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COMMUNICATION	
SP. CW -	SEPT. 18/17
ITEM -	1

DATE: Sept. 14, 2017

TO: Mayor and Members of Council

FROM: Daniel Kostopoulos, City Manager

RE: **Special Committee of the Whole – September 18, 2017**
Building Capacity for Growth and Intensification: Staff Resourcing and Corporate Organizational Structure

Recommendation

The City Manager recommends:

1. That Council approve the following recommendation contained in the report of the City Manager, dated June 27, 2017:
2. That Council approve the updated corporate organization structure recommended in the confidential communication.

Background

At the June 27, 2017 Special Committee of the Whole meeting, Council received a report and presentation titled *Building Capacity for Growth and Intensification: Staff Resourcing and Corporate Organizational Structure*.

This report addressed the need for the City of Vaughan's organizational structure, resources and processes to evolve to support the City's rapid growth and intensification. By realigning the organizational structure, portfolios and offices would be positioned to build capacity, focus on core business services and support Vaughan's growth now and in the future.

After hearing from two deputants and discussing the matter, Council voted to defer the closed-session deliberations and decision on the report's recommendations to the fall of 2017. The City Manager will report back at the Sept. 18 Special Committee of the Whole meeting.

A closed session is the appropriate venue for consideration of the proposed corporate organizational structure.

During the June 27 meeting, Council questioned whether it was appropriate to consider the proposed corporate organizational structure in a closed session. The City Manager advised it was appropriate as the matter relates to personal information about identifiable individuals, and,



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as such, falls within the scope of the exemption contained in s. 232(2)(b) of the Municipal Act, 2001.

A public report that includes position titles – not names – would still expose employee identities and compromise the City’s confidentiality obligations as an employer.

Questions also were raised about the possibility of presenting the proposed corporate organizational structure in a public report by including position titles – not employee names. However, as some positions are held by only one employee, this approach would expose their identities and compromise the City’s confidentiality obligations as an employer.

The Municipal Act, 2001 provides permissible exemptions so that Council as a whole – not individual members – can receive confidential information in closed session, hold deliberations and make decisions as a collective body.

Some members of Council expressed their desire to receive advance individual briefings on the proposed corporate organizational structure. Unlike with public reports, closed-session reports related to labour relations and employment matters must respect the confidentiality obligations of the City as an employer and an institution subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

As well, the Municipal Act, 2001 provides permissible exemptions so that Council as a whole – not individual members – can receive confidential information in closed session, hold deliberations and make decisions as a collective body. Providing advance briefings to individual Councillors on closed-session items likely would be viewed as a circumvention of the open meeting rule and would be inappropriate in this instance because of the disclosure of confidential personal information, which is protected under MFIPPA.

Recommendations in the June 27 report

The June 27 report contained two recommendations:

1. That Council delegate authority to the City Manager to authorize additional in-year staff and related resources that can be fully funded either from non-tax levy sources or within the approved budget; and
2. That Council approve the updated corporate organization structure recommended in the confidential communication.



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Following Council's decision in June to defer this matter, the City Manager directed that related additional staff and resource requests be incorporated into the 2018 budget process, which is now well underway. As a result, the City Manager respectfully withdraws Recommendation 1. Approval of these staff and resource requests will proceed through the open and comprehensive budget process in Q4 2017.

Conclusion

At the Sept. 18 Special Committee of the Whole meeting, the City Manager will report back to Council on the above noted report. Based on the findings outlined in this memorandum and the City's obligations under the Municipal Act, 2001 and MFIPPA, it is requested that Council provides the opportunity for closed-session deliberations on this matter. Although this discussion must remain confidential, decisions made by Council that do not compromise confidentiality obligations may be released to the public in the future.

Sincerely,

Daniel Kostopoulos
City Manager