

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON JUNE 20, 2017
FROM:	SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME
SUBJECT	AMENDMENT TO BY-LAW A.-7116-206

RECOMMENDATION

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the attached proposed By-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of June 26, 2017 to amend By-law A.-7116-206, a by-law for execution of documents re: the Dearness Home with the Local Health Integration Networks (LHIN) or with Her Majesty The Queen in Right of Ontario (Minister of Health and Long Term Care).

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Community and Protective Services Committee: May 26, 2014, "Execution of Documents between the Corporation of the City of London and the South West Local Health Integration Network (LHIN) and the Ministry of Health and Long Term Care"

BACKGROUND

On May 26, 2014 Civic Administration brought forward a report to the Community and Protective Services Committee to seek authorization for the Managing Director, Housing, Social Services and Dearness Home or designate to execute documents re: the Dearness Home with the Local Health Integration Network (LHIN) or Her Majesty The Queen in Right of Ontario (Minister of Health and Long-Term Care). By-law A.-7116-206 was passed at the Council meeting of June 10, 2014 authorizing this request. Specifically, this by-law delegates authority to the Managing Director to:

- approve and execute documents required by LHIN under agreements with LHIN (including reports, acknowledgements, amendments to the Service Accountability Agreement, and Project Funding Agreements as defined in a Service Accountability Agreement, but excluding Service Accountability Agreements);
- act as the City Representative for purposes of any Project Funding Agreement as defined in a Service Accountability Agreement, and for such purposes is delegated the authority to bind the City; and
- approve and execute documents required under agreements with Her Majesty The Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care (including reports, acknowledgements, amendments to the agreement, but excluding agreements).

This authority is restricted by a number of conditions, including:

- the document to be executed does not require additional funding beyond that provided for in the City's current budget;
- the document does not provide for an indemnity to be given by the City;
- to the extent that any agreement provides for confidentiality the agreement must conform to applicable Ontario Legislation; and
- the delegate provides an annual report to Council regarding any such documents executed or declarations made.

By-law A.-7116-206 requires an amendment to accommodate the situation where the LHIN or Her Majesty the Queen in Right of Ontario requires a document be executed by two individuals. It is proposed that the by-law be amended by adding the City's Senior Financial Business Administrator or written designate to act jointly with the Manager of Housing, Social Services and Dearness Home to approve and execute documents which meet the criteria set out in subsection 1(1) of the amended by-law. The conditions associated with this delegation of authority, as outlined above, remain unchanged.

SUBMITTED BY:	RECOMMENDED BY:
JANICE BROWN FINANCIAL BUSINESS ADMINISTRATOR	SANDRA DATARS BERE MANAGING DIRECTOR HOUSING, SOCIAL SERVICES AND DEARNESS HOME

cc: K. Murray, Senior Financial Business Administrator
B. Hall, Administrator, Dearness Home
L. Marshall, Solicitor
N. Rexhvelaj, Manager Accounting & Reporting

Appendix A

Bill No.
2017

By-law No.

A By-law to amend By-law A.-7116-206 entitled "A By-law to authorize the Managing Director, Housing, Social Services and Dearness Home or designate to execute documents re: the Dearness Home with the Local Health Integration Networks (LHIN) or with Her Majesty The Queen in Right of Ontario (Minister of Health and Long-Term Care) and to repeal by-laws A.-6741-310 and A.-6251-286 and to delete section 3 of By-law A.-6938-114 and section 2 of By-law A.-6555-212"

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law A.-7116-206 is amended by renumbering section 1 to subsection 1(1).
2. By-law A.-7116-206 is amended by adding new subsection 1(2) after subsection 1(1) as follows:

"1(2) Where the LHIN or Her Majesty the Queen in Right of Ontario requires a document set out in subsection 1(1) to be executed by two individuals, the City's Managing Director, Housing, Social Services and Dearness, or written designate, and the City's Senior Financial Business Administrator, or written designate, are hereby jointly delegated the authority to approve and execute those documents as set out in subsection 1(1)."
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on

,2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading -
Second Reading –
Third Reading –