the ECG, this succession is clear between the City Manager and his alternate, namely the Executive Director, Environment, Infrastructure & Community Service.

The City's Procedure By-law (Section 22.6 of By-law 04-2020) permits a Special Meeting of Council may be held, without notice, to deal with business dealing directly with an emergency, disaster or crisis situation as defined in the City of Burlington Emergency and Continuity Management Program By-law 46-2019. This special meeting of Council would be called by the Mayor. The Mayor has called one special meeting during this state of emergency and this meeting occurred on April 17, 2021.

In May 2020, the City's service re-design strategy (report CM-12-20 CSSRA May 14, 2020) outlined a responsive and highly measured approach to resuming delivery of City services and operations. This strategy included a framework for governance and decision making, clearly outlining those decisions to be made by Council and those that could be made directly by the Burlington Leadership Team/ECG/Service Leads.

The decisions of Council are in accordance with the following approved framework:

| Governance and Decision-Making | |
|---|--|
| The extent of the re-design in service delivery will direct the decision-making process and ultimately, where the decision is made. The following are guidelines for decisions. | |
| <div>Committee/Council<ul style="list-style-type: none">• Service Level impacts (each stage)<ul style="list-style-type: none">– Increase and/or decrease of service levels – longer-term– Commission and/or decommission of services• Financial Impacts<ul style="list-style-type: none">– 2021 operating and capital budget implications• Corporate policy impacts• Community Impacts• Reputation and other risksHow: Approval of Council based on separate motion tied to specific criteria (as indicated above) for <u>service program changes</u>.</div> | <div>Burlington Leadership Team/ECG/Service Leads<ul style="list-style-type: none">• Tactical and operational impacts on City services delivered within the limits of Council approved service levels and budgets;• Human resource deployment• Health & safety issues• Immediate operational response related to COVID-19 and other emergencies (e.g. weather events)How: Endorsement of Council of <u>service modifications</u> decisions made by staff.</div> |

The framework for Service Re-design decision has been applied very successfully at monthly committee and Council meetings over the past year.

In November 2020, the City of Burlington’s 2021 calendar of meetings was approved by Council (CL-19-20) wherein no committee or council meetings are scheduled during the period July 14 to September 6.

Strategy/process

The City’s service re-design strategy is responsive and takes a highly measured approach to resuming delivery of City services and operations considering the Province’s direction.

Throughout the upcoming period, July 14 to September 6, when there are no scheduled committee or council meetings, it is imperative staff are able to continue to re-design services to respond to the ever changing situation of regulations and orders issued by the Province. The Province of Ontario is currently in Step 2 of its Roadmap to Reopen with an expectation of entering Step 3 on or around July 21st.

To support this continuity, the City Manager and his delegate (when the City Manager is absent) are seeking delegated authority from Council to make the decisions normally deemed to be decisions of Council. Such decisions would be limited in dollar value to \$250,000 at a maximum per individual decision. In making these decisions, the City Manager and his delegate will have the support of Burlington Leadership Team and Emergency Control Group.

When the dollar value threshold is expected to exceed \$250,001 per individual decision, it is recommended the City Manager (or his delegate) and the City Clerk consult with the

Mayor on the need for a special council meeting as is permitted under the Procedure By-law Section 22.6. Service re-design decisions will be documented for inclusion in the special council meeting agenda using our established report template and presentation formats. All required public and internal City communication protocols would be fully maintained related to all service re-design decisions.

The City Manager will report any and all decisions made under this delegated authority to Council in the September Corporate Services, Strategy, Risk and Accountability committee meeting along with all decisions made by Burlington Leadership Team/Emergency Control Group/Service Leads (in accordance with the governance and decision-making framework).

Options Considered

All options considered include:

1. Hold decisions until the resumption of committee and Council meetings in September – NOT RECOMMENDED
 - This option would hinder the City's ability to respond to changes in the Provincial re-opening regulations and orders in a timely manner resulting in further financial impacts, potential loss of service and significant reputational damage.
2. Seek approval of Council to delegate decisions up to \$250,000 per individual decision to the City Manager (or his delegate in his absence) –RECOMMENDED
 - This option is consistent with the application of all formal delegated authority decision making by the City whereby authority transcends from Council to an identifiable staff member. In discussion with the City Clerk, delegating most COVID re-opening activities to the City Manager through the Council break would be most appropriate. The City's current policy framework, with the Delegated Authority By-law and Procurement By-law have Council established approval limits that will be respected throughout this time. In September, a report to CSSRA as an addendum would report the COVID-related activities during the break. When the dollar threshold is expected to exceed \$250,000, the City Manager and City Clerk will confer with the Mayor on the need for a special council meeting.
3. Seek approval of Council to delegate decisions to the Mayor – NOT RECOMMENDED
 - This option is not consistent with the application of all formal delegated authority decision making by the City. Delegation of authority, as is the

case with all areas under the existing Council approved Delegated Authority by-law, sees the authority transcend from Council to an identifiable staff member.

4. If and as required, Mayor to call a special meeting of City Council to consider and approve COVID related service redesign decisions - NOT RECOMMENDED
 - This option is contrary to Council's prior approval of the annual Council Meeting Calendar which specifically sought to re-establish an extended break during July and August. In so doing, both Council and staff are afforded the opportunity to "lead by example" and support measures that address ongoing fatigue and stress caused by many months of COVID emergency response. However, there is a provision in the recommendation for the City Manager and City Clerk to confer with the Mayor on a call of a special council meeting should the \$250,000 per individual decision threshold be exceeded.

Financial Matters:

The Chief Financial Officer will continue to have corporate oversight of all COVID-19 service re-design decision impacts and reporting to Council. Overall, the City Finance team, working closely with other staff, have applied extraordinary due diligence in securing COVID related funding (approximately \$20 million in total). As a result, the City is very well positioned financially to address any impacts arising from additional service redesign decisions in July and August.

As Council is aware, the full financial impact of service re-design decisions will not be understood until all stages of the Province's re-opening framework have been implemented and the City has had the time to implement the necessary changes it has identified.

Total Financial Impact

The Chief Financial Officer is responsible for managing and regular reporting of the total costs of service re-design decisions.

Source of Funding

Service re-design decisions include the appropriate funding source.

Other Resource Impacts

Not applicable.

Climate Implications

Not Applicable.

Engagement Matters:

The Emergency Control Group and Burlington Leadership team were consulted in seeking this delegated authority.

Conclusion:

In July and August, timely decisions may be required regarding resumption and changes to delivery of City services and operations. During this highly unpredictable time, continuity of operations is required in order to meet our overall goal to continue to protect the health and safety of our community and staff and do our part to limit the spread of COVID-19.

Respectfully submitted,

Tim Commisso

City Manager

905-335-7600 ext. 7608

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.