



**City of Kingston
Report to Council
Report Number 19-015**

To: Mayor and Council
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Sheldon Laidman, Director, Housing & Social Services
Date of Meeting: December 18, 2018
Subject: Delegated Approval and Signing Authority for Community Services

Executive Summary:

The purpose of this report is to renew the delegation of authority for the approval and execution of a number of administrative agreements.

The Community Services Group is required to enter into agreements to administer programs, many of which are largely defined and/or funded by other levels of government or other publicly funded institutions. This particular report deals specifically with the authority administered by the Housing & Social Services Department and emergency management for community services. This delegation of authority, for purely routine administrative matters, ensures streamlined administration of programs and services by enabling the execution of cost-sharing and funding agreements, amendments and related documentation without presentation to Council for authorization.

This request is a renewal of the previous delegated authority process employed by the Community Services Group since 1998. During the last term of Council an amendment was included to require that staff report to Council quarterly on agreements approved through this delegated authority. This was completed without any questions received from Council on these reports. A continuation of this quarterly reporting is not being recommended for this term of Council. No significant changes have been made to this recommended authority beyond clarification of wording and a removal of the limitation that this authority is only to be limited to the term of Council. This will align with other delegated authority across the Corporation that are not limited by the term of Council.

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Recommendation:

That a by-law be presented to Council to amend By-Law Number 2016-189, “A By-Law to Consolidate the Delegation of Powers and Duties”, by deleting the delegated authority of the Commissioner of Community Services related to the Housing & Social Services Department’s programs and community services emergency management as originally granted through Council meeting Number 3 (minutes), 16 December 2014, Report Number 1, Clause d) and replacing it with the following; and

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
<p>Commissioner of Community Services</p>	<p>Authority to:</p> <ul style="list-style-type: none"> • Enter into service agreements with the Province or its agents for funding and cost shared programs and initiatives related to the delivery of social assistance, social housing, homelessness, child care, EarlyON, homemaking, social services, health and long term care. • Enter into service agreements with service providers, related to social services programs and service delivery (including provincially selected/recognized technology, information services and data suppliers) and affiliation agreements with educational institutions and training agencies. • Enter into service agreements between the City and Service Providers, for the implementation of provincial programs, cost shared programs and initiatives, funding and other agreements related to provincial and municipal programs and other social services essential and or beneficial to the wellbeing of the community, including but not limited to funding for rent supplements, the seniors centre, eviction prevention, emergency shelter services, homeless services and residential housing supports. • Enter into service agreements with service providers associated with municipal emergency response and reception centre 	<p>[Enter Amending By-Law Number]</p>

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Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>operations.</p> <ul style="list-style-type: none"> • Submit grant applications and agreements providing that they are time sensitive and they support and enhance an existing service and/or program and is within the approved operational budget. • Sign for budget schedules, contract addenda, service description documents, financing postponements, releases and assignments, contract amendments, amending agreements and any agreements containing personal information of individual recipients. 	

That the by-law, attached as Exhibit A to Report Number 19-015, be presented to Council in order to amend By-Law Number 2016-189, 'A By-Law to Consolidate the Delegation of Powers and Duties'; and

That the by-law, attached as Exhibit A to Report Number 19-015, be given all three readings.

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Authorizing Signatures:

Lanie Hurdle, Commissioner, Community Services

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Denis Leger, Commissioner, Corporate & Emergency Services	

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Options/Discussion:

The scope of the delegated authority sought in this report is twofold:

- For the Commissioner (or delegated staff) to review and upon confirmation of budget and review by the City Solicitor, approve agreements for execution; and
- For the Commissioner (or delegated staff) to approve and execute all other documents associated with original Service Agreements executed by the Mayor and Clerk under this authority. These associated documents include: budget schedules, contract addenda, service descriptions, mortgage postponements and contract amendments, as well as any agreements necessarily containing personal information of individual recipients.

