

Recovery Committee

AGENDA

February 23, 2022

2:00 – 3:00 pm

MS Teams Virtual Meeting [Click here to join the meeting](#)

Attendees: Mayor Burton (Chair), J. Clohecy, P. Fu, C. Bell, N. Garbe, J. Barry, P. Boissonneault, D. Carr, J. Clarke, G. Shaw, S. Ashmore, N. Cabral, V. Tytaneck, D. Grennan

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| 1. COVID-19 Recovery Report Overview | J. Clohecy |
| 2. Town’s State of Emergency | D. Carr
(Appendix A) |
| 3. Town Hall Reopening | J. Clarke
(Appendix C) |
| 4. Return to Council Chambers | V. Tytaneck
(Appendix B) |
| 5. Proof of Vaccination – Town Facilities | C. Bell
(Appendix D) |
| 6. For Information | J. Clohecy |
| • Vaccination Policy and Procedure | |
| a. Members of Council | |
| b. Tenants | |
| c. Boards and Committees | |
| d. Contractors | |
| e. Employees (Confidential Appendix E) | |
| • Return to Office For Remote Employees (Appendix F) | |
| 7. Other Business | All |
| 8. Next Steps | J. Clohecy |

REPORT
COVID-19 Recovery Committee
Meeting Date: February 23, 2022

FROM: CAO's Office
DATE: February 22, 2022
SUBJECT: COVID-19 Recovery
LOCATION: Town wide
WARD: Town-wide

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RECOMMENDATION:

Upon the receipt and confirmation of new public health orders to reduce or eliminate COVID-19 public health measures, endorse the following recommendations from the town's Emergency Control Group:

As of March 1, 2022:

1. That the Mayor's Declaration of Emergency of March 24, 2020 remain in place and that the decision to terminate be revisited upon the expiry of the Region of Halton's Mask By-law 47-20 or upon termination of the Declaration of Emergency by the Regional Chair of The Regional Municipality of Halton
2. The Town will follow provincial public health measures, including any requirements of Halton Public Health, and as a result will no longer require the public to show proof of vaccination when entering town facilities. The relevant procedure will be revised accordingly.
3. Town Hall will reopen to the public as follows:
 - o ServiceOakville counter
 - o Boardrooms in the north/west corner of town hall and the south atrium may be booked for public use
4. Council and Committee meetings will continue to be held virtually until further public health restrictions are lifted
5. The Town's Covid-19 Vaccination Policy and Procedure for staff, members of Council, tenants and members of boards and committees and contractors remain unchanged

KEY FACTS:

- On February 14, 2022, the Province of Ontario announced plans to reduce or eliminate certain public health measures, including proof of vaccination and capacity limits
- The province is allowing businesses and other settings to continue the proof of vaccination requirement if they choose
- Masking requirements will remain in place for the time being
- The Province has not yet issued the order(s) that will apply as of March 1, 2022. For example, it is unknown whether physical distancing requirements will continue. This report is based on the assumption that the orders, when issued, will be consistent with the Provincial announcement
- In light of the Province's actions, the Town needs to consider the following:
 1. Town's Declaration of Emergency
 2. Requirements of Public entering Town facilities
 3. Opening of Town Hall
 4. Return to in-person Council and Committee meetings
 5. Implications to our Vaccination Policy/Procedures for the following:
 - a. Town Employees
 - b. Members of Council
 - c. Tenants with access through town facilities
 - d. Boards and Committees
 - e. Contractors

BACKGROUND:

- On February 14, 2022, the Province of Ontario announced that, subject to public health and health system indicators continuing to improve, the Province intends as of March 1, 2022 to take additional steps to ease public health measures, including:
 - lifting remaining capacity limits in all remaining public sectors
 - lifting provincial proof of vaccination requirements for all settings
- The province has signaled that masking requirements may be eliminated in the near future, however, no formal announcement has been made. Halton Region's Mask By-law 47-20 will continue to be in effect until April 30, 2022, unless revoked or further extended by Regional Council
- While municipalities have been exempt from provincial orders, the town has acted in accordance with all requirements in an effort to demonstrate corporate leadership

COMMENTS/OPTIONS:

The Emergency Control Group (ECG) has considered options for each of the above and recommended the actions as noted above. A summary of the elements considered for each of the above are attached as Appendices.

In addition to the recommendations noted in this report, two decisions have been made by the ECG on administrative matters and are being shared for the Recovery Committee's information:

- The town's COVID vaccination policy and procedure for employees remains unchanged
- Those employees that have worked remotely throughout most of the pandemic will begin transitioning back to the office throughout the month of March. Effective April 4, 2022, a blended schedule of both remote and onsite presence will begin

CONSIDERATIONS:

(A) PUBLIC

Public access to town facilities was restricted to allow only those aged 12 and above with proof of vaccination, as per provincial direction. As of March 1, 2022, all members of the public will now be able to freely enter town facilities

(B) FINANCIAL

These specific actions have no additional financial impacts

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There is no impact on other departments or users

(D) CORPORATE STRATEGIC GOALS

This supports the accountable government key area of focus of Council's Strategic Plan

(E) CLIMATE CHANGE/ACTION

These specific actions have no climate action impacts

APPENDICES:

Appendix A – Town's Declaration of Emergency

Appendix B – Return to in-person Council and Committee meetings

Appendix C – Reopening of Town Hall

Appendix D – Public Proof of Vaccination Requirements for Town Facilities

Confidential Appendix E – COVID Vaccine Procedure for Employees (FYI only)

Appendix F – Return to Office for Remote Employees (FYI only)

Recommended by:
The Emergency Control Group

Submitted by:
Jane Clohecy

Memo

To: **Emergency Control Group**
From: **Douglas Carr, Town Solicitor**
Date: **February 22, 2022**
Subject: **Town's Declaration of Emergency**

Recommendation:

That the Mayor's Declaration of Emergency of March 24, 2020 remain in place and that the decision to terminate be revisited upon the expiry of the Region of Halton's Mask By-law 47-20 or upon termination of the Declaration of Emergency by the Regional Chair of The Regional Municipality of Halton.

Background:

- Under s. 4(1) of the *Emergency Management and Civil Protection Act* ("EMCPA"), the head of council of a municipality may declare that an emergency exists in the municipality and may take such action and make such orders necessary and not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area.
- On March 23, 2020, the Regional Chair of The Regional Municipality of Halton, and on March 24, 2020, Mayor Burton, each declared an emergency pursuant to this provision.
- Each Declaration states that an emergency exists as a result of the communicable disease COVID-19, which "constitutes a danger of major proportions that could result in serious harm to persons."
- Section 3 of the Town's Emergency Plan states that: "Emergency declarations promote a sense of urgency to residents regarding the severity of an emergency situation and demonstrate that the Town is treating the situation as a serious event. An emergency declaration should be made if the Town must take any extraordinary actions to protect the life, health, safety and property of Town residents and to formally engage the powers of the *Emergency Management and Civil Protection Act* as required."
- Subsection 4(2) of EMCPA, the head of council or the council of a municipality may at any time declare that an emergency has terminated.

Issues:

Any time an Emergency Declaration is made, at some later point that declaration must also be terminated. The Town's Emergency Plan provides that any decision to terminate a declaration of emergency must be done in consultation with the members of the Emergency Control Group. In addition, the Town's CAO is required to ensure that all personnel and supporting agencies are advised of the termination of the emergency.

Section 3.3 of the Town's Emergency Plan states that: "The act of terminating an emergency declaration is required to advise that the dangers presented by the emergency have been mitigated once the threats to life, health and/or safety are no longer apparent."

The key consideration in determining the timing for terminating a declaration of emergency is whether any threat to public safety is still present and whether extraordinary measures may still be needed to respond to the threat. Termination of an emergency declaration conveys the message that the sense of urgency has passed and that additional measures to protect the community are no longer required.

With the lifting of restrictions and easing of public health measures, the relaxation of testing requirements for return from anticipated increased international travel, particularly over the March break, and more in-person interactions, the Emergency Control Group is recommending that a cautious and diligent approach should be taken. Monitoring the results of these implementations, as a minimum short term, along with considerations of global perspective and monitoring the potential for any new variants or further outbreaks that may emerge during this time period, can provide the basis for final decisions as to the termination of the emergency.

In short, the Emergency Control Group believes that it is important to at least get through March to be able to conclude that the threat to public safety has been mitigated.

In its news release of February 14, 2022, the Province announced that on March 1, 2022, it intends to take additional steps to ease public health measures if public health and health system indicators continue to improve. This includes lifting capacity limits in all remaining indoor public settings and lifting of provincial proof of vaccination requirements for all settings. Businesses and other settings may choose to continue to require proof of vaccination. However, masking requirements will remain in place, with a specific timeline to lift such measure to be communicated at a later date. To manage COVID-19 over the long-term, public health units can deploy local and regional responses based on local context and conditions.

Orders have not yet been issued by the Province to implement these announced changes effective as of March 1.

