

# Agenda Including Addeds

## Corporate Services Committee

2nd Meeting of the Corporate Services Committee

January 18, 2021, 12:00 PM

2021 Virtual Meeting - during the COVID-19 Emergency

City Hall is temporarily closed to the public for in-person attendance at Standing Committees and Council meetings.

Meetings can be viewed via live-streaming on YouTube and the City website.

Members

Councillors M. Cassidy (Chair), M. van Holst, J. Morgan, E. Pelozza, A. Kayabaga, Mayor E. Holder

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**6. Confidential (Enclosed for Members only.)**

6.1. Land Acquisition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

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6.4. Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor client-privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation.

6.5. Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

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6.6. Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor-client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation.

6.7. Solicitor-Client Privilege Advice

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City.

**7. Adjournment**

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Subject:** Argyle Business Improvement Area 2021 Proposed Budget – Municipal Special Levy

**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Argyle Business Improvement Area:

- a. The Argyle Business Improvement Area proposed 2021 budget submission in the amount of \$262,000 **BE APPROVED** as outlined in Schedule “A”;
- b. The amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Argyle Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 **BE FIXED** at \$215,000;
- c. A special charge **BE ESTABLISHED** for the amount referred to in part b, above, by a levy in accordance with By-law A.-6873-292 as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d. The attached by-law (Schedule “C”) with respect to Municipal Special Levy for the Argyle Business Improvement Area **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021.

## Linkage to the Corporate Strategic Plan

Council’s 2019 to 2023 Strategic Plan for the City of London identifies “Growing Our Economy” and “Leading in Public Service” as strategic areas of focus. These involve working better together for economic growth with Business Improvement Areas (BIA’s) of London and continuing to build strong working relationships with such community partners. In line with these areas of focus, the City provides guidance to the BIA’s in regard to establishment and ongoing business and financial operations. The City also acts as the intermediary with respect to collecting the approved levy amounts which fund services provided to the BIA members and thus promote continued growth in London’s economy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee, January 20, 2020, Agenda item 2.2, Argyle Business Improvement Area 2020 Proposed Budget – Municipal Special Levy. The report can be found on the City’s website by visiting:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70358>

### 2.0 Financial Impact/Considerations

On October 15, 2020, the Board of Management of the Argyle Business Improvement Area (ABIA) approved the 2021 budget (Schedule “A”) which was presented to the members at the Annual General Meeting on November 18, 2020.

Under subsection 205(2) of the Municipal Act, 2001, a business improvement area (BIA) must submit an annual budget to Council that Council may approve in whole or in part, but may not add expenditures. The ABIA has met this requirement in Schedule “A”, noting the 2021 total expenditure budget of \$262,000.

Civic Administration provides the following comments based on its review of the submission:

- a) The ABIA submitted a 2021 budget of \$262,000, which represents a decrease of \$22,100 (7.8%) compared to its 2020 budget of \$284,100. The special levy to the members remains the same as 2020 but there is a decrease in the Draw from Operating Fund which will be used to cover a portion of the operating expenditures in 2021. Less non-levy revenue (e.g. boardroom rentals) is also expected in 2021.
- b) Significant changes to expenditures in 2021 include:
  - i. Seasonal/Part-time Wages - \$10,000 is budgeted for Seasonal/Part-time Wages for 2021; this amount was budgeted under Other Program Initiatives in the past, but this is now segregated.
  - ii. Safety and Security and Clean Streets - In 2021, \$12,000 is budgeted for Safety and Security, a new program being implemented whereby ABIA will be contracting out “on-call” security workers to deal with member concerns surrounding their properties. A \$5,000 budget for Clean Streets is also new; to be used for improving the appearance of the BIA area.
  - iii. Improvement Grant - \$10,000 is budgeted for a select number of grants in 2021 for façade improvements to BIA members’ properties.
  - iv. Long-term Initiatives - Nothing is budgeted for long-term initiatives in 2021 due to the significant uncertainty of COVID-19 financial impacts on ABIA’s 2021 budget.

ABIA will be establishing a reserve fund at 2020 year-end to set aside funds for anticipated and unanticipated expenditures that may occur due to unforeseen events, such as the COVID-19 pandemic. ABIA wants to improve its financial position in order to adapt to the financial impacts of COVID-19 and other potential, non-controllable factors as they may arise. One of the uses of the reserve fund would be for potential cost-sharing projects between ABIA and the City. City Planning is currently conducting a regeneration study in Argyle to determine what public tools and resources can be used for further improvement in the area. \$70,000 will be transferred from ABIA’s Operating Fund to establish the reserve fund at year-end.

At the time of submitting this report, the audited 2020 financial statements were unavailable. The ABIA projected a year-end surplus of \$34,263 after adjustments to the draw from the operating fund. After the transfer to establish the new reserve fund at year-end, the unaudited projected balance in the Operating Fund at December 31, 2020 is \$49,099 including year-end adjustments. The year-end fund balances are presented in Schedule “B.”

## **Conclusion**

The owners of business property within the BIA will be responsible for payment of \$215,000 to be raised by the Corporation for the 2021 fiscal year for the purposes of ABIA and pursuant to subsection 208(1) of the Municipal Act, 2001. Upon Council approval, the City of London will pay ABIA 50% of the budgeted Municipal Special Levy amount, with the remaining 50% to be paid on or after June 30<sup>th</sup>.

**Prepared by:** Zeina Nsair, CPA, CGA, Manager, Financial Modelling, Forecasting and Systems Control

Alan Dunbar, CPA, CGA, Manager, Financial Planning and Policy

**Submitted by:** Kyle Murray, CPA, CA, Director, Financial Planning and Business Support

**Recommended by:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

## Schedule "A"

### Argyle Business Improvement Area 2021 Proposed Budget with 2020 Comparators

#### Revenue Overview

| Revenue Detail:             | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Revenue | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|-----------------------------|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------|------------------------------------|
| Municipal Special Levy      | 215,000        | 215,000              | 0                                   | 215,000                | 0                       | 215,000              | 82.1%                       | 0                           | 0.0%                               |
| Interest Revenue            | 407            | 100                  | 0                                   | 300                    | 200                     | 250                  | 0.1%                        | 150                         | 150.0%                             |
| Draw from Operating Fund    | 0              | 50,000               | 0                                   | 0                      | -50,000                 | 30,000               | 11.5%                       | -20,000                     | -40.0%                             |
| Government Student Funding  | 12,300         | 10,000               | 0                                   | 11,390                 | 1,390                   | 10,000               | 3.8%                        | 0                           | 0.0%                               |
| Miscellaneous               | 7,180          | 4,000                | 0                                   | 2,000                  | -2,000                  | 1,750                | 0.7%                        | -2,250                      | -56.3%                             |
| Harmonized Sales Tax Rebate | 0              | 5,000                | 0                                   | 5,000                  | 0                       | 5,000                | 1.9%                        | 0                           | 0.0%                               |
| <b>Total Revenue</b>        | <b>234,887</b> | <b>284,100</b>       | <b>0</b>                            | <b>233,690</b>         | <b>-50,410</b>          | <b>262,000</b>       | <b>100%</b>                 | <b>-22,100</b>              | <b>-7.8%</b>                       |

#### Expenditure Overview

| Expenditure Detail:        | 2019 Audited | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|----------------------------|--------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>      |              |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Salaries and Wages         | 86,895       | 80,000               | 0                                   | 80,000                 | 0                       | 77,000               | 29.4%                           | -3,000                      | -3.8%                              |
| Student Wages and Benefits | 0            | 10,000               | 0                                   | 11,390                 | -1,390                  | 10,000               | 3.8%                            | 0                           | 0.0%                               |
| Seasonal/Part-time Wages   | 0            | 0                    | 0                                   | 0                      | 0                       | 10,000               | 3.8%                            | 10,000                      | N/A                                |

| Expenditure Detail:                                | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Employment Insurance and Canadian Pension Plan     | 0              | 6,000                | 0                                   | 5,800                  | 200                     | 6,000                | 2.3%                            | 0                           | 0.0%                               |
| Bookkeeping, Audit and Professional Fees           | 9,199          | 9,000                | 0                                   | 6,500                  | 2,500                   | 9,000                | 3.4%                            | 0                           | 0.0%                               |
| Utilities  | 2,086          | 2,000                | 0                                   | 1,600                  | 400                     | 2,000                | 0.8%                            | 0                           | 0.0%                               |
| Telephone and Fax and Internet                     | 960            | 1,500                | 0                                   | 1,000                  | 500                     | 1,200                | 0.5%                            | -300                        | -20.0%                             |
| Insurance  | 1,297          | 2,000                | 0                                   | 1,500                  | 500                     | 1,800                | 0.7%                            | -200                        | -10.0%                             |
| Repairs and Maintenance                            | 1,466          | 4,000                | 0                                   | 3,000                  | 1,000                   | 2,500                | 1.0%                            | -1,500                      | -37.5%                             |
| Travel and Transportation                          | 0              | 200                  | 0                                   | 50                     | 150                     | 200                  | 0.1%                            | 0                           | 0.0%                               |
| Bank Charges                                       | 0              | 100                  | 0                                   | 50                     | 50                      | 100                  | 0.0%                            | 0                           | 0.0%                               |
| Memberships - Provincial Business Improvement Area | 0              | 500                  | 0                                   | 488                    | 13                      | 500                  | 0.2%                            | 0                           | 0.0%                               |
| Office Supplies                                    | 5,445          | 5,000                | 0                                   | 2,000                  | 3,000                   | 3,000                | 1.1%                            | -2,000                      | -40.0%                             |
| Postage and Courier                                | 0              | 300                  | 0                                   | 50                     | 250                     | 200                  | 0.1%                            | -100                        | -33.3%                             |
| Signage/Banner Brackets                            | 0              | 4,500                | 0                                   | 3,900                  | 600                     | 2,500                | 1.0%                            | -2,000                      | -44.4%                             |
| Professional Development (Conference)              | 2,701          | 4,000                | 0                                   | 2,000                  | 2,000                   | 1,000                | 0.4%                            | -3,000                      | -75.0%                             |
| Website Maintenance and Domain                     | 0              | 1,000                | 0                                   | 100                    | 900                     | 1,000                | 0.4%                            | 0                           | 0.0%                               |
| <b>Total Administration</b>                        | <b>110,049</b> | <b>130,100</b>       | <b>0</b>                            | <b>119,428</b>         | <b>10,673</b>           | <b>128,000</b>       | <b>48.9%</b>                    | <b>-2,100</b>               | <b>-1.6%</b>                       |
| <b>Rent</b>  |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Office Rent  | 19,278         | 22,000               | 0                                   | 19,500                 | 2,500                   | 20,000               | 7.6%                            | -2,000                      | -9.1%                              |
| <b>Total Rent</b>                                  | <b>19,278</b>  | <b>22,000</b>        | <b>0</b>                            | <b>19,500</b>          | <b>2,500</b>            | <b>20,000</b>        | <b>7.6%</b>                     | <b>-2,000</b>               | <b>-9.1%</b>                       |
| <b>Member Services</b>                             |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Special Events                                     | 0              | 10,000               | -2,500                              | 4,000                  | 6,000                   | 10,000               | 3.8%                            | 0                           | 0.0%                               |
| Summer Graffiti Clean-up                           | 0              | 0                    | 1,500                               | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Clean Streets                                      | 0              | 0                    | 0                                   | 0                      | 0                       | 5,000                | 1.9%                            | 5,000                       | N/A                                |
| Safety and Security                                | 0              | 0                    | 0                                   | 0                      | 0                       | 12,000               | 4.6%                            | 12,000                      | N/A                                |