Community Services has undertaken this delegation of authority approach for more than fifteen years, and since 2004 for durations equal to the term of the past three Councils. These service agreements are administrative in nature for routine functions performed by the respective Departments. From staffs' perspective, this practice has worked well over the past several years, providing efficiency in the administration of ongoing and routine matters and yielding capacity to work on and report to Council on new initiatives, emerging matters and broader service management planning. In order to align with all delegated authorities used throughout the Corporation, the limitation related to the term of Council is being recommended to be removed. Furthermore, it is not recommended to continue to report quarterly to Council on the usage of this delegated authority as these are very routine items without significant policy or budgetary implications. Types and examples of agreements for which delegated authority is being sought include:

- a. Service Agreements with the Province or its agents, for funding and cost-shared programs and initiatives:

Provincial business practices for ongoing funded and cost-shared programs including social assistance, childcare, housing, homelessness and long-term care require the City to enter into service contracts with the Province. In the case of long term care, all program funding and management is done under an agreement between the City of Kingston and the South East Local Health Integration Network, the agent corporation of the Province. The term of these agreements vary depending on the service scope and may be for the municipal budget year (calendar), the provincial fiscal year, for a longer or shorter defined term or for an indefinite term, until the contract is superseded or replaced by a subsequent contract or until it is terminated in its entirety. Examples include the head legal agreements for Ontario Works (OW), Childcare, EarlyON and a variety of funding agreements from the Ministry of Municipal Affairs and Housing (MMAH).

- b. Service Agreements between the City and Service Providers:

Many components of the above detailed provincial programs as well as municipally funded programs require execution of contracts with local service providers, including childcare head agreements, EarlyON provider agreements, housing provider agreements, homelessness prevention agreements, emergency shelters and other agencies/vendors that provide services

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related to OW delivery, including accommodations, technology and other provincial vendors of record for goods and services. These service provider contracts may include purchase of service agreements, program descriptions and budget schedules for a variety of terms including one time initiatives, annual or multiple year terms. In other instances an agreement is required for the purchase of a specific good or service required to deliver a provincial program such as technological applications or third party information. Administrative agreements are also signed with employers for OW employment incentives when they hire an OW recipient.

Within the Provincial Service management mandate, time limited and one-time initiatives require the execution of various agreements and contracts in the course of their program administration. For example, the current Investment in Affordable Housing Program focuses on developing new affordable housing projects, home ownership down payment grants, renovation grants and rent supplements. In the absence of delegated authority, staff would be obligated to bring all Affordable Housing agreements and contracts to Council for authorization and approval.

Most of the Service Agreements associated with the above two components (provincial or service providers) are purely administrative in nature and ensure the continuous delivery of the social and health care programs whether directly administered by City Departments or through Purchase of Service Agreements with service providers. Amendments to these agreements are required frequently for numerous reasons including changes to funding levels, program descriptions, eligibility criteria or data reporting. Childcare services alone would require over 40 separate contracts to be presented to Council without the approval of this delegated authority while amendments to rent supplement agreements with private landlords can number in the hundreds in a given year.

c. Affiliation Agreements with educational institutions and training agencies:

In addition to their respective service management and direct service provision responsibilities, the Community Services Group provides professional learning and skill development opportunities through affiliations with educational institutes and skill development and training agencies such as school boards, St. Lawrence College or Literacy Kingston. These partnerships play an important role in the development of labour market resources and the prosperity of the students and residents in our community. Affiliation Agreements and related program description documents detail the scope and terms of references of these learning and training opportunities.

d. Service Agreements with Service Providers for services associated with municipal emergency response and reception centre operations:

To fulfill the responsibilities as outlined in the City of Kingston's Emergency Plan, Community Services must work with community partners and service providers to secure vital services and equipment prior to an emergency. These arrangements are key to the Community Services' Emergency Social Services Emergency Response Plan and aid in effectively responding to the community's needs in providing those services considered essential during an emergency. Community Services has a number of existing agreements with community agencies and will continue to work with community partners to ensure these critical services are secured.

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Staff is seeking authorization from Council in an effort to ensure a streamlined administration related to these programs and services. In the absence of such delegated authority, staff would be obligated to bring all government cost-sharing agreements and amendments, as well as service contracts with providers and related amendments to Council for authorization. This is not considered necessary for the purely routine administrative matters covered by this practice.

e. Grant Applications and Agreements:

The City has the opportunity to apply to various grant programs to support existing services or enhance existing services provided to the community. Some of these grant programs have time sensitive deadlines that may not provide staff with sufficient time to report to Council prior to the application deadline. These tight deadlines may prevent the City from being able to access additional sources of funding through grant programs. Staff are recommending delegated authority to submit time sensitive grant applications and execute agreements as long as it supports and/or enhances an existing service program which is already in the approved operational budget.

f. New initiatives or changes in policy, program delivery or service levels:

The delegated authority sought in this report does not include agreements related to new municipal or provincial initiatives which may involve new or appreciable changes in policy, program delivery, service levels or significant financial implications for the City. Likewise, this delegated authority does not apply to exceptional undertakings required to avoid, address or resolve significant unanticipated and/or undesirable events or circumstances. Staff will ensure that Council is apprised in advance before any commitments are made on behalf of the City in all new or exceptional matters.

