

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2018

Item 4, Report No. 29, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on December 12, 2018, as follows:

By approving the following in accordance with communication C6, from the Fire Chief, dated December 7, 2018:

- 1. That Council approve the revised Terms of Reference for the Emergency Management Program Committee (Attachment 1);***
- 2. That Council appoint the members of the Emergency Management Program Committee as defined in the Terms of Reference (Attachment 1);***
- 3. That Council appoint the members of the Emergency Management Team in accordance with Attachment 2; and***
- 4. That Council approve the revised By-Law substantially in the form attached as Attachment 3.***

4. EMERGENCY MANAGEMENT PROGRAM COMMITTEE - REVISED TERMS OF REFERENCE AND DELEGATION OF AUTHORITY

The Committee of the Whole recommends that consideration of this matter be deferred to the Council meeting of December 12, 2018, and revised recommendations be provided addressing comments from Members of Council.

Recommendations

1. Approve the updated TOR.
2. Approve the EMPC membership appointments as described in the TOR.
3. Approve the delegation of authority from Council to the EMPC to appoint personnel to the EMT.
4. Approve the draft By-law attached which reflects the foregoing recommendations.

Item:



Committee of the Whole Report

DATE: Wednesday, December 05, 2018

WARD(S): ALL

**TITLE: EMERGENCY MANAGEMENT PROGRAM COMMITTEE -
REVISED TERMS OF REFERENCE AND DELEGATION OF
AUTHORITY**

FROM:

Daniel Kostopoulos, Chair Emergency Management Program Committee

ACTION: DECISION

Purpose

Obtain the Committee of the Whole's approval of the draft By-law attached.

This draft By-law:

- (i) includes an updated Emergency Management Program Committee ("EMPC") Terms of Reference (the "TOR") which reflects the current organizational structure;
- (ii) appoints new members to the EMPC; and
- (iii) delegates authority from Council to the EMPC to appoint members of the City's emergency management team (the "EMT") which will help ensure that personnel with the necessary skills, knowledge and ability are appointed to the EMT in a timely manner.

Report Highlights

- Updated TOR to reflect current organizational structure.
- Appointment of EMPC members to maintain compliance with the *Emergency Management and Civil Protection Act* and Regulation 380/04.
- Reduction to the administrative burden on Council by delegating Council authority to appoint members of the EMT, to the EMPC.

Recommendations

1. Approve the updated TOR.
2. Approve the EMPC membership appointments as described in the TOR.
3. Approve the delegation of authority from Council to the EMPC to appoint personnel to the EMT.
4. Approve the draft By-law attached which reflects the foregoing recommendations.

Background

Regulation 380/04 of the *Emergency Management and Civil Protection Act* mandates that every municipality shall have an Emergency Management Program Committee for the purposes of advising Council on the development and implementation of the municipality's program, making recommendations for revision where necessary and to conduct the annual program review or verification. The Regulation further mandates that the members of the Emergency Management Program Committee be appointed by Council.

The EMPC TOR were first approved by Council in 2005, then amended in 2008 and 2016. Since the last amendment, the City's organizational structure has changed necessitating changes to the EMPC membership.

Regulation 380/04 further requires that every municipality have a municipal emergency control group /EMT that is composed of officials or employees of the municipality that may be appointed by Council and such Members of Council that may be appointed by Council. Changes in membership to the Emergency Management Team occur monthly. Staff consider such appointments to be administrative in nature.

Section 23.1 of the *Municipal Act, 2001*, authorizes a municipality (Council) to delegate its powers and authorities which are administrative in nature.

1. **Previous Reports/Authority**
[By-Law 632008](#)
2. [Item No. 18 of Report No. 12](#) of the Committee of the Whole. *Revised Terms of Reference for the Emergency Management Program Committee* (adopted by City Council on March 22, 2016).

Analysis and Options

The EMPC is comprised of the Corporate Management Team, Senior Management Team and partner agencies, who are well positioned to identify personnel with the required knowledge and skills to be members of the EMT.

The City of Vaughan EMT consists of over 160 members and 39 scribes. Membership changes occur monthly and historically, assigning staff to positions on the EMT has been an administrative function performed by senior City staff. The frequency of turnover on the EMT is such that Council would be required to approve the addition of new members at every meeting which could result in a delay in training these individuals and affect the number of EMT members available to respond in an emergency.

There are currently 11 positions on the EMT that are filled by external emergency response partners (York Region – three services, Industry, Rail, Alectra, Enbridge, Toronto and Region Conservation Authority, and Red Cross). The individual/s from the partner being deployed to the Emergency Operations Centre may be different on each activation. It would not be possible for Council to appoint representatives from these partners.

Accordingly, the preferred option is that Council delegate its authority to appoint EMT members, to the EMPC.

Financial Impact

There are no financial impacts.

Broader Regional Impacts/Considerations

The EMT is comprised of City staff and personnel from external agencies such as York Region Police, York Region Community and Health Services and York Paramedic Services.

Conclusion

The appointment of EMPC and EMT teams is necessary to ensure that the City complies with the legislative requirements set out in the Emergency Management and Civil Protection Act.

Adopting the recommendations in this report will streamline the appointment process, help ensure legislative compliance and properly update the TOR.

For more information, please contact: Sharon Walker, Manager of Emergency Planning, 6322

Attachments

1. Revised Terms of Reference, Emergency Planning, September 20, 2018.
2. Draft By-Law to Amend the Terms of Reference and Delegate Authority to the Emergency Management Program Committee to Appoint Members to the Emergency Management Program Committee.

Prepared by

Sharon Walker, Manager of Emergency Planning, 6322

TERMS OF REFERENCE

Emergency Management Program Committee

Background

Provincial legislation requires that every municipality form a committee responsible for overseeing the annual emergency management program in the community. The Province sees the Emergency Management Program Committee as a critical management team that oversees the development, implementation and maintenance of a municipality's emergency management program; and ensures that the program responds to changes in the community such as new construction, installations, transportation systems, environmental conditions etc.

The Emergency Management and Civil Protection Act (R.S.O. 1990), Section 9

"(d) Establish committees and designate employees to be responsible for reviewing the emergency plan, training employees in their functions and implementing the emergency plan during an emergency;" and

Regulation (380/04, Section 11) further defines the committee and mandates that:

"(1) Every municipality shall have an emergency management program Committee

(2) The committee shall be composed of,

- a) The municipality's emergency management program coordinator;*
- b) A senior municipal official appointed by council;*
- c) Such members of the council as may be appointed by council;*
- d) Such municipal employees who are responsible who are responsible for emergency management functions, as may be appointed by council; and*
- e) Such other persons as may be appointed by council.*

(3) The persons appointed under clause (2) may only be.

- a) Officials or employees of any level of government who are involved in emergency management;*
- b) Representative of organizations outside government who are involved in emergency management; or*
- c) Persons representing industries that may be involved in emergency management.*

(4) The council shall appoint one of the members of the committee to be the chair of the committee.

(5) The committee shall advise council on the development and implementation of the municipality's emergency management program.

(6) The committee shall advise the council on the development and implementation of the municipality's emergency management program and shall make recommendations to the council for its revision if necessary."

Mandate / Objectives

The committee oversees the development, implementation and maintenance of the emergency management program in accordance with Regulation 380/04 and in accordance with the Term of Council Priorities; continue to ensure the safety and well-being of citizens.

Objectives

1. Monitor and ensure the program activities are delivered in accordance with the Act and Regulations.
2. Support the program in responding and adapting to current and emerging risks that could impact the community.
3. Share expertise and knowledge to promote emergency preparedness and public safety.
4. Review and make recommendations on the City's Emergency Response Plans.
5. Appoint personnel to the Emergency Management Team.
6. Review and make recommendation on program initiatives.

7. Review after action reports for exercises and emergency responses and make recommendations on emergency management enhancements and corrective actions based on lessons learned.
8. Review and makes recommendations on the City's business continuity planning initiatives.
9. Conduct an annual emergency management program review to verify that the program is operating in compliance with the Act and Regulations; and
10. Make recommendations to council.

Term

Members are appointed at each new term of Council.

Membership

The membership shall be comprised of:

Primary

City Manager (Chair)
Deputy City Manager, Community Services
Deputy City Manager, Public Works
Deputy City Manager, Planning and Growth Management
Deputy City Manager, Corporate Services
Chief Financial Officer/City Treasurer
City Solicitor
Chief Corporate Initiatives and Intergovernmental Relations
Director of Corporate and Strategic Communications
Fire Chief
Manager of Emergency Planning
Executive Director, Vaughan Public Libraries
Representative from York Regional Police
Representative from Alectra

Alternate

Deputy City Manager
Director
Director
Director
Chief Officer/City Clerk
Director
Director
Director
Manager
Deputy Fire Chief

Director of Finance

Meeting Procedures

The proceedings of the Emergency Management Program Committee are to be governed by the City's Procedural By-law.

Agendas and Reporting

Agendas shall be prepared by the City Clerk's Office in consultation with the Committee Chair.

Agendas shall be issued to the committee members one week prior to the scheduled date of meeting, or as soon as practicable

The Committee Chair shall submit a report in the City's committee report format to the Committee of the Whole when recommendations made require Council approval.