| Expenditure Detail:                         | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Improvement Grant                           | 0              | 0                    | 0                                   | 0                      | 0                       | 10,000               | 3.8%                            | 10,000                      | N/A                                |
| <b>Total Member Services</b>                | <b>0</b>       | <b>10,000</b>        | <b>-1,000</b>                       | <b>4,000</b>           | <b>6,000</b>            | <b>37,000</b>        | <b>14.1%</b>                    | <b>27,000</b>               | <b>270.0%</b>                      |
| <b>Business Development</b>                 |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Marketing and Consulting                    | 8,964          | 25,000               | -12,500                             | 7,500                  | 17,500                  | 25,000               | 9.5%                            | 0                           | 0.0%                               |
| Radio Advertising - Member Recovery Efforts | 0              | 0                    | 12,500                              | 12,500                 | -12,500                 | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Online Gift Card Auction                    | 0              | 0                    | 1,000                               | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Other Program Initiatives                   | 26,380         | 30,000               | 0                                   | 10,000                 | 20,000                  | 20,000               | 7.6%                            | -10,000                     | -33.3%                             |
| Planters/Hanging Basket Program             | 20,650         | 20,000               | 0                                   | 19,500                 | 500                     | 20,000               | 7.6%                            | 0                           | 0.0%                               |
| <b>Total Business Development</b>           | <b>55,994</b>  | <b>75,000</b>        | <b>1,000</b>                        | <b>49,500</b>          | <b>25,500</b>           | <b>65,000</b>        | <b>24.8%</b>                    | <b>-10,000</b>              | <b>-13.3%</b>                      |
| <b>Other</b>                                |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Harmonized Sales Tax                        | 0              | 2,000                | 0                                   | 0                      | 2,000                   | 2,000                | 0.8%                            | 0                           | 0.0%                               |
| Tax Write Offs/ Business Appeals            | 6,152          | 10,000               | 0                                   | 0                      | 10,000                  | 10,000               | 3.8%                            | 0                           | 0.0%                               |
| Long-term Initiatives                       | 0              | 35,000               | 0                                   | 7,000                  | 28,000                  | 0                    | 0.0%                            | -35,000                     | -100.0%                            |
| Miscellaneous                               | 3,346          | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| <b>Total Other</b>                          | <b>9,498</b>   | <b>47,000</b>        | <b>0</b>                            | <b>7,000</b>           | <b>40,000</b>           | <b>12,000</b>        | <b>4.6%</b>                     | <b>-35,000</b>              | <b>-74.5%</b>                      |
| <b>Total Expenditure</b>                    | <b>194,819</b> | <b>284,100</b>       | <b>0</b>                            | <b>199,428</b>         | <b>84,673</b>           | <b>262,000</b>       | <b>100.0%</b>                   | <b>-22,100</b>              | <b>-7.8%</b>                       |
| Net Surplus/ (Deficit)                      | 40,068         | 0                    | 0                                   | 34,263                 | 34,263                  | 0                    |                                 |                             |                                    |
| Draw from/(Contribution to) Operating Fund  | -40,068        | 0                    | 0                                   | -34,263                | -34,263                 | 0                    |                                 |                             |                                    |
| <b>Net</b>                                  | <b>0</b>       | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                             |                                    |

All figures subject to audit.

All figures subject to rounding.



## Schedule “B”

### Operating Fund

|  |               |
|--|---------------|
| <b>Operating Fund Balance 2019 Audited</b>   | <b>84,836</b> |
| Projected Draw from Operating Fund in 2020   | 0             |
| 2020 Projected Net Surplus                   | 34,263        |
| Projected Contribution to Reserve Fund       | -70,000       |
| <b>Operating Fund Balance 2020 Projected</b> | <b>49,099</b> |

All figures subject to audit.

All figures subject to rounding.

### Reserve Fund

|  |               |
|--|---------------|
| <b>Reserve Fund Balance 2019 Audited</b>   | <b>0</b>      |
| Projected Draw from Reserve Fund in 2020   | 0             |
| Projected Contribution to Reserve Fund     | 70,000        |
| <b>Reserve Fund Balance 2020 Projected</b> | <b>70,000</b> |

All figures subject to audit.

All figures subject to rounding.

## Schedule “C”

Bill Number

2021

By-law Number

A by-law to raise the amount required for the purposes of the Argyle Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001.

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

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 as amended provides that a municipality may pass by-laws respecting; the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS By-law A.-6873-292, as amended, provides for an improvement area to be known as the Argyle Business Improvement Area and establishes a Board of Management for it known as the Argyle Business Improvement Area Board of Management;

AND WHEREAS subsection 208(1) of the Municipal Act, 2001 provides that the municipality shall annually raise the amount required for the purposes of the board of management (of a business improvement area);

AND WHEREAS section 23 of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11 those sections authorize a municipality to delegate its powers under the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1. That the budget for the 2021 fiscal year submitted by the Argyle Business Improvement Area Board of Management attached as Schedule “A” is approved.
2. The amount to be raised by the Corporation for the 2021 fiscal year for the purposes of The Argyle Business Improvement Area Board of Management and pursuant to subsection 208(1) of the Municipal Act, 2001 is \$215,000.
3. A special charge is established for the amount referred to in section 2 of this by-law by a levy in accordance with By-law A.-6873-292, as amended.
4. The special charge referred to in section 3 of this by-law shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001.

5. The administration of this by-law is delegated to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
6. This by-law comes into force and effect on the day it is passed.

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Subject:** Hamilton Road Business Improvement Area 2021 Proposed Budget – Municipal Special Levy

**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Hamilton Road Business Improvement Area:

- a. The Hamilton Road Business Improvement Area proposed 2021 budget submission in the amount of \$135,231 **BE APPROVED** as outlined in Schedule “A”;
- b. The amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hamilton Road Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 **BE FIXED** at \$70,000;
- c. A special charge **BE ESTABLISHED** for the amount referred to in part b, above, by a levy in accordance with By-law C.P.-1528-486 as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d. The attached by-law (Schedule “C”) with respect to Municipal Special Levy for the Hamilton Road Business Improvement Area **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021.

## Linkage to the Corporate Strategic Plan

Council’s 2019 to 2023 Strategic Plan for the City of London identifies “Growing Our Economy” and “Leading in Public Service” as strategic areas of focus. These involve working better together for economic growth with Business Improvement Areas (BIA’s) of London and continuing to build strong working relationships with such community partners. In line with these areas of focus, the City provides guidance to the BIA’s in regard to establishment and ongoing business and financial operations. The City also acts as the intermediary with respect to collecting the approved levy amounts which fund services provided to the BIA members and thus promote continued growth in London’s economy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee, January 20, 2020, Agenda item 2.3, Hamilton Road Business Improvement Area 2020 Proposed Budget – Municipal Special Levy. The report can found on the City’s website by visiting:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70359>

## 2.0 Financial Impact/Considerations

On November 18, 2020, the Board of Management of the Hamilton Road Business Improvement Area (HRBIA) approved the 2021 budget (Schedule "A") which was presented to the members at the Annual General meeting on the same day.

Under subsection 205(2) of the Municipal Act, 2001, a business improvement area must submit an annual budget to Council that Council may approve in whole or in part, but may not add expenditures. The HRBIA has met this requirement in Schedule "A", noting the 2021 expenditure budget of \$135,231.

Civic Administration provides the following comments based on its review of the submission:

- a) HRBIA submitted a 2021 budget of \$135,231, which represents an increase of \$11,706 (9.5%) compared to its 2020 budget of \$123,525. The total increase in revenue is a result of the following:
  - i. A \$10,000 increase in Government Student Funding under the Canada Summer Jobs program administered by Service Canada.
  - ii. \$10,000 is budgeted for the Friends of the Tree Trunk Tour Fund. This fund will be established to be used for new tree sculptures and the related ongoing maintenance costs. Funding is donated from interested businesses and community members.
  - iii. \$5,000 is budgeted for the transfer of the remaining funds from the Hamilton Road Area Business Association to the Hamilton Road Business Improvement Area.
  - iv. The increases in revenues are partially offset by a decrease of \$10,794 in the Draw from Operating Fund and a decrease of \$2,500 in Administrative Fees.
- b) A Special Allowance of \$50,000 was granted by Council in February 2019 when the BIA was first starting operations. A balance of \$22,206 is remaining at the end of 2020. HRBIA was unable to complete the planned initiatives in 2019 as a significant amount of time was spent on establishing BIA policies and procedures and then in 2020, COVID-19 prevented the completion of these initiatives once again. \$5,029 is budgeted for long and short-term initiatives in 2021 for beautification, primarily banners. The remainder of the funds will be contributed to the operating fund. HRBIA will seek additional funding and grants to complete other long and short-term initiatives as necessary.
- c) Administrative Salaries and Wages - a \$25,618 increase is budgeted as a result of a staff member returning to work from a temporary leave and a consolidation of salaries and wages from Long-term and Short-term Initiatives.
- d) Summer Jobs - a \$10,000 increase in expense (including deductions) is offset by an increase of \$10,000 in revenue from the Government Student Funding program.
- e) Friends of the Tree Trunk Tour - \$10,000 is budgeted for new tree sculptures and related ongoing maintenance costs with funding provided by donations from businesses and community members.
- f) Long-term and Short-term Initiatives - a decrease of \$27,952 due to the financial impacts of COVID-19; amount budgeted for long-term and short-term initiatives to cover the cost of the following planned projects:
  - i. Pole banners and decoration brackets
  - ii. Road to Recovery Rebate
  - iii. Hamlet festival
- g) Long-term and Short-term Initiatives - Salaries and Wages – In 2021, Salaries and Wages is consolidated under Administrative Salaries and Wages.

At the time of submitting this report, the audited 2020 financial statements were unavailable. After adjustments to the draw from the operating fund, HRBIA projects a balanced year-end position, no surplus or deficit. The unaudited projected December 31, 2020 Operating Fund balance is approximately \$22,065. The year-end fund balance is presented in Schedule "B".

## **Conclusion**

The owners of business property within the business improvement area will be responsible for payment of \$70,000 to be raised by the Corporation for the 2021 fiscal year for the purposes of HRBIA and pursuant to subsection 208(1) of the Municipal Act, 2001. Upon Council approval, the City of London will pay HRBIA 50% of the budgeted Municipal Special Levy, with the remaining 50% to be paid on or after June 30<sup>th</sup>.

**Prepared by:** Zeina Nsair, CPA, CGA, Manager, Financial Modelling, Forecasting and Systems Control

Alan Dunbar, CPA, CGA, Manager, Financial Planning and Policy

**Submitted by:** Kyle Murray, CPA, CA, Director, Financial Planning and Business Support

**Recommended by:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

## Schedule "A"

### Hamilton Road Business Improvement Area 2021 Proposed Budget with 2020 Comparators

#### Revenue Overview

| Revenue Detail:                                | 2018<br>(October to<br>December)<br>and 2019<br>Audited | 2020<br>Approved<br>Budget | 2020<br>COVID-19<br>Contingency<br>Revisions | 2020<br>Projected<br>Actuals | 2020<br>Projected<br>Variance | 2021<br>Proposed<br>Budget | Percentage<br>of Total<br>Revenue | Increase/<br>Decrease<br>over 2020 | Percentage<br>Budget<br>Change<br>over 2020 |
|--|---|----------------------------|--|------------------------------|-------------------------------|----------------------------|-----------------------------------|------------------------------------|---|
| Municipal Special Levy                         | 68,574  | 70,000                     | 0  | 70,000                       | 0                             | 70,000                     | 51.8%                             | 0                                  | 0.0%  |
| Special Allowance Granted by Council           | 50,000  | 0                          | 0  | 0                            | 0                             | 0                          | 0.0%                              | 0                                  | 0.0%  |
| Draw from Operating Fund                       | 0   | 33,000                     | 0  | 9,039                        | -23,961                       | 22,206                     | 16.4%                             | -10,794                            | -32.7%                                      |
| Government Student Funding                     | 16,198  | 18,025                     | 0  | 9,338                        | -8,687                        | 28,025                     | 20.7%                             | 10,000                             | 55.5%                                       |
| Construction Beautification<br>Reimbursement   | 0   | 0                          | 0  | 3,461                        | 3,461                         | 0                          | 0.0%                              | 0                                  | 0.0%  |
| Administrative Fees                            | 2,544   | 2,500                      | 0  | 2,500                        | 0                             | 0                          | 0.0%                              | -2,500                             | -100.0%                                     |
| Digital MainStreet                             | 4,670   | 0                          | 0  | 0                            | 0                             | 0                          | 0.0%                              | 0                                  | 0.0%  |
| COVID Government Support Grants                | 0   | 0                          | 0  | 957                          | 957                           | 0                          | 0.0%                              | 0                                  | 0.0%  |
| Friends of Tree Trunk Tour Fund                | 0   | 0                          | 0  | 0                            | 0                             | 10,000                     | 7.4%                              | 10,000                             | N/A   |
| Hamilton Road Business Association<br>Transfer | 0   | 0                          | 0  | 0                            | 0                             | 5,000                      | 3.7%                              | 5,000                              | N/A   |
| <b>Total Revenue</b>                           | <b>141,986</b>  | <b>123,525</b>             | <b>0</b>                                     | <b>95,295</b>                | <b>-28,230</b>                | <b>135,231</b>             | <b>100.0%</b>                     | <b>11,706</b>                      | <b>9.5%</b>                                 |

## Expenditure Overview

| Expenditure Detail:   | 2018 (October to December) and 2019 Audited | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---|---|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>   |   |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Administrative Salaries and Wages                                     | 41,943                                      | 39,278               | -10,000                             | 54,725                 | -15,447                 | 64,896               | 48.0%                           | 25,618                      | 65.2%                              |
| Payroll, Employment Insurance and Canadian Pension Plan               | 4,198                                       | 2,022                | 0                                   | 3,719                  | -1,697                  | 4,562                | 3.4%                            | 2,540                       | 125.6%                             |
| Bookkeeping, Audit and Professional Fees                              | 0   | 0                    | 0                                   | 3,500                  | -3,500                  | 3,500                | 2.6%                            | 3,500                       | N/A                                |
| Summer Jobs   | 14,663                                      | 17,000               | 0                                   | 8,859                  | 8,141                   | 26,577               | 19.7%                           | 9,577                       | 56.3%                              |
| Payroll, Employment Insurance and Canadian Pension Plan (Summer Jobs) | 964   | 1,025                | 0                                   | 479                    | 546                     | 1,448                | 1.1%                            | 423                         | 41.3%                              |
| Telephone and Fax and Internet  | 1,708                                       | 1,600                | 0                                   | 1,143                  | 457                     | 1,116                | 0.8%                            | -484                        | -30.3%                             |
| Office Supplies and Equipment   | 9,318                                       | 500                  | 0                                   | 1,184                  | -684                    | 500                  | 0.4%                            | 0                           | 0.0%                               |
| Office software   | 0   | 0                    | 0                                   | 0                      | 0                       | 500                  | 0.4%                            | 500                         | N/A                                |
| Office Security   | 0   | 0                    | 0                                   | 856                    | -856                    | 1,200                | 0.9%                            | 1,200                       | N/A                                |
| Office Cleaning   | 0   | 0                    | 0                                   | 340                    | -340                    | 720                  | 0.5%                            | 720                         | N/A                                |
| Printing  | 0   | 300                  | 0                                   | 14                     | 286                     | 150                  | 0.1%                            | -150                        | -50.0%                             |
| Insurance   | 1,281                                       | 1,600                | 0                                   | 1,710                  | -110                    | 1,881                | 1.4%                            | 281                         | 17.6%                              |
| Training/Conference   | 1,656                                       | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Mileage Expenses  | 155   | 250                  | 0                                   | 0                      | 250                     | 0                    | 0.0%                            | -250                        | -100.0%                            |
| Postage and Courier   | 147   | 200                  | 0                                   | 100                    | 100                     | 150                  | 0.1%                            | -50                         | -25.0%                             |
| Bank Charges  | 73  | 150                  | 0                                   | 63                     | 87                      | 70                   | 0.1%                            | -80                         | -53.3%                             |
| <b>Total Administration</b>   | <b>76,106</b>                               | <b>63,925</b>        | <b>-10,000</b>                      | <b>76,692</b>          | <b>-12,767</b>          | <b>107,270</b>       | <b>79.3%</b>                    | <b>43,345</b>               | <b>67.8%</b>                       |
| <b>Rent</b>   |   |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Office Rent   | 9,035                                       | 7,200                | 0                                   | 10,350                 | -3,150                  | 10,800               | 8.0%                            | 3,600                       | 50.0%                              |
| <b>Total Rent</b>   | <b>9,035</b>                                | <b>7,200</b>         | <b>0</b>                            | <b>10,350</b>          | <b>-3,150</b>           | <b>10,800</b>        | <b>8.0%</b>                     | <b>3600</b>                 | <b>50.0%</b>                       |



| Expenditure Detail:                                 | 2018 (October to December) and 2019 Audited | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---|---|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Business Development</b>                         |   |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Website Maintenance and Domain                      | 4,284                                       | 1,000                | 0                                   | 210                    | 790                     | 20                   | 0.0%                            | -980                        | -98.0%                             |
| Website and Email Hosting                           | 0   | 0                    | 0                                   | 0                      | 0                       | 960                  | 0.7%                            | 960                         | N/A                                |
| Strategic Planning                                  | 0   | 0                    | 0                                   | 0                      | 0                       | 200                  | 0.1%                            | 200                         | N/A                                |
| Awards and Grants                                   | 0   | 0                    | 0                                   | 57                     | -57                     | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Signage and Permits                                 | 632   | 1,000                | 0                                   | 2,975                  | -1,975                  | 0                    | 0.0%                            | -1,000                      | -100.0%                            |
| Marketing   | 1,126                                       | 560                  | 15,000                              | 393                    | 167                     | 500                  | 0.4%                            | -60                         | -10.7%                             |
| Legal Fees and Contract Services                    | 0   | 0                    | 0                                   | 85                     | -85                     | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Public Art Maintenance                              | 3,480                                       | 1,500                | 0                                   | 125                    | 1,375                   | 0                    | 0.0%                            | -1,500                      | -100.0%                            |
| Friends of the Tree Trunk Tour                      | 0   | 0                    | 0                                   | 0                      | 0                       | 10,000               | 7.4%                            | 10,000                      | N/A                                |
| Special Events/Projects                             | 1,290                                       | 0                    | -5,000                              | 3,903                  | -3,903                  | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Long and Short-term Initiatives                     | 1,385                                       | 32,978               | 0                                   | 0                      | 32,978                  | 5,026                | 3.7%                            | -27,952                     | -84.8%                             |
| Long and Short-term Initiatives: Salaries and Wages | 11,940                                      | 14,637               | 0                                   | 0                      | 14,637                  | 0                    | 0.0%                            | -14,637                     | -100.0%                            |
| <b>Total Business Development</b>                   | <b>24,137</b>                               | <b>51,675</b>        | <b>10,000</b>                       | <b>7,748</b>           | <b>43,927</b>           | <b>16,706</b>        | <b>12.4%</b>                    | <b>-34,969</b>              | <b>-67.7%</b>                      |
| <b>Member Services</b>                              |   |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| CRM/Membership Services                             | 889   | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Annual General Meeting                              | 203   | 500                  | 0                                   | 250                    | 250                     | 200                  | 0.1%                            | -300                        | -60.0%                             |
| Memberships - Provincial BIA                        | 373   | 225                  | 0                                   | 255                    | -30                     | 255                  | 0.2%                            | 30                          | 13.3%                              |
| <b>Total Member Services</b>                        | <b>1,465</b>                                | <b>725</b>           | <b>0</b>                            | <b>505</b>             | <b>220</b>              | <b>455</b>           | <b>0.3%</b>                     | <b>-270</b>                 | <b>-37.2%</b>                      |
| <b>Total Expenditure</b>                            | <b>110,743</b>                              | <b>123,525</b>       | <b>0</b>                            | <b>95,295</b>          | <b>28,230</b>           | <b>135,231</b>       | <b>100.0%</b>                   | <b>11,706</b>               | <b>9.5%</b>                        |
| Net Surplus/ Deficit                                | 31,243                                      | 0                    | 0                                   | 0                      | 0                       | 0                    |                                 |                             |                                    |
| Draw from/(Contribution to) Operating Fund          | -31,243                                     | 0                    | 0                                   | 0                      | 0                       | 0                    |                                 |                             |                                    |
| <b>Net</b>  | <b>0</b>                                    | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                             |                                    |

All figures subject to audit. All figures subject to rounding.

## Schedule "B"

|   |               |
|---|---------------|
| <b>Operating Fund Balance 2019 Audited</b>    | <b>31,104</b> |
| Projected Draw from Operating Fund in<br>2020 | -9,039        |
| 2020 Projected Net Surplus                    | 0             |
| <b>Operating Fund Balance 2020 Projected</b>  | <b>22,065</b> |

All figures subject to audit.

All figures subject to rounding.

## Schedule “C”

Bill Number

2021

By-law Number

A by-law to raise the amount required for the purposes of the Hamilton Road Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001.

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

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 as amended provides that a municipality may pass by-laws respecting; the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS By-law CP-1528-486, as amended, provides for an improvement area to be known as the Hamilton Road Business Improvement Area and establishes a Board of Management for it known as the Hamilton Road Business Improvement Area Board of Management;

AND WHEREAS subsection 208(1) of the Municipal Act, 2001 provides that the municipality shall annually raise the amount required for the purposes of the board of management (of a business improvement area);

AND WHEREAS section 23 of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11 those sections authorize a municipality to delegate its powers under the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1. That the budget for the 2021 fiscal year submitted by the Hamilton Road Business Improvement Area Board of Management attached as Schedule “A” is approved.
2. The amount to be raised by the Corporation for the 2021 fiscal year for the purposes of the Hamilton Road Business Improvement Area Board of Management and pursuant to subsection 208(1) of the Municipal Act, 2001 is \$70,000.
3. A special charge is established for the amount referred to in section 2 of this by-law by a levy in accordance with By-law CP-1528-486, as amended.
4. The special charge referred to in section 3 of this by-law shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001.

5. The administration of this by-law is delegated to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
6. This by-law comes into force and effect on the day it is passed.

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Subject:** Hyde Park Business Improvement Area 2021 Proposed Budget – Municipal Special Levy

**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Hyde Park Business Improvement Area:

- a. The Hyde Park Business Improvement Area proposed 2021 budget submission in the amount of \$442,000 **BE APPROVED** as outlined in Schedule “A”;
- b. The amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hyde Park Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 **BE FIXED** at \$434,000;
- c. A special charge **BE ESTABLISHED** for the amount referred to in part b, above, by a levy in accordance with By-law CP-1519-490 as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d. The attached by-law (Schedule “C”) with respect to Municipal Special Levy for the Hyde Park Business Improvement Area **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021.

## Linkage to the Corporate Strategic Plan

Council’s 2019 to 2023 Strategic Plan for the City of London identifies “Growing Our Economy” and “Leading in Public Service” as strategic areas of focus. These involve working better together for economic growth with Business Improvement Areas (BIA’s) of London and continuing to build strong working relationships with such community partners. In line with these areas of focus, the City provides guidance to the BIA’s in regard to establishment and ongoing business and financial operations. The City also acts as the intermediary with respect to collecting the approved levy amounts which fund services provided to the BIA members and thus promote continued growth in London’s economy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee, January 20, 2020, Agenda item 2.4, Hyde Park Business Association 2020 Proposed Budget – Municipal Special Levy. The report can be found on the City’s website by visiting:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70360>

### 2.0 Financial Impact/Considerations

On October 15, 2020, the Board of Management of the Hyde Park Business Improvement Area (HPBIA) approved the 2020 budget (Schedule “A”) which was presented to the members at the Annual General Meeting on November 12, 2020.

Under subsection 205(2) of the Municipal Act, 2001, a business improvement area (BIA) must submit an annual budget to Council that Council may approve in whole or in part, but may not add expenditures. The HPBIA has met this requirement in Schedule "A", noting the 2021 expenditure budget of \$442,000.

Civic Administration provides the following comments based on its review of the submission:

- a) The HPBIA submitted a 2021 budget of \$442,000, which represents an increase of \$45,019 (11.3%) compared to its 2020 budget of \$396,981. The special levy remains the same to each member as in 2020, however the total amount to be collected has increased as a result of growth; new businesses establishing within HPBIA's boundaries.
- b) Significant changes to expenditures in 2021 include:
  - i. Salary and Wages - an increase of \$21,044 over 2020 is budgeted for the addition of one new part-time staff position and annual salary and wage rate increases.
  - ii. Office Equipment Upgrades - a decrease of \$8,500 over 2020 is budgeted, as required technology upgrades were made in 2020, therefore less is needed in 2021.
  - iii. CTV Ad Package - an increase of \$29,000 over 2020 is budgeted, as this program will be offered for a longer period of time during the year. This program assists with covering the costs of airtime for participating member businesses' commercials aired on TV.

At the time of submitting this report, audited 2020 financial statements were unavailable. Estimates received from HPBIA indicate a projected 2020 year-end surplus of \$22,332. The unaudited projected December 31, 2020 Operating Fund balance is approximately \$90,180. The year-end fund balance is presented in Schedule "B."

## **Conclusion**

The owners of business property within the BIA will be responsible for payment of \$434,000 to be raised by the Corporation for the 2021 fiscal year for the purposes of HPBIA and pursuant to subsection 208(1) of the Municipal Act, 2001. Upon Council approval, the City of London will pay HPBIA 50% of the budgeted Municipal Special Levy, with the remaining 50% to be paid on or after June 30<sup>th</sup>.

**Prepared by:** Zeina Nsair, CPA, CGA, Manager, Financial Modelling, Forecasting and Systems Control

Alan Dunbar, CPA, CGA, Manager, Financial Planning and Policy

**Submitted by:** Kyle Murray, CPA, CA, Director, Financial Planning and Business Support

**Recommended by:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

## Schedule "A"

### Hyde Park Improvement Area 2021 Proposed Budget with 2020 Comparators

#### Revenue Overview

| Revenue Detail:            | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Revenue | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|----------------------------|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------|------------------------------------|
| Municipal Special Levy     | 342,824        | 386,401              | 0                                   | 386,401                | 0                       | 434,000              | 98.2%                       | 47,599                      | 12.3%                              |
| Government Student Funding | 5,725          | 7,080                | 0                                   | 0                      | -7,080                  | 8,000                | 1.8%                        | 920                         | 13.0%                              |
| Miscellaneous              | 4,176          | 3,500                | 0                                   | 0                      | -3,500                  | 0                    | 0.0%                        | -3,500                      | -100.0%                            |
| <b>Total Revenue</b>       | <b>352,725</b> | <b>396,981</b>       | <b>0</b>                            | <b>386,401</b>         | <b>-10,580</b>          | <b>442,000</b>       | <b>100.0%</b>               | <b>45,019</b>               | <b>11.3%</b>                       |

#### Expenditure Overview

| Expenditure Detail:                   | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---------------------------------------|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>                 |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Salary and Wages                      | 115,029        | 133,941              | 0                                   | 130,941                | 3,000                   | 154,985              | 35.1%                           | 21,044                      | 15.7%                              |
| Summer Student                        | 5,820          | 7,080                | 0                                   | 18,660                 | -11,580                 | 8,000                | 1.8%                            | 920                         | 13.0%                              |
| Insurance                             | 1,025          | 2,825                | 0                                   | 2,825                  | 0                       | 3,000                | 0.7%                            | 175                         | 6.2%                               |
| Bookkeeping, Audit, Professional Fees | 4,358          | 6,500                | 0                                   | 5,078                  | 1,422                   | 6,500                | 1.5%                            | 0                           | 0.0%                               |
| <b>Total Administration</b>           | <b>126,233</b> | <b>150,346</b>       | <b>0</b>                            | <b>157,504</b>         | <b>7,158</b>            | <b>172,485</b>       | <b>39.0%</b>                    | <b>22,139</b>               | <b>14.7%</b>                       |
| <b>Office</b>                         |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Office Equipment Upgrades             | 0              | 11,000               | -7,000                              | 6,040                  | 4,960                   | 2,500                | 0.6%                            | -8,500                      | -77.3%                             |

| Expenditure Detail:                      | 2019 Audited  | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--|---------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Office Furniture                         | 430           | 1,000                | -1,000                              | 0                      | 1,000                   | 1,000                | 0.2%                            | 0                           | 0.0%                               |
| Leasehold Improvements                   | 0             | 5,000                | -5,000                              | 0                      | 5,000                   | 5,000                | 1.1%                            | 0                           | 0.0%                               |
| <b>Total Office</b>                      | <b>430</b>    | <b>17,000</b>        | <b>-13,000</b>                      | <b>6,040</b>           | <b>10,960</b>           | <b>8,500</b>         | <b>1.9%</b>                     | <b>-8,500</b>               | <b>-50.0%</b>                      |
| <b>Rent</b>                              |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Office Rent                              | 21,931        | 22,799               | 0                                   | 22,318                 | 481                     | 22,554               | 5.1%                            | -245                        | -1.1%                              |
| <b>Total Rent</b>                        | <b>21,931</b> | <b>22,799</b>        | <b>0</b>                            | <b>22,318</b>          | <b>481</b>              | <b>22,554</b>        | <b>5.1%</b>                     | <b>-245</b>                 | <b>-1.1%</b>                       |
| <b>General Expenses</b>                  |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Phone, Internet, Office 365              | 1,909         | 2,626                | 0                                   | 2,133                  | 493                     | 2,500                | 0.6%                            | -126                        | -4.8%                              |
| Stationary/ Supplies                     | 3,823         | 4,000                | 0                                   | 4,000                  | 0                       | 4,000                | 0.9%                            | 0                           | 0.0%                               |
| Training/ Conferences                    | 4,199         | 6,000                | -4,500                              | 8                      | 5,992                   | 7,000                | 1.6%                            | 1,000                       | 16.7%                              |
| Subscriptions/ Memberships               | 574           | 800                  | 0                                   | 1,286                  | -486                    | 1,500                | 0.3%                            | 700                         | 87.5%                              |
| Bank Charges                             | 578           | 350                  | 0                                   | 751                    | -401                    | 450                  | 0.1%                            | 100                         | 28.6%                              |
| Operating                                | 4,277         | 1,500                | -500                                | 975                    | 525                     | 1,500                | 0.3%                            | 0                           | 0.0%                               |
| Facility Repairs and Maintenance         | 549           | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Digital Mainstreet Program               | 3,473         | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| <b>Total General Expenses</b>            | <b>19,383</b> | <b>15,276</b>        | <b>-5,000</b>                       | <b>9,153</b>           | <b>6,123</b>            | <b>16,950</b>        | <b>3.8%</b>                     | <b>1,674</b>                | <b>11.0%</b>                       |
| <b>Member Services</b>                   |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Annual General Meeting including Postage | 6,873         | 8,000                | -2,000                              | 660                    | 7,340                   | 8,000                | 1.8%                            | 0                           | 0.0%                               |
| <b>Total Member Services</b>             | <b>6,873</b>  | <b>8,000</b>         | <b>-2,000</b>                       | <b>660</b>             | <b>7,340</b>            | <b>8,000</b>         | <b>1.8%</b>                     | <b>0</b>                    | <b>0.0%</b>                        |
| <b>Business Development</b>              |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Communications and Marketing             | 6,911         | 6,000                | 0                                   | 1,680                  | 4,320                   | 6,500                | 1.5%                            | 500                         | 8.3%                               |
| Promotional Marketing Materials          | 3,089         | 3,000                | -1,500                              | 1,500                  | 1,500                   | 3,000                | 0.7%                            | 0                           | 0.0%                               |



| Expenditure Detail:                        | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Website Development, Hosting & Maintenance | 2,115          | 1,500                | 500                                 | 1,933                  | -433                    | 1,500                | 0.3%                            | 0                           | 0.0%                               |
| Monthly Business Networking Meetings       | 335            | 2,500                | -1,000                              | 796                    | 1,704                   | 2,000                | 0.5%                            | -500                        | -20.0%                             |
| Special Events/ Sponsorships               | 12,135         | 10,000               | -2,000                              | 8,000                  | 2,000                   | 9,000                | 2.0%                            | -1,000                      | -10.0%                             |
| Other Program Initiatives                  | 6,378          | 5,660                | 0                                   | 5,660                  | 0                       | 5,500                | 1.2%                            | -160                        | -2.8%                              |
| Pondfest/ Outdoor Piano Program            | 16,381         | 18,000               | -18,000                             | 913                    | 17,087                  | 19,000               | 4.3%                            | 1,000                       | 5.6%                               |
| Traffic Calming Program                    | 407            | 400                  | 0                                   | 0                      | 400                     | 1,200                | 0.3%                            | 800                         | 200.0%                             |
| Member Incentive Program                   | -27            | 8,079                | 0                                   | 8,079                  | 0                       | 10,000               | 2.3%                            | 1,921                       | 23.8%                              |
| CTV Ad Package                             | 33,247         | 31,000               | 20,000                              | 45,590                 | -14,590                 | 60,000               | 13.6%                           | 29,000                      | 93.5%                              |
| Bus Shelter Advertising Program            | -900           | 9,000                | 0                                   | 6,947                  | 2,053                   | 9,000                | 2.0%                            | 0                           | 0.0%                               |
| Community Beautification Projects          | 37,575         | 80,000               | -26,500                             | 57,000                 | 23,000                  | 80,811               | 18.3%                           | 811                         | 1.0%                               |
| <b>Total Business Development</b>          | <b>117,646</b> | <b>175,139</b>       | <b>-28,500</b>                      | <b>138,098</b>         | <b>37,041</b>           | <b>207,511</b>       | <b>46.9%</b>                    | <b>32,372</b>               | <b>18.5%</b>                       |
| COVID-19 Projects                          | 0              | 0                    | 50,500                              | 29,923                 | -29,923                 | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Contingency                                | 2,258          | 6,000                | -2,000                              | 373                    | 5,627                   | 6,000                | 1.4%                            | 0                           | 0.0%                               |
| Miscellaneous                              | 5,411          | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| Harmonized Sales Tax                       | 0              | 2,421                | 0                                   | 0                      | 2,421                   | 0                    | 0.0%                            | -2,421                      | -100.0%                            |
| <b>Total Expenditure</b>                   | <b>300,165</b> | <b>396,981</b>       | <b>0</b>                            | <b>364,069</b>         | <b>32,912</b>           | <b>442,000</b>       | <b>100.0%</b>                   | <b>45,019</b>               | <b>11.3%</b>                       |
| Net Surplus/ Deficit                       | 52,560         | 0                    | 0                                   | 22,332                 | 22,332                  | 0                    |                                 |                             |                                    |
| Draw from/(Contribution to) Operating Fund | -52,560        | 0                    | 0                                   | -22,332                | -22,332                 | 0                    |                                 |                             |                                    |
| <b>Net</b>                                 | <b>0</b>       | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                             |                                    |

All figures subject to audit.

All figures subject to rounding.

## Schedule “B”

### Operating Fund

|  |               |
|--|---------------|
| <b>Operating Fund Balance 2019 Audited</b>   | <b>67,848</b> |
| Projected Draw from Operating Fund in 2020   | 0             |
| 2020 Projected Net Surplus                   | 22,332        |
| <b>Operating Fund Balance 2020 Projected</b> | <b>90,180</b> |

All figures subject to audit.  
All figures subject to rounding.

## Schedule “C”

Bill Number

2021

By-law Number

A by-law to raise the amount required for the purposes of the Hyde Park Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001.

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

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 as amended provides that a municipality may pass by-law respecting; the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS By-law CP-1519-490, as amended, provides for an improvement area to be known as the Hyde Park Business Improvement Area and establishes a Board of Management for it known as the Hyde Park Business Improvement Area Board of Management;

AND WHEREAS subsection 208(1) of the Municipal Act, 2001 provides that the municipality shall annually raise the amount required for the purposes of the board of management (of a business improvement area);

AND WHEREAS section 23 of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11 those sections authorize a municipality to delegate its powers under the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1. That the budget for the 2021 fiscal year submitted by the Hyde Park Business Improvement Area Board of Management attached as Schedule “A” is approved.
2. The amount to be raised by the Corporation for the 2021 fiscal year for the purposes of The Hyde Park Business Improvement Area Board of Management and pursuant to subsection 208(1) of the Municipal Act, 2001 is \$434,000.
3. A special charge is established for the amount referred to in section 2 of this by-law by a levy in accordance with By-law CP-1519-490, as amended.
4. The special charge referred to in section 3 of this by-law shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001.

5. The administration of this by-law is delegated to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
6. This by-law comes into force and effect on the day it is passed.

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Subject:** London Downtown Business Association 2021 Proposed Budget - Municipal Special Levy

**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the London Downtown Business Association:

- a. The London Downtown Business Association proposed 2021 budget submission in the amount of \$1,972,282 **BE APPROVED** as outlined in Schedule “A”;
- b. The amount to be raised by the Corporation of the City of London for the 2021 fiscal year for the purposes of the London Downtown Business Association and pursuant to subsection 208(1) of the Municipal Act, 2001 **BE FIXED** at \$1,877,082;
- c. A special charge **BE ESTABLISHED** for the amount referred to in part b, above, by a levy in accordance with By-law CP-2 as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d. The attached by-law (Schedule “C”) with respect to Municipal Special Levy for the London Downtown Business Association **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021.

## Linkage to the Corporate Strategic Plan

Council’s 2019 to 2023 Strategic Plan for the City of London identifies “Growing Our Economy” and “Leading in Public Service” as strategic areas of focus. These involve working better together for economic growth with Business Improvement Areas (BIA’s) of London and continuing to build strong working relationships with such community partners. In line with these areas of focus, the City provides guidance to the BIA’s in regard to establishment and ongoing business and financial operations. The City also acts as the intermediary with respect to collecting the approved levy amounts which fund services provided to the BIA members and thus promote continued growth in London’s economy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee, January 20, 2020, Agenda item 2.6, London Downtown Business Association 2020 Proposed Budget – Municipal Special Levy. This report can be found on the City’s website by visiting:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70362>

### 2.0 Financial Impact/Considerations

On October 8, 2020, the Board of Management of the London Downtown Business Association (LDBA) approved the 2021 budget (Schedule “A”) which was presented to the members at the Annual General Meeting on November 9, 2020.

Under subsection 205(2) of the Municipal Act, 2001, a business improvement area (BIA) must submit an annual budget to Council that Council may approve in whole or in part, but may not add expenditures. The LDBA has met this requirement in Schedule "A", noting the 2021 total expenditure budget of \$1,972,282.

Civic Administration provides the following comments based on its review of LDBA's submission:

- a) The LDBA submitted a 2021 budget of \$1,972,282 which represents an increase of \$145,792 (8.0%) compared to its 2020 budget of \$1,826,490. The total increase in revenue is a result of the following:
  - i. \$224,000 is budgeted for a Draw from Operating Fund which will be used to cover increased costs related to pressures from COVID-19 including \$100,000 for COVID grant funding, an increase in budget for Retention and Recruitment, and a new program (Public Safety Member Liaison).
  - ii. The increase in the Draw from Operating Fund is partially offset by a decrease of \$38,308 to the Municipal Special Levy. The Levy for 2021 is budgeted at \$1,877,082. This decrease is to provide some financial relief to member businesses due to the financial impacts of COVID-19.
- b) Significant changes to expenditures in 2021 include:
  - i. Transfer of Mainstreet London (MSL) items to LDBA budget – As of 2021, MSL is only budgeting for the LDBA Sponsorship for Grant Payments. All other expenses have been transferred to the LDBA budget to clearly identify which expenditures are funded from the Municipal Special Levy. This includes approximately \$95,000 for Wages and Benefits and \$50,000 for Retention and Recruitment.
  - ii. Legal and Audit - A decrease of \$15,000 from 2020 budget due to less professional fees anticipated in 2021.
  - iii. Retention and Recruitment – In addition to the transfer from MSL, this expenditure has increased another \$90,000 to \$140,000 to initiate a new recruitment program to help fill empty storefronts as well as increase retention efforts to further help existing businesses.
  - iv. Communications and Marketing - A decrease of \$40,000 from the 2020 budget, due to a portion of this budget being reallocated to the COVID-19 Response. 2020 also included a significant one-time expenditure for a new website.
  - v. Mainstreet Sponsorship - With the exception of grant programs, all expenditures have been transferred to LDBA, so no amount is budgeted.
  - vi. Public Safety Member Liaison - \$75,000 is budgeted to meet the needs of member businesses with respect to social, safety and crime issues that have arisen since the onset of COVID-19.
  - vii. Cleaning and Maintenance - An increase of \$42,500 over 2020 budgeted to meet member feedback requests. This includes an increase to the clean team hours which will provide more frequent checks and cleaning of all areas within the BIA boundary.
  - viii. COVID-19 Response - \$80,000 is budgeted to address any COVID-19 related financial impacts in 2021.

Civic Administration provides the following comments based on its review of the Mainstreet London (MSL) budget:

- a) LDBA submitted MSL's 2021 budget of \$200,000, which represents a decrease of \$185,500 (48.1%) compared to its 2020 budget of \$385,500. The decrease is a result of the following:
  - i. As of 2021, MSL is only budgeting for the LDBA Sponsorship for Grant Payments. All other expenses have been transferred to the LDBA budget to clearly identify which expenditures are funded from the Municipal

Special Levy. This includes approximately \$95,000 for Wages and Benefits and \$50,000 for Retention and Recruitment.

- ii. Mainstreet's agreement with the City of London to pay for the Dundas Place Manager was extended from March 2020 to the end of December 2020; however, no amount has been budgeted for 2021 as this arrangement has concluded.

At the time of submitting this report, audited 2020 financial statements were unavailable. Estimates received by the LDBA and MSL indicated that there is an estimated combined year-end surplus of \$240,760 for 2020 (LDBA surplus of \$239,960 and MSL surplus of \$800). The unaudited projected December 31, 2020 reserve fund balance is \$134,896 and the unaudited projected balance in the Operating Fund is \$574,297 including year-end adjustments.

## **Conclusion**

The owners of business property within the BIA will be responsible for payment of \$1,877,082 to be raised by the Corporation for the 2021 fiscal year for the purposes of LDBA and pursuant to subsection 208(1) of the Municipal Act, 2001. Upon Council approval, the City of London will pay the LDBA 50% of the budgeted Municipal Special Levy, with the remaining 50% to be paid on or after June 30<sup>th</sup>.

**Prepared by:** Zeina Nsair, CPA, CGA, Manager, Financial Modelling, Forecasting and Systems Control

Alan Dunbar, CPA, CGA, Manager, Financial Planning and Policy

**Submitted by:** Kyle Murray, CPA, CA, Director, Financial Planning and Business Support

**Recommended by:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

## Schedule "A"

### London Downtown Business Association 2021 Proposed Budget with 2020 Comparators

#### Revenue Overview

| Revenue Detail:                   | 2019 Audited     | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Revenue | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|-----------------------------------|------------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------|------------------------------------|
| Municipal Special Levy            | 1,915,390        | 1,915,390            | 0                                   | 1,915,390              | 0                       | 1,877,082            | 95.2%                       | -38,308                     | -2.0%                              |
| Tax Write offs                    | -112,939         | -90,000              | 0                                   | -150,000               | -60,000                 | -130,000             | -6.6%                       | -40,000                     | 44.4%                              |
| <b>Net Municipal Special Levy</b> | <b>1,802,451</b> | <b>1,825,390</b>     | <b>0</b>                            | <b>1,765,390</b>       | <b>-60,000</b>          | <b>1,747,082</b>     | <b>88.6%</b>                | <b>-78,308</b>              | <b>-4.3%</b>                       |
| Draw from Operating Fund          | 0                | 0                    | 300,000                             | 300,000                | 300,000                 | 224,000              | 11.4%                       | 224,000                     | N/A                                |
| Interest Income                   | 3,917            | 1,100                | 0                                   | 2,700                  | 1,600                   | 1,200                | 0.1%                        | 100                         | 9.1%                               |
| Miscellaneous Income              | 3,440            | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                        | 0                           | 0.0%                               |
| <b>Total Revenue</b>              | <b>1,809,808</b> | <b>1,826,490</b>     | <b>300,000</b>                      | <b>2,068,090</b>       | <b>241,600</b>          | <b>1,972,282</b>     | <b>100.0%</b>               | <b>145,792</b>              | <b>8.0%</b>                        |

#### Expenditure Overview

| Expenditure Detail:            | 2019 Audited | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--------------------------------|--------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>          |              |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Wages and Benefits             | 610,546      | 570,000              | 0                                   | 486,000                | 84,000                  | 641,200              | 32.5%                           | 71,200                      | 12.5%                              |
| Telephone                      | 10,761       | 14,000               | 0                                   | 10,320                 | 3,680                   | 12,000               | 0.6%                            | -2,000                      | -14.3%                             |
| Stationery and Supplies        | 3,388        | 4,000                | 0                                   | 4,000                  | 0                       | 4,000                | 0.2%                            | 0                           | 0.0%                               |
| Insurance                      | 7,388        | 7,400                | 0                                   | 7,637                  | -237                    | 7,600                | 0.4%                            | 200                         | 2.7%                               |
| Professional Services          | 41,542       | 3,600                | 0                                   | 14,963                 | -11,363                 | 3,500                | 0.2%                            | -100                        | -2.8%                              |
| Purchase and Leasing Equipment | 15,313       | 16,500               | 0                                   | 17,700                 | -1,200                  | 15,000               | 0.8%                            | -1,500                      | -9.1%                              |
| Training/ Conferences          | 5,252        | 18,000               | 0                                   | 5,100                  | 12,900                  | 18,000               | 0.9%                            | 0                           | 0.0%                               |



| Expenditure Detail:                  | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--------------------------------------|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Meetings and Meals                   | 0              | 5,000                | 0                                   | 195                    | 4,805                   | 4,000                | 0.2%                            | -1,000                      | -20.0%                             |
| Subscriptions/ Memberships           | 3,482          | 3,100                | 0                                   | 3,622                  | -522                    | 3,600                | 0.2%                            | 500                         | 16.1%                              |
| Legal & Audit                        | 25,438         | 20,000               | 0                                   | 5,850                  | 14,150                  | 5,000                | 0.3%                            | -15,000                     | -75.0%                             |
| Cleaning                             | 8,231          | 8,000                | 0                                   | 4,856                  | 3,144                   | 7,700                | 0.4%                            | -300                        | -3.8%                              |
| Board Development & Expenses         | 3,722          | 5,000                | 0                                   | 384                    | 4,616                   | 3,000                | 0.2%                            | -2,000                      | -40.0%                             |
| Miscellaneous Expenses               | 2,000          | 3,390                | 0                                   | 1,000                  | 2,390                   | 1,000                | 0.1%                            | -2,390                      | -70.5%                             |
| COVID-19 Administrative Savings/Cuts | 0              | 0                    | -127,890                            | 0                      | 0                       | 0                    | 0.1%                            | 0                           | 0.0%                               |
| <b>Total Administration</b>          | <b>737,064</b> | <b>677,990</b>       | <b>-127,890</b>                     | <b>561,626</b>         | <b>116,363</b>          | <b>725,600</b>       | <b>36.8%</b>                    | <b>47,610</b>               | <b>7.0%</b>                        |
| <b>Rent</b>                          |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Rent and Hydro                       | 78,541         | 83,000               | -4,060                              | 79,050                 | 3,950                   | 83,000               | 4.2%                            | 0                           | 0.0%                               |
| <b>Total Rent</b>                    | <b>78,541</b>  | <b>83,000</b>        | <b>-4,060</b>                       | <b>79,050</b>          | <b>3,950</b>            | <b>83,000</b>        | <b>4.2%</b>                     | <b>0</b>                    | <b>0.0%</b>                        |
| <b>Member Services</b>               |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Graffiti Removal                     | 52,200         | 53,000               | 0                                   | 52,200                 | 800                     | 53,000               | 2.7%                            | 0                           | 0.0%                               |
| Business to Business                 | 0              | 6,000                | -2,000                              | 0                      | 6,000                   | 5,000                | 0.3%                            | -1,000                      | -16.7%                             |
| Retention and Recruitment            | 0              | 0                    | -41,500                             | 0                      | 0                       | 140,000              | 7.1%                            | 140,000                     | N/A                                |
| Communications & Marketing           | 213,903        | 258,000              | -85,601                             | 151,000                | 107,000                 | 218,000              | 11.1%                           | -40,000                     | -15.5%                             |
| Annual General Meeting               | 7,530          | 8,000                | 0                                   | 7,500                  | 500                     | 3,900                | 0.2%                            | -4,100                      | -51.3%                             |
| <b>Total Member Services</b>         | <b>273,633</b> | <b>325,000</b>       | <b>-129,101</b>                     | <b>210,700</b>         | <b>114,300</b>          | <b>419,900</b>       | <b>21.3%</b>                    | <b>94,900</b>               | <b>29.2%</b>                       |
| <b>Business Development</b>          |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Promo Downtown Dollars               | 60,000         | 60,000               | 0                                   | 60,000                 | 0                       | 60,000               | 3.0%                            | 0                           | 0.0%                               |
| Campaigns and Street Activations     | 0              | 51,500               | -19,500                             | 39,000                 | 12,500                  | 52,000               | 2.6%                            | 500                         | 1.0%                               |
| Event Sponsorships                   | 0              | 46,000               | -26,000                             | 3,850                  | 42,150                  | 33,850               | 1.7%                            | -12,150                     | -26.4%                             |
| MainStreet Sponsorship               | 134,062        | 149,500              | 0                                   | 49,001                 | 100,499                 | 0                    | 0.0%                            | -149,500                    | -100.0%                            |
| MainStreet About Face Sponsorship    | 192,165        | 200,000              | -50,000                             | 51,865                 | 48,135                  | 200,000              | 10.1%                           | 0                           | 0.0%                               |

| Expenditure Detail:                          | 2019 Audited     | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/ Decrease over 2020 | Percentage Budget Change over 2020 |
|--|------------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|------------------------------|------------------------------------|
| Planters                                     | 25,764           | 30,000               | -15,000                             | 15,000                 | 15,000                  | 28,000               | 1.4%                            | -2,000                       | -6.7%                              |
| Public Art                                   | 2,250            | 10,000               | -7,500                              | 5,000                  | 5,000                   | 0                    | 0.0%                            | -10,000                      | -100.0%                            |
| Public Safety Member Liaison                 | 0                | 0                    | 0                                   | 0                      | 0                       | 75,000               | 3.8%                            | 75,000                       | N/A                                |
| Cleaning and Maintenance                     | 146,623          | 152,500              | -2,700                              | 148,000                | 4,500                   | 195,000              | 9.9%                            | 42,500                       | 27.9%                              |
| Volunteer Recognition                        | 0                | 4,000                | -4,000                              | 0                      | 4,000                   | 0                    | 0.0%                            | -4,000                       | -100.0%                            |
| Miscellaneous                                | 682              | 3,000                | -1,998                              | 16,538                 | -13,538                 | 1,932                | 0.1%                            | -1,068                       | -35.6%                             |
| COVID-19 Response                            | 0                | 0                    | 397,309                             | 177,000                | -177,000                | 80,000               | 4.1%                            | 80,000                       | N/A                                |
| COVID-19 MSL Marketing Grant                 | 0                | 0                    | 300,000                             | 300,000                | -300,000                | 0                    | 0.0%                            | 0                            | 0.0%                               |
| <b>Total Business Development</b>            | <b>561,546</b>   | <b>706,500</b>       | <b>570,611</b>                      | <b>965,254</b>         | <b>-258,754</b>         | <b>725,782</b>       | <b>36.8%</b>                    | <b>19,282</b>                | <b>2.7%</b>                        |
| <b>Other</b>                                 |                  |                      |                                     |                        |                         |                      |                                 |                              |                                    |
| Harmonized Sales Tax                         | 9,629            | 34,000               | -9,560                              | 11,500                 | 22,500                  | 18,000               | 0.9%                            | -16,000                      | -47.1%                             |
| Miscellaneous                                | 16,161           | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                            | 0.0%                               |
| <b>Total Other</b>                           | <b>25,790</b>    | <b>34,000</b>        | <b>-9,560</b>                       | <b>11,500</b>          | <b>22,500</b>           | <b>18,000</b>        | <b>0.9%</b>                     | <b>-16,000</b>               | <b>-47.1%</b>                      |
| <b>Total Expenditure</b>                     | <b>1,676,574</b> | <b>1,826,490</b>     | <b>300,000</b>                      | <b>1,828,130</b>       | <b>-1,641</b>           | <b>1,972,282</b>     | <b>100.0%</b>                   | <b>145,792</b>               | <b>8.0%</b>                        |
| Net Surplus/ Deficit                         | 133,235          | 0                    | 0                                   | 239,960                | 239,960                 | 0                    |                                 |                              |                                    |
| Draw from / (Contribution to) Operating Fund | -133,235         | 0                    | 0                                   | -239,960               | -239,960                | 0                    |                                 |                              |                                    |
| <b>Net</b>                                   | <b>0</b>         | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                              |                                    |

All figures subject to audit.

All figures subject to rounding.

## MainStreet London 2021 Proposed Budget with 2020 Comparators

### Revenue Overview

| Revenue Detail:                                  | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Revenue | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------|------------------------------------|
| London Downtown Business Association Sponsorship | 134,062        | 149,500              | 0                                   | 49,001                 | -100,499                | 0                    | 0.0%                        | -149,500                    | -100.0%                            |
| LDBA Sponsorship for Grant Programs              | 192,165        | 200,000              | 0                                   | 151,865                | -48,135                 | 200,000              | 100.0%                      | 0                           | 0.0%                               |
| LDBA COVID-19 MSL Marketing Grant                | 0              | 0                    | 300,000                             | 300,000                | 300,000                 | 0                    | 0.0%                        | 0                           | 0.0%                               |
| Draw from Operating Fund                         | 0              | 0                    | 156,000                             | 156,000                | 156,000                 | 0                    | 0.0%                        | 0                           | 0.0%                               |
| City of London                                   | 83,709         | 36,000               | 0                                   | 90,023                 | 54,023                  | 0                    | 0.0%                        | -36,000                     | -100.0%                            |
| Interest Income                                  | 1,593          | 0                    | 0                                   | 1,176                  | 1,176                   | 0                    | 0.0%                        | 0                           | 0.0%                               |
| Miscellaneous Income                             | 11,760         | 0                    | 0                                   | 156,793                | 156,793                 | 0                    | 0.0%                        | 0                           | 0.0%                               |
| <b>Total Revenue</b>                             | <b>423,289</b> | <b>385,500</b>       | <b>456,000</b>                      | <b>904,858</b>         | <b>519,358</b>          | <b>200,000</b>       | <b>100.0%</b>               | <b>-185,500</b>             | <b>-48.1%</b>                      |

### Expenditure Overview

| Expenditure Detail:                    | 2019 Audited  | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|--|---------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>                  |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Wages and Benefits                     | 93,668        | 95,000               | 0                                   | 95,000                 | 0                       | 0                    | 0.0%                            | -95,000                     | -100.0%                            |
| <b>Total Administration</b>            | <b>93,668</b> | <b>95,000</b>        | <b>0</b>                            | <b>95,000</b>          | <b>0</b>                | <b>0</b>             | <b>0.0%</b>                     | <b>-95,000</b>              | <b>-100.0%</b>                     |
| <b>Organization/ Design/ Promotion</b> |               |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Grants                                 | 192,165       | 200,000              | 0                                   | 261,865                | 61,865                  | 200,000              | 100.0%                          | 0                           | 0.0%                               |
| COVID-19 MSL Marketing Grant           | 0             | 0                    | 300,000                             | 300,000                | 300,000                 | 0                    | 0.0%                            | 0                           | 0.0%                               |
| COVID-19 MSL Restart Grant             | 0             | 0                    | 156,000                             | 156,000                | 156,000                 | 0                    | 0.0%                            | 0                           | 0.0%                               |

| Expenditure Detail:                               | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/ Decrease over 2020 | Percentage Budget Change over 2020 |
|---|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|------------------------------|------------------------------------|
| Dundas Place                                      | 83,709         | 36,000               | 0                                   | 90,023                 | 54,023                  | 0                    | 0.0%                            | -36,000                      | -100.0%                            |
| TIL Bad Debt                                      | 27,222         | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                            | 0.0%                               |
| Wi-Fi - LAWN                                      | 10,282         | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                            | 0.0%                               |
| Business Retention                                | 3,044          | 15,000               | 0                                   | 807                    | -14,193                 | 0                    | 0.0%                            | -15,000                      | -100.0%                            |
| Recruitment                                       | 664            | 35,000               | 0                                   | 363                    | -34,637                 | 0                    | 0.0%                            | -35,000                      | -100.0%                            |
| <b>Total Organization/ Design/ Promotion</b>      | <b>317,085</b> | <b>286,000</b>       | <b>456,000</b>                      | <b>809,058</b>         | <b>523,058</b>          | <b>200,000</b>       | <b>100.0%</b>                   | <b>-86,000</b>               | <b>-30.1%</b>                      |
| <b>Other</b>                                      |                |                      |                                     |                        |                         |                      |                                 |                              |                                    |
| Harmonized Sales Tax Write off of 50% at year-end | 999            | 4,500                | 0                                   | 0                      | -4,500                  | 0                    | 0.0%                            | -4,500                       | -100.0%                            |
| <b>Total Other</b>                                | <b>999</b>     | <b>4,500</b>         | <b>0</b>                            | <b>0</b>               | <b>-4,500</b>           | <b>0</b>             | <b>0.0%</b>                     | <b>-4,500</b>                | <b>-100.0%</b>                     |
| <b>Total MainStreet London Expenditure</b>        | <b>411,752</b> | <b>385,500</b>       | <b>456,000</b>                      | <b>904,058</b>         | <b>518,558</b>          | <b>200,000</b>       | <b>100.0%</b>                   | <b>-185,500</b>              | <b>-48.1%</b>                      |
| Net Surplus/ Deficit                              | 11,537         | 0                    | 0                                   | 800                    | 800                     | 0                    |                                 |                              |                                    |
| Draw from (Contribution to) Operating Fund        | -11,537        | 0                    | 0                                   | -800                   | -800                    | 0                    |                                 |                              |                                    |
| <b>Net</b>  | <b>0</b>       | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                              |                                    |

All figures subject to audit.

All figures subject to rounding.

## Schedule “B”

### Operating Fund

|  |                |
|--|----------------|
| <b>Operating Fund Balance 2019 Audited</b>   | <b>790,337</b> |
| Projected Draw from Operating Fund in 2020   | -456,000       |
| 2020 Projected Net Surplus                   | 240,760        |
| <b>Operating Fund Balance 2020 Projected</b> | <b>575,097</b> |

All figures subject to audit.

All figures subject to rounding.

### Reserve Fund

|  |                |
|--|----------------|
| <b>Reserve Fund Balance 2019 Audited</b>       | <b>134,896</b> |
| Projected Draw from Reserve Fund in 2020       | 0              |
| Projected Contribution to Reserve Fund in 2020 | 0              |
| <b>Reserve Fund Balance 2020 Projected</b>     | <b>134,896</b> |

All figures subject to audit.

All figures subject to rounding.

## Schedule “C”

Bill Number

2021

By-law Number

A by-law to raise the amount required for the purposes of the London Downtown Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001.

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

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 as amended provides that a municipality may pass by-laws respecting; the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10 (1) (paragraph 7);

AND WHEREAS By-law CP-2, as amended, provides for an improvement area to be known as the London Downtown Business Improvement Area and establishes a Board of Management for it known as the London Downtown Business Improvement Area Board of Management;

AND WHEREAS subsection 208(1) of the Municipal Act, 2001 provides that the municipality shall annually raise the amount required for the purposes of the board of management (of a business improvement area);

AND WHEREAS section 23 of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11 those sections authorize a municipality to delegate its powers under the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1. That the budget for the 2021 fiscal year submitted by the London Downtown Business Improvement Area Board of Management attached as Schedule “A” is approved.
2. The amount to be raised by the Corporation for the 2021 fiscal year for the purposes of the London Downtown Business Improvement Area Board of Management and pursuant to subsection 208(1) of the Municipal Act, 2001 is \$1,877,082.
3. A special charge is established for the amount referred to in section 2 of this by-law by a levy in accordance with By-law CP-2, as amended.
4. The special charge referred to in section 3 of this by-law shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001.

5. The administration of this by-law is delegated to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
6. This by-law comes into force and effect on the day it is passed.

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Subject:** Old East Village Business Improvement Area 2021 Proposed Budget – Municipal Special Levy

**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Old East Village Business Improvement Area:

- a. The Old East Village Business Improvement Area proposed 2021 budget submission in the amount of \$234,350 **BE APPROVED** as outlined in Schedule “A”;
- b. The amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 **BE FIXED** at \$42,000;
- c. A special charge **BE ESTABLISHED** for the amount referred to in part b, above, by a levy in accordance with By-law CP-1 as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d. The attached by-law (Schedule “C”) with respect to Municipal Special Levy for the Old East Village Business Improvement Area **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021.

## Linkage to the Corporate Strategic Plan

Council’s 2019 to 2023 Strategic Plan for the City of London identifies “Growing Our Economy” and “Leading in Public Service” as strategic areas of focus. These involve working better together for economic growth with Business Improvement Areas (BIA’s) of London and continuing to build strong working relationships with such community partners. In line with these areas of focus, the City provides guidance to the BIA’s in regard to establishment and ongoing business and financial operations. The City also acts as the intermediary with respect to collecting the approved levy amounts which fund services provided to the BIA members and thus promote continued growth in London’s economy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee, January 20, 2020, Agenda item 2.5, Old East Village Business Improvement Area 2020 Proposed Budget – Municipal Special Levy. The report can found on the City’s website by visiting:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70361>



## 2.0 Financial Impact/Considerations

On October 21, 2020, the Board of Management of the Old East Village Business Improvement Area (OEV BIA) approved the 2021 budget (Schedule "A"), which was presented to the members at the Annual General Meeting on October 29, 2020.

Under subsection 205(2) of the Municipal Act, 2001, a business improvement area must submit an annual budget to Council that Council may approve in whole or in part, but may not add expenditures. The OEV BIA has met this requirement in Schedule "A", noting the 2021 total expenditure budget of \$234,350.

Civic Administration provides the following comments based on its review of the submission:

- a) The OEV BIA submitted a 2021 budget of \$234,350 which represents an increase of \$20,650 (9.7%) compared to its 2020 budget of \$213,700. The special levy to the members remains the same as 2020 but there is an increase in the Draw from Operating Fund which will be used to cover increased costs, mostly related to addressing pressures from COVID-19. Revenue includes the special levy plus City of London Funding of \$141,102, the same amount as previous years.
- b) Significant changes to expenditures in 2021 include:
  - i. Salaries and Benefits - an increase of \$11,150 over 2020 is budgeted for part-time staff wages and cost of living increases.
  - ii. COVID-19 Budget - \$12,000 is budgeted to fund the following:
    - Additional/unidentified COVID-19 related supports in 2021
    - Graffiti removal program
    - Beautification - COVID-19 related needs/opportunities
    - Digital Marketing Fund

At the time of submitting this report, audited 2020 financial statements were unavailable. After adjustments to the draw from the operating fund, OEV BIA projects a balanced year-end position, no surplus or deficit. The unaudited projected December 31, 2020 reserve fund balance is \$8,002 and the unaudited projected balance in the Operating Fund is \$117,713 including year-end adjustments. The year-end fund balances are presented in Schedule "B."

## Conclusion

The owners of business property within the business improvement area will be responsible for payment of \$42,000 to be raised by the Corporation for the 2021 fiscal year for the purposes of OEV BIA and pursuant to subsection 208(1) of the Municipal Act, 2001. Upon Council approval, the City of London will pay the OEV BIA 50% of the budgeted Municipal Special Levy, with the remaining 50% to be paid on or after June 30<sup>th</sup>.

|                        |  |
|------------------------|--|
| <b>Prepared by:</b>    | <b>Zeina Nsair, CPA, CGA, Manager, Financial Modelling, Forecasting and Systems Control</b>                          |
|                        | <b>Alan Dunbar, CPA, CGA, Manager, Financial Planning and Policy</b>   |
| <b>Submitted by:</b>   | <b>Kyle Murray, CPA, CA, Director, Financial Planning and Business Support</b>                                       |
| <b>Recommended by:</b> | <b>Anna Lisa Barbon, CPA, CGA, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer</b> |

## Schedule "A"

### Old East Village Business Improvement Area 2021 Proposed Budget (with 2020 Comparators)

#### Revenue Overview

| Revenue Detail:                  | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Revenue | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|----------------------------------|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|-----------------------------|-----------------------------|------------------------------------|
| Municipal Special Levy           | 40,000         | 42,000               | 0                                   | 42,000                 | 0                       | 42,000               | 18%                         | 0                           | 0.0%                               |
| Less: Allowance for Levy Rebates | 0              | -2,000               | 0                                   | -2,000                 | 0                       | -2,000               | -1%                         | 0                           | 0.0%                               |
| Net Municipal Special Levy       | 40,000         | 40,000               | 0                                   | 40,000                 | 0                       | 40,000               | 17%                         | 0                           | 0.0%                               |
| Interest Revenue                 | 169            | 65                   | 0                                   | 120                    | 55                      | 120                  | 0%                          | 55                          | 84.6%                              |
| City of London Funding           | 141,102        | 141,102              | 0                                   | 141,102                | 0                       | 141,102              | 60%                         | 0                           | 0.0%                               |
| Draw from Operating Fund         | 0              | 32,533               | 0                                   | 2,705                  | -29,828                 | 53,128               | 23%                         | 20,595                      | 63.3%                              |
| Reserve Fund Drawdown            | 0              | 0                    | 0                                   | 0                      | 0                       | 0                    | 0%                          | 0                           | 0.0%                               |
| Miscellaneous                    | 3,440          | 0                    | 0                                   | 0                      | 0                       | 0                    | 0%                          | 0                           | 0.0%                               |
| <b>Total Revenue</b>             | <b>184,711</b> | <b>213,700</b>       | <b>0</b>                            | <b>183,927</b>         | <b>-29,773</b>          | <b>234,350</b>       | <b>100%</b>                 | <b>20,650</b>               | <b>9.7%</b>                        |

#### Expenditure Overview

| Expenditure Detail:   | 2019 Audited | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---|--------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| <b>Administration</b>   |              |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Telephone   | 1,199        | 1,500                | 0                                   | 1,279                  | 221                     | 1,500                | 0.6%                            | 0                           | 0.0%                               |
| Travel  | 750          | 700                  | 0                                   | 136                    | 564                     | 700                  | 0.3%                            | 0                           | 0.0%                               |
| Operating Supplies and Costs  | 180          | 1,000                | 0                                   | 650                    | 350                     | 1,000                | 0.4%                            | 0                           | 0.0%                               |
| Printing and Communications   | 283          | 1,500                | 0                                   | 500                    | 1,000                   | 1,500                | 0.6%                            | 0                           | 0.0%                               |
| Equipment/ Building Allowance for Upgrades, Maintenance and Repairs | 2,048        | 4,500                | 0                                   | 1,205                  | 3,295                   | 4,500                | 1.9%                            | 0                           | 0.0%                               |

| Expenditure Detail:                                 | 2019 Audited   | 2020 Approved Budget | 2020 COVID-19 Contingency Revisions | 2020 Projected Actuals | 2020 Projected Variance | 2021 Proposed Budget | Percentage of Total Expenditure | Increase/Decrease over 2020 | Percentage Budget Change over 2020 |
|---|----------------|----------------------|-------------------------------------|------------------------|-------------------------|----------------------|---------------------------------|-----------------------------|------------------------------------|
| Salary and Benefits                                 | 1,901          | 2,000                | 0                                   | 1,020                  | 980                     | 2,000                | 0.9%                            | 0                           | 0.0%                               |
| Financial Audits                                    | 1,400          | 1,600                | 0                                   | 1,450                  | 150                     | 1,600                | 0.7%                            | 0                           | 0.0%                               |
| Training, Education and Development                 | 302            | 500                  | 0                                   | 0                      | 500                     | 500                  | 0.2%                            | 0                           | 0.0%                               |
| Miscellaneous Administration                        | 6,000          | 5,500                | 0                                   | 3,660                  | 1,840                   | 5,500                | 2.3%                            | 0                           | 0.0%                               |
| <b>Total Administration</b>                         | <b>14,063</b>  | <b>18,800</b>        | <b>0</b>                            | <b>9,900</b>           | <b>8,900</b>            | <b>18,800</b>        | <b>8.0%</b>                     | <b>0</b>                    | <b>0.0%</b>                        |
| <b>Rent</b>   |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Office Rental                                       | 12,661         | 14,400               | 0                                   | 14,400                 | 0                       | 14,400               | 6.1%                            | 0                           | 0.0%                               |
| <b>Total Rent</b>                                   | <b>12,661</b>  | <b>14,400</b>        | <b>0</b>                            | <b>14,400</b>          | <b>0</b>                | <b>14,400</b>        | <b>6.1%</b>                     | <b>0</b>                    | <b>0.0%</b>                        |
| <b>Business Development/ Member Services</b>        |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| Advertising, Marketing and Promotion                | 6,828          | 6,500                | -1,350                              | 5,150                  | 1,350                   | 6,500                | 2.8%                            | 0                           | 0.0%                               |
| Purchased Services                                  | 7,938          | 19,000               | 0                                   | 10,200                 | 8,800                   | 16,500               | 7.0%                            | -2,500                      | -13.2%                             |
| Salary and Benefits                                 | 96,420         | 138,000              | 0                                   | 134,850                | 3,150                   | 149,150              | 63.6%                           | 11,150                      | 8.1%                               |
| Special Projects                                    | 6,023          | 6,500                | -4,000                              | 2,000                  | 4,500                   | 6,500                | 2.8%                            | 0                           | 0.0%                               |
| Beautification                                      | 1,832          | 5,000                | -4,300                              | 0                      | 5,000                   | 5,000                | 2.1%                            | 0                           | 0.0%                               |
| Community Initiatives                               | 4,933          | 5,500                | -3,000                              | 1,798                  | 3,702                   | 5,500                | 2.3%                            | 0                           | 0.0%                               |
| <b>Total Business Development / Member Services</b> | <b>123,974</b> | <b>180,500</b>       | <b>-12,650</b>                      | <b>153,998</b>         | <b>26,502</b>           | <b>189,150</b>       | <b>80.7%</b>                    | <b>8,650</b>                | <b>4.8%</b>                        |
| <b>Other</b>  |                |                      |                                     |                        |                         |                      |                                 |                             |                                    |
| COVID-19 Budget                                     | 0              | 0                    | 12,650                              | 5,629                  | -5,629                  | 12,000               | 5.1%                            | 12,000                      | N/A                                |
| Harmonized Sales Tax Expense                        | 714            | 0                    | 0                                   | 0                      | 0                       | 0                    | 0.0%                            | 0                           | 0.0%                               |
| <b>Total Other</b>                                  | <b>714</b>     | <b>0</b>             | <b>12,650</b>                       | <b>5,629</b>           | <b>-5,629</b>           | <b>12,000</b>        | <b>5.1%</b>                     | <b>12,000</b>               | <b>0.0%</b>                        |
| <b>Total Expenditure</b>                            | <b>151,412</b> | <b>213,700</b>       | <b>0</b>                            | <b>183,927</b>         | <b>29,773</b>           | <b>234,350</b>       | <b>100.0%</b>                   | <b>20,650</b>               | <b>9.7%</b>                        |
| Net Surplus/ Deficit                                | 33,299         | 0                    | 0                                   | 0                      | 0                       | 0                    |                                 |                             |                                    |
| Draw from/(Contribution to) Operating Fund          | -33,299        | 0                    | 0                                   | 0                      | 0                       | 0                    |                                 |                             |                                    |
| <b>Net</b>  | <b>0</b>       | <b>0</b>             | <b>0</b>                            | <b>0</b>               | <b>0</b>                | <b>0</b>             |                                 |                             |                                    |

All figures subject to audit.

All figures subject to rounding.