Existing Policy/By-Law:

By-Law Number 2010-1 Requires the Mayor and Clerk to sign all agreements binding the Corporation.

By-Law Number 2016-189 Existing By-Law Consolidating the Delegation of Powers and Duties

Notice Provisions:

Under the Municipal Act concerning this subject, the Delegation of Powers and Duties Policy applies.

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

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Contacts:

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Sheldon Laidman, Director, Housing & Social Services 613-546-4291 extension 4957

Other City of Kingston Staff Consulted:

Ruth Noordegraaf, Manager, Housing and Childcare

Cheryl Hitchen, Manager, Social Planning & Policy Development

Mary C. Rae, Senior Legal Counsel, Legal Services

Andrew Reeson, Associate Legal Counsel, Legal Services

Janet Jaynes, Deputy City Clerk

Exhibits Attached:

Exhibit A A By-Law to Amend By-Law Number 2016-189, A By-Law to Consolidate
the Delegation of Powers and Duties

By-Law Number 2019-XX

A By-Law to Amend By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties

Passed: Meeting Date, 2018

Whereas the City of Kingston passed By-Law Number 2016-189, “A By-law to Consolidate the Delegation of Powers and Duties”;

And Whereas it is necessary to amend the delegated authority related to Community Services as it was limited to the previous term of Council;

Therefore be it resolved that By-Law Number 2016-189, be amended as follows:

1. By deleting the delegated authority of the Commissioner of Community Services related to the Housing & Social Services Department’s programs and community services emergency management as originally granted through Council meeting Number 3 (minutes), 16 December 2014, Report Number 1, Clause d) and replacing it with the following:

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
<p>Commissioner of Community Services</p>	<p>Authority to:</p> <ul style="list-style-type: none"> • Enter into service agreements with the Province or its agents for funding and cost shared programs and initiatives related to the delivery of social assistance, social housing, homelessness, child care, EarlyON, homemaking, social services, health and long term care. • Enter into service agreements with service providers, related to social services programs and service delivery (including provincially selected/recognized technology, information services and data suppliers) and affiliation agreements with educational institutions and training agencies. • Enter into service agreements between the City and Service Providers, for the implementation of provincial programs, cost shared programs and initiatives, funding and other agreements related to 	<p>[Enter Amending By-Law Number]</p>

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>provincial and municipal programs and other social services essential and or beneficial to the wellbeing of the community, including but not limited to funding for rent supplements, the seniors centre, eviction prevention, emergency shelter services, homeless services and residential housing supports.</p> <ul style="list-style-type: none"> • Enter into service agreements with service providers associated with municipal emergency response and reception centre operations. • Submit grant applications and agreements providing that they are time sensitive and they support and enhance an existing service and/or program and is within the approved operational budget. • Sign for budget schedules, contract addenda, service description documents, financing postponements, releases and assignments, contract amendments, amending agreements and any agreements containing personal information of individual recipients. <p>Authority to:</p> <ul style="list-style-type: none"> • Enter into service agreements with the Province or its agents for funding and cost shared programs and initiatives including the delivery of social assistance, social housing, homelessness, child care, homemaking, health and long term care for the term of 2014-2018. • Enter into service agreements with service providers, related to social services programs and service delivery (including provincially selected/recognized technology, information services and data suppliers) and affiliation agreements with educational institutions and training agencies for the term of 2014-2018. 	

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<ul style="list-style-type: none"> • Enter into service agreements for 100% municipal funded social services essential or beneficial to the wellbeing of the community for rent supplements, the seniors centre, eviction prevention, enhanced emergency hostel services, homeless services, and residential support services for the term of 2014-2018. • Enter into service agreements with service providers associated with municipal emergency response and reception centre operations for the term of 2014-2018. • Sign for budget schedules, contract addenda, service description documents, contract amendments, and any agreements containing personal information of individual recipients for the term of 2014-2018. • Enter into agreements with the province and service providers that do not exceed \$50,000 for the term of 2014-2018. 	

2. This by-law shall come into force and take effect on the date of its passing.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor