



SUBJECT: Quarterly Mayoral Decisions report

TO: Committee of the Whole

FROM: Legislative Services

Report Number: CL-21-24

Wards Affected: N/A

Date to Committee: October 7, 2024

Date to Council: October 15, 2024

Recommendation:

Receive legislative services report CL-21-24 providing the Quarterly Mayoral Decisions report for information.

PURPOSE:

Vision to Focus Alignment:

- ☐ Designing and delivering complete communities
- ☒ Providing the best services and experiences
- ☐ Protecting and improving the natural environment and taking action on climate change
- ☐ Driving organizational performance

Executive Summary:

This report provides a summary of the Mayoral Decisions issued from end of June 2024 to September 2024.

Background and Discussion:

On March 26, 2024, Council passed the following resolution by way of motion memorandum Improving Local Democracy by Strengthening City Decision-Making (ADM-05-24):

That the Clerk report to Council on a quarterly basis on the status of the use of the Strong Mayor Powers, beginning in April 2024

This report will review the use of Strong Mayor powers through the issuance of Mayoral Decisions made between June 20 to September 27, 2024.

Mayoral Decisions

Mayoral power exercised or performed under Part VI.1 (“Special Powers & Duties of the Head of Council”) of the *Municipal Act, 2001* (“the Act”) must be provided in writing and made available to the public.

In writing

284.4 (1) If the head of council exercises a power or performs a duty under this Part, the head of council shall do so in writing and in accordance with the regulations, if any. 2022, c. 18, Sched. 2, s. 1.

Making information available

(2) The head of council shall, in accordance with the regulations, make any prescribed information and documents available to the public and to any other prescribed persons or classes of persons. 2022, c. 18, Sched. 2, s. 1.

The City of Burlington has adopted a Mayoral Decision document as a tool to fulfill the requirement of section 284.4 of the Act and recognizes Mayoral Decisions as a formal exercise of Strong Mayors powers. Mayoral Decisions are posted on the City’s [Mayoral Decisions webpage](#).

All Mayoral Decisions are considered Strong Mayor decisions as they are made using the powers given to the Mayor under Part VI.1 of the Act. These Decisions do not differentiate between decisions made with or without Council consultation.

A total of ten Mayoral Decisions have been issued between June 20, 2023 and September 27, 2024. Changes from the previous quarterly report are indicated as highlighted in yellow in Appendix A.

Decisions to approve by-laws

To ensure that by-laws are enacted in a timely manner and compliance with 284.11(4)(a)(i) of the Act, a Mayoral Decision is issued after Council meetings to provide written approval of the by-laws passed by Council.

By-law commencement

(4) Despite any other Act, a by-law that is subject to this section shall be deemed not to have been passed by council until,

- (a) if notice has not been given under subsection (3), the earlier of,
 - (i) the day written approval of the by-law is given by the head of council to the municipality, and
 - (ii) two days after the day council voted in favour of the by-law or the prescribed deadline, as the case may be; or
- (b) if notice has been given under subsection (3), the earlier of,
 - (i) the day written approval of the by-law is given by the head of council to the municipality, and
 - (ii) 14 days, or such other prescribed time period, after the day the council voted in favour of the by-law. 2022, c. 18, Sched. 2, s. 1.

At the time of writing this report, 22 of 33 Mayoral Decisions issued were to approve the by-laws passed by Council.

Financial Matters:

Not applicable.

Climate Implications:

Not applicable.

Engagement Matters:

All Mayoral decisions continue to be posted to the City's webpage, as required by the *Municipal Act, 2001*.

Conclusion:

The Mayor of the City of Burlington has special powers and duties conveyed by Part VI.1 of the *Municipal Act, 2001*. Any use of these powers must be documented in writing through a Mayoral Decision. The Office of the City Clerk will continue to report back on the use of Strong Mayor powers quarterly.

Respectfully submitted,

Samantha Yew

City Clerk

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Appendices:

A. Mayoral Decisions to September 27, 2024

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.