It does seem clear, however, that at minimum the requirement to wear a mask in indoor public settings will continue for some period of time after March 1. Moreover, the Region of Halton's Mask By-law 47-20 will continue to be in effect until April 30, 2022, unless revoked or further extended by Regional Council.

Because there are at the present time declarations of emergency in effect by both the heads of Regional Council and the Town of Oakville, the Town would continue to be subject to an emergency declaration until such time as both declarations are terminated. Ideally, any termination would be coordinated between both levels to avoid any confusion as to whether there is or is not an emergency that applies to the community. Inconsistency may result in a mixed message as to the seriousness of the situation, and whether any further mitigating action is or is not required within the Region and/or the Town.

Once the declaration of emergency has been terminated, the Town will no longer be able to avail itself of the O.Reg. 157/20 provisions under the *Reopening Ontario Act* regarding Work Deployment Measures for Municipalities. That Order permits a municipality to implement redeployment plans without complying with the provisions of a collective agreement to mitigate the effect of the pandemic on critical municipal services, including public transportation services, the enforcement of by-laws, and services related to the implementation of the municipality's emergency plan.

Moreover, certain by-laws passed by the Town during the pandemic will expire upon termination of the declaration of emergency. The most notable of these is By-law 2020-057, a by-law to delegate authority to the Mayor. Other by-law amendments, however, contemplate continuing in force after termination of the emergency, notably amendments to the Town's procedure by-laws that permit the continuation of electronic meetings of Council, Heritage Oakville Advisory Committee, and the Committee of Adjustment.

In light of these circumstances, and to ensure a consistent timing, messaging, and approach in declaring the emergency to be terminated, staff are recommending that the Emergency Control Group revisit whether to recommend that the Mayor's Declaration of Emergency of March 24, 2020 should be terminated upon the expiry of the Region of Halton's Mask By-law 47-20 or upon termination of the Declaration of Emergency by the Regional Chair of The Regional Municipality of Halton.

Memo

To: ECG
From: Vicki Tytaneck, Town Clerk
Date: February 22, 2022
Subject: Return to in-person Council and Committee meetings

Possible Return to Council Chamber

This memorandum will review the possible reopening of the Council Chamber as the Province eases public health measures.

Given that masking remains required if a 2-metre distancing cannot be maintained, the following options are available for consideration:

1. Continue **status quo** with all Councillors participating remotely until further public health measures are lifted. This option allows for complete compliance with public health requirements and allows for each Council member to participate in the same manner.
2. **Hybrid Model**
Allow up to half of Council to attend in person and the remainder to attend remotely. Seven Councillors can be accommodated in the Council Chambers without the requirement to wear a mask. Physical in-person participation of members of Council would be optional. To ensure all Councillors are visible in this format, all members would be shown on the Zoom windowpane regardless of in-person or virtual attendance. While this option would comply with public health requirements, it does appear to be contrary to the mask by-law and may not send the appropriate message from Council. In addition, comments from other hybrid meetings have noted that not all members have some level of interaction with this format.
3. **Return to the Chamber**
Allow all members back to the Chamber. This option would not allow the public health regulations to be maintained as it would be impossible to maintain the 2-metre distancing requirement, although Council members would each participate in the same manner.

Regional Comparators

Comparators reviewed in the assessment to reopen the Council Chambers confirmed that a cautious approach is being used:

- Halton Region – earliest return would be April with partial attendance based on a volunteer and rotation basis
- Burlington – earliest return would be April on a voluntary basis
- Milton – earliest return would be May/June pending technology upgrades and based on Members' preferences and spacing requirements

It is recommended that Council proceed with Option 1 and continue to attend Council meetings virtually until masking and 2-metre distancing is no longer required.

Memo

To: ECG
From: Julie Clarke, Director Strategy, Policy and Communications
Date: February 22, 2022
Subject: Reopening of Town Hall

Issue

To recommend when Town Hall reopens to the public and the services offered based on the next phase of Ontario's Roadmap to Reopen Plan

Key Facts

- ServiceOakville most recently closed on December 21, 2021. Clerk's department continued to offer marriage license and Proof of Life appointments during the closure
- Previous decisions made that ServiceOakville is to be the only remaining public counter and that Town Hall would no longer have broad public access until an updated security approach and plan for town facilities is developed
- Almost all comparator municipalities have, or are in the process of, reopening their municipal headquarters and offer either walk-in or appointment based service
 - Comparators used: Burlington, Milton, Halton Hills, Halton Region, Peel Region, Brampton, Mississauga, Hamilton, Toronto