Meetings

Meeting dates will be determined at the last meeting of the year for the following year by consensus of the committee. The committee shall meet quarterly and may schedule additional meetings as determined by the Chair.

Meetings are to be open to the public in accordance with the *Municipal Act*, 2001. Meetings shall be closed to the public where information being discussed meets the "confidentiality for defense" criteria stated in the *Emergency Management and Civil Protection Act*, 1990 Section 2.1 (3-8).

Notice of Meetings

Meetings will be noted on the Schedule of Meetings calendar document through the Office of the City Clerk, Council Secretariat.

Quorum

The majority of members, including the Chair, shall constitute quorum.

Staff Resources

The City Clerk's Office is responsible for agenda production and distribution, the giving of procedural advice, and the recording of the proceedings of the Emergency Management Program Committee. The committee is comprised of staff from the City and external agencies.

Authority

The Emergency Management Program Committee possesses the legislated accountability to annually review the municipality's emergency management program to verify compliance with the Act and Regulations, and to make recommendations for program changes or enhancements to the Council.

The members of the Emergency Management Program Committee have the delegated authority from Council to appoint staff to the Emergency Management Team.

The Emergency Management Program Committee may not commit expenditures save for those specifically delegated by Council.

Amendment / Expansion of Terms of Reference

The Committee Chair shall make recommendations to Council for amendments and/or expansion of the terms of reference as required.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2018

A By-law to appoint members to the City's Emergency Management Program Committee, and to delegate authority to the Emergency Management Program Committee to appoint members to the Emergency Management Team, and to update the Emergency Management Program Committee Terms of Reference and amend By-Law Number 63-2008.

WHEREAS section 11 (1 – 6) of Regulation 380/04 of the *Emergency Management and Civil Protection Act R.S.O. 1990* as amended mandates that every municipality shall have an Emergency Management Program Committee for the purposes of advising Council on the development and implementation of the municipality's program, making recommendations for revision where necessary and to conduct the annual program review or verification.

AND WHEREAS the City's organizational structure has changed necessitating changes to the Committee membership.

AND WHEREAS section 12 (1 – 6) of Regulation 380/04 further requires that every municipality have a municipal emergency control group (Emergency Management Team) that is composed of officials or employees of the municipality that may be appointed by Council and such Members of Council and other individuals that may be appointed by Council.

AND WHEREAS the City of Vaughan Emergency Management Team consists of over 160 members and 39 scribes and membership changes occur frequently.

AND WHEREAS section 23.1 of the *Municipal Act, 2001, S.O. 2001. C. 25* authorizes a municipality to delegates its powers and duties;

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. By-law Number 063-2008 be and it is hereby amended by deleting Section 1 and replacing it with the following:

The Emergency Management Program Committee for the City of Vaughan shall consist of the following members:

- The City Manager (the alternate member shall be a Deputy City Manager)
 - The Deputy City Manager, Community Services (the alternate member shall be the Director of Recreation Services)
 - The Deputy City Manager, Public Works (the alternate member shall be a Director from the Public Works portfolio)
 - The Deputy City Manager, Planning and Growth Management (the alternate member shall be a Director from the Planning and Growth Management Portfolio)
 - The Deputy City Manager, Corporate Services (the alternate member shall be the City Clerk or a Chief Officer from this portfolio)
 - The Chief Financial Officer/City Treasurer (the alternate member shall be a Director from this portfolio)
 - The City Solicitor (the alternate member shall be the Director of Legal Services)
 - The Chief Corporate Initiatives and Intergovernmental Relations (the alternate member shall be the Director of Economic and Cultural Development)
 - The Director of Corporate and Strategic Communications (the alternate member shall be the Director of Corporate Communications)
 - The Fire Chief (the alternate member shall be a Deputy Fire Chief)
 - The Manager of Emergency Planning
 - The Executive Director, Vaughan Public Libraries (the alternate member shall be Director of Finance)
 - A senior staff representative from York Regional Police Services (YRPS), as selected by YRPS
 - A senior staff representative from Alectra, as selected by Alectra
2. By-law Number 063-2008 (as amended) be and it is hereby further amended by deleting the Schedule “A” Emergency Management Program Committee Terms of Reference and replacing it with the Schedule “A” Emergency Management Program Committee Terms of Reference attached hereto.
3. The authority to appoint members to the Emergency Management Team is delegated from Council to the Emergency Management Program Committee, subject to the following condition:
- 1) The Manager of Emergency Planning maintains a current list of all Emergency Management Team members.

Enacted by City of Vaughan Council this XXth day of XXXX, 2018.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. ____ of Report No. ____
of the Committee of the Whole
Adopted by Vaughan City Council on
