

SUBJECT: Transmittal of investigation report from ADR Ombudsman, MUN-28166-1223

TO: Committee of the Whole

FROM: Legal and Legislative Services
Legislative Services

Report Number: LLS-44-25

Wards Affected: Not applicable

Date to Committee: September 8, 2025

Date to Council: September 16, 2025

Recommendation

Receive for information legislative services report LLS-44-25 regarding the investigation from the Ombudsman, file MUN-28166-1223.

Executive Summary

Purpose of report:

- This report provides an investigation report from ADR Chambers regarding the City's compliance with section 239(7) of the Municipal Act, 2001, pertaining to the Record of a Meeting, specifically meeting minutes.

Key findings:

- The Investigator has concluded that they are satisfied that City staff are in compliance with the provisions of the Municipal Act.

Information Report

Background

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, 2001 enables a municipality to appoint their own local Ombudsman, who is tasked with conducting investigations with respect to the administrative actions of the municipality.

In June 2023, Council re-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.

Analysis

A complaint was filed with the City's Ombudsman, ADR Chambers, in November 2024 alleging that the city hasn't adequately complied with section 239(7) of the *Municipal Act, 2001* for an extended period. Section 239(7) provides that "A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. 2006, c. 32, Sched. A, s. 103 (3)."

The complaint was assigned to the investigator on January 21, 2025. The investigation included interviews with the complainant and city staff. On July 16 2025, the City received a final investigation report from ADR Chambers, attached as Appendix A.

Recommendation Details

There are no actionable recommendations resulting from this investigation. As such, staff are recommending that the report be received for information.

Key Dates & Milestones

Not applicable.

Implications

There are no financial impacts associated with this recommendation.

References

None.

Strategic 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
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Appendices:

A. Final Report regarding MUN-28166-1223 with findings from ADR Chambers

Notifications:

None.

Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.