Recommendation

- As of March 1, 2022, Town Hall be opened to the public as follows:
 - ServiceOakville counter
 - Marriage licenses and commissionings will continue to be appointment only
 - Boardrooms in the north/west corner (e.g., Oakville, Bronte, Palmero) and the south atrium may be booked for public use
- Public areas of town hall will adhere to any applicable capacity limits
- All other areas of Town Hall is restricted to staff use only. Staff may escort visitors into staff only areas as required

Background Information:

- Town Hall has been closed to the public since March 2020
- The ServiceOakville counter has reopened periodically under the provincial plans to reopen. All other space has remained off-limits to the public with the exception of marriage ceremonies held in the north atrium
- Process underway to manage public access in the Council Chamber during council meetings (e.g., if capacity limits are maintained or reinstated)
- Recreation and Culture will continue to manage public use of town hall boardrooms
- ServiceOakville counter has space for departments to use for appointment-based services
- Public entrance to be used by the public only

Memo

To: Emergency Control Group
From: Colleen Bell, Commissioner of Community Services
Date: February 22, 2022
Subject: Proof of Vaccination Requirements for Town Facilities

Comments

Provincial Announcement

On February 14, 2022, the Province of Ontario announced that, subject to public health and health system indicators continuing to improve, the Province intends as of March 1, 2022 to take additional steps to ease public health measures, including:

- lifting remaining capacity limits in all remaining public sectors
- lifting provincial proof of vaccination requirements for all settings

The Province notes that business and other settings may choose to continue to require proof of vaccination. Masking requirements will remain in place on March 1, with a specific timeline to lift this measure to be communicated at a future date.

It is important to note that the Province has not yet issued the order(s) that will apply as of March 1, 2022. This briefing note is based on the assumption that the orders, when issued, will be consistent with the Provincial announcement.

The purpose of this memo is to consider any changes to the COVID Vaccination Procedure for Select Settings (i.e. recreation, Town Hall, meeting rooms, etc.) in light of the Provincial announcement. Council approval is required to amend or rescind the COVID Vaccination Policy. While the various procedures can be amended by Town staff, the practice has been to advise Council of significant changes to those procedures.

The Province has clearly indicated that their requirement for proof of vaccination will be lifted on March 1, 2022, however any organization could choose to continue this practice.

The Town has aligned itself with the Provincial orders, public health recommendations and the best practices of neighbouring municipalities. Accordingly, staff recommend an easing of the COVID vaccination procedure for patrons of Town facilities.

Given the Provincial messaging, the public is anticipating that the use of Town facilities, such as recreation centres, will not require proof of vaccination. Neighbouring municipalities appear to be following the Province's lead and not requiring proof for their facilities. Staff anticipate significant challenges in enforcing a vaccination mandate in those locations after March 1.

Accordingly, it is recommended that the town continue to follow public health advice and that the vaccination policy and procedure for the public to access town facilities be revised to require consistency with Provincial public health measures and/or any public health measures which may be required by Halton Public Health.

Regarding, proof of vaccination requirements to access town facilities for members of council, tenants, boards and committees and contractors, it is recommended that no changes be made to the policy and/or procedures. This approach is consistent with the continued requirement of staff to be vaccinated, as per the recommendation outlined in Appendix E.

Memo

To: ECG
From: Nelia Cabral, Manager, HR Advisory Services
Date: February 22, 2022
Subject: Return to Office for Remote Employees

Issue

To recommend when employees who are working remotely can return to be fully on-site in line with our flexible work arrangement procedures where operationally feasible

Key Facts

- In January, following the province's return to a modified Step 2 of the reopening plan, ECG decided to pause return to office plans until April 4, 2022
- As the province moves into the next phase of its reopening plan a review of our plans is warranted to ensure alignment

Recommendation

- Our blended return to office plans will resume on April 4 as originally announced, however, departments are to work with staff to gradually return a day or two per week over the next four to five weeks where possible to increase onsite presence in support of the province and town's reopening plans
- Flexibility and accommodation needs will need to be considered for staff with dependent care arrangements for the time leading up to April 4

Background Information:

- A one hundred per cent return to office was never the original intention nor is it now, but rather to balance the number of staff onsite while supporting a blended onsite/remote work arrangement model where appropriate
- We may see an increase in COVID cases or self-isolation requirements amongst our staff as the provinces mandates are lifted as of March 1 and following families traveling over the March Break
- All health and safety protocols (i.e. vaccination procedure, daily screening, masking, physical distancing, etc.) will remain in place