## Schedule “B”

### Operating Fund

|  |                |
|--|----------------|
| <b>Operating Fund Balance 2019 Audited</b>   | <b>120,418</b> |
| Projected Draw from Operating Fund in 2020   | -2,705         |
| 2020 Projected Net Surplus                   | 0              |
| <b>Operating Fund Balance 2020 Projected</b> | <b>117,713</b> |

All figures subject to audit.

All figures subject to rounding.

### Reserve Fund

|  |              |
|--|--------------|
| <b>Reserve Fund Balance 2019 Audited</b>   | <b>8,002</b> |
| Projected Draw from Reserve Fund in 2020   | 0            |
| 2020 Contribution to Reserve Fund          | 0            |
| <b>Reserve Fund Balance 2020 Projected</b> | <b>8,002</b> |

All figures subject to audit.

All figures subject to rounding.

## Schedule “C”

Bill No.

2021

By-law No.

A by-law to raise the amount required for the purposes of the Old East Village Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001.

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

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 as amended provides that a municipality may pass by-laws respecting; the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS By-law CP-1, as amended, provides for an improvement area to be known as the Old East Village Business Improvement Area and establishes a Board of Management for it known as the Old East Village Business Improvement Area Board of Management;

AND WHEREAS subsection 208(1) of the Municipal Act, 2001 provides that the municipality shall annually raise the amount required for the purposes of the board of management (of a business improvement area);

AND WHEREAS section 23 of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11 those sections authorize a municipality to delegate its powers under the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1. That the budget for the 2021 fiscal year submitted by the Old East Village Business Improvement Area Board of Management attached as Schedule “A” is approved.
2. The amount to be raised by the Corporation for the 2021 fiscal year for the purposes of The Old East Village Business Improvement Area Board of Management and pursuant to subsection 208(1) of the Municipal Act, 2001 is \$42,000.
3. A special charge is established for the amount referred to in section 2 of this by-law by a levy in accordance with By-law CP-1, as amended.
4. The special charge referred to in section 3 of this by-law shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001.

5. The administration of this by-law is delegated to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
6. This by-law comes into force and effect on the day it is passed.

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, Managing Director, Corporate Services  
and City Treasurer, Chief Financial Officer

**Subject:** Assessment Growth for 2021, Changes in Taxable Phase-  
Values, and Shifts in Taxation as a Result of Reassessments

**Date:** January 18, 2021

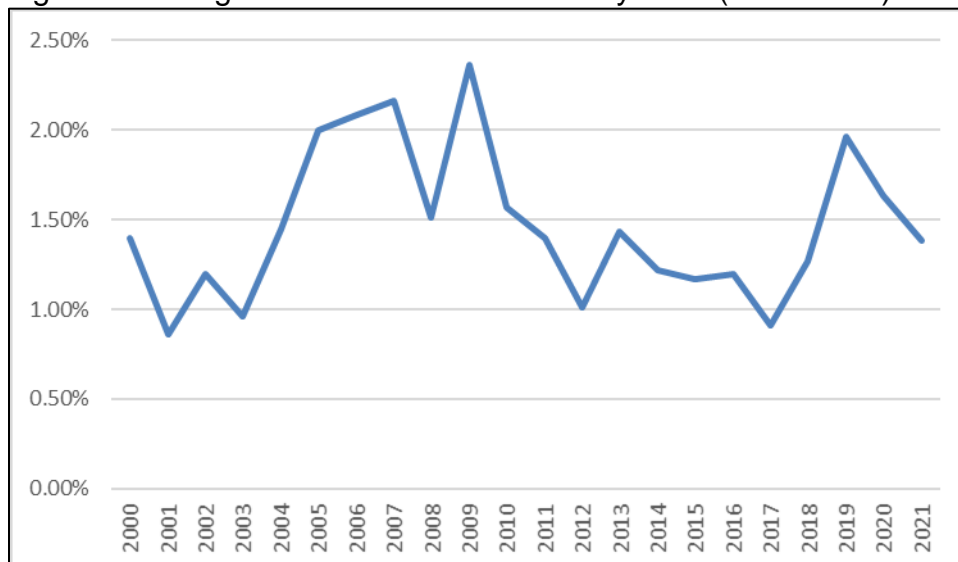
## Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, this report BE RECEIVED for information purposes.

## Executive Summary

Each year, coinciding with the budget process, weighted assessment growth is calculated as it generates incremental tax revenue. The allocation of this incremental tax revenue is reported to Council in mid March in accordance with Council's Assessment Growth Policy. This report indicates that weighted assessment growth is calculated to be 1.38% for 2021 taxation. The historical trend in weighted assessment growth is presented in graph format below in Figure 1.

Figure 1 – Weighted Assessment Growth by Year (2000-2021)



## Analysis

### 1.0 Background Information

#### 1.1 Assessment Growth

Assessment growth generally refers to the net increase in assessment attributable to new construction less adjustments resulting from assessment appeals and property classification changes. To determine the impact of assessment growth on tax revenue, assessment must be weighted with tax ratios which reflect the different tax rates applicable to the various property classes.

Measuring assessment growth also requires the use of values of a uniform base year. If a consistent base year for property valuations is not maintained, changes in assessment totals will be distorted by changes in property valuations and will not correctly reflect the actual new construction less adjustments resulting from assessment appeals and property classification changes.

Schedule 'A' attached details the growth which has occurred in weighted assessment for year 2021 taxation. Assessment has been weighted using tax ratios which were applicable in year 2020. The uniform base year which has been used for the determination of property valuations is 2020 phase-in values. Schedule 'A' indicates that the total weighted assessment growth for 2021 for the City is 1.38%.

Historically the City of London has recorded the following percentage weighted assessment growth in the years indicated as shown in the chart below:

| Year | Assessment Growth | Year | Assessment Growth |
|------|-------------------|------|-------------------|
| 2000 | 1.40%             | 2011 | 1.40%             |
| 2001 | 0.86%             | 2012 | 1.01%             |
| 2002 | 1.20%             | 2013 | 1.43%             |
| 2003 | 0.96%             | 2014 | 1.22%             |
| 2004 | 1.45%             | 2015 | 1.17%             |
| 2005 | 2.00%             | 2016 | 1.20%             |
| 2006 | 2.08%             | 2017 | 0.91%             |
| 2007 | 2.16%             | 2018 | 1.27%             |
| 2008 | 1.51%             | 2019 | 1.96%             |
| 2009 | 2.36%             | 2020 | 1.63%             |
| 2010 | 1.57%             | 2021 | 1.38%             |

## 2.0 Discussion and Considerations

### 2.1 Changes in Property Valuations from Reassessment to 2016 Base Year

As referred to above, change in property valuations is a separate and distinct topic from assessment growth. For year 2013 taxation, all properties in Ontario were valued using a 2012 base year for market value determination. The 2012 values were phased in over a four-year period beginning in 2013 and ending in 2016. For the years 2017, 2018, 2019 and 2020 taxation were based on phasing in 2016 market values for the four-year period.

For 2021 the Province decided because of the Covid-19 pandemic situation in Ontario there would be no reassessment of properties as was previously schedule for the 2021 property tax year. As a result, all properties in Ontario will continue to be valued based on 2016 market values.

Schedule 'B' attached indicates no change will occur in the taxable phase-in values between 2020 and 2021 based on information provided by the Municipal Property Assessment Corporation (MPAC). Schedule 'B' indicates that the increase in total phase-in values of all taxable properties in London from 2020 to 2021 will be 0.00% for all property classes.

### 2.2 Potential Shifts in Municipal Taxation between Property Classes as a result of the 2021 Values (2020 Phase-in Values per MPAC)

Schedule 'C' indicated there will be no shifts in municipal taxation in 2021 between property classes as a result of the 2021 values, if no changes are made to 2020 tax ratios. Schedule 'C' reflects the fact that no phase-in of a reassessment is occurring in the year 2021.



Tax ratios determine how heavily a property class is taxed relative to the residential class. The tax change in the various classes including education taxes will be analysed and reviewed in greater detail later in the year after the 2021 City budget is approved by Council and all of the regulations related to 2021 tax policy and education tax rates have been finalized by the Province.

## **Conclusion**

Weighted assessment growth is an important part of municipal taxation as it generates additional incremental revenue. This growth represents new construction in the municipality less adjustments resulting from assessment appeals and property classification changes which is not to be confused with changes in the value of existing properties. Total weighted assessment growth in 2021 is 1.38% (1.63% in 2020).

Looking ahead, Civic Administration will be bringing forward a 'Tax Policy Report' presenting alternatives for tax ratios for 2021 property taxation.

**Prepared by:** Jim Logan, Division Manager – Taxation and Revenue  
**Submitted by:** Ian Collins, Director, Financial Services  
**Recommended by:** Anna Lisa Barbon, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

**Copied:** Kyle Murray, Director, Financial Planning & Business Support

**SCHEDULE "A"**

**ANALYSIS OF 2021 WEIGHTED ASSESSMENT GROWTH USING 2020 PHASE-IN VALUES**

| Property Class                            | Weighted 2020 Assessment Roll (using 2020 Phase-in Values Per MPAC) | Weighted 2021 Assessment Roll (using 2020 Phase-in Values Per MPAC) | % Change     | % of Total Assessment Growth |
|---|---|---|--------------|------------------------------|
| Commercial                                | \$7,576,994,015   | \$7,662,543,047   | 1.13%        | 0.16%                        |
| Office Building                           | \$736,752,851   | \$724,810,643   | -1.62%       | -0.02%                       |
| Farmland                                  | \$50,067,325  | \$48,893,864  | -2.34%       | 0.00%                        |
| Industrial                                | \$730,673,890   | \$738,644,696   | 1.09%        | 0.01%                        |
| Large Industrial                          | \$395,334,917   | \$404,309,816   | 2.27%        | 0.02%                        |
| Multi-residential                         | \$2,988,816,911   | \$3,024,653,732   | 1.20%        | 0.07%                        |
| New Multi-residential                     | \$12,981,100  | \$38,489,900  | 196.51%      | 0.05%                        |
| Pipeline                                  | \$186,753,830   | \$188,790,587   | 1.09%        | 0.00%                        |
| Residential                               | \$37,864,617,177  | \$38,530,655,409  | 1.76%        | 1.24%                        |
| Shopping Centre                           | \$3,244,350,654   | \$3,166,413,047   | -2.40%       | -0.14%                       |
| Managed Forest                            | \$264,750   | \$264,700   | -0.02%       | 0.00%                        |
|   | <b>\$53,787,607,421</b>   | <b>\$54,528,469,441</b>   | <b>1.38%</b> | <b>1.38%</b>                 |
| Commercial Including Optional Classes (1) | \$11,558,097,521  | \$11,553,766,737  | -0.04%       | -0.01%                       |
| Farmland                                  | \$50,067,325  | \$48,893,864  | -2.34%       | 0.00%                        |
| Industrial Including Optional Classes (2) | \$1,126,008,807   | \$1,142,954,512   | 1.50%        | 0.03%                        |
| Multi-residential                         | \$2,988,816,911   | \$3,024,653,732   | 1.20%        | 0.07%                        |
| New Multi-residential                     | \$12,981,100  | \$38,489,900  | 196.51%      | 0.05%                        |
| Pipeline                                  | \$186,753,830   | \$188,790,587   | 1.09%        | 0.00%                        |
| Residential                               | \$37,864,617,177  | \$38,530,655,409  | 1.76%        | 1.24%                        |
| Managed Forest                            | \$264,750   | \$264,700   | -0.02%       | 0.00%                        |
|   | <b>\$53,787,607,421</b>   | <b>\$54,528,469,441</b>   | <b>1.38%</b> | <b>1.38%</b>                 |

Note:

1) Commercial Including Optional Classes comprises: Commercial, Office Building and Shopping Centre property classes.

2) Industrial Including Optional Classes comprises: Industrial and Large Industrial property classes.

**SCHEDULE "B"**  
**CHANGES IN TAXABLE VALUE OF PROPERTIES FOR 2021 TAXATION**

| Property Class                            | Assessments for 2021 Taxation<br>at 2020 Phase-in Values | Assessments for 2021 Taxation<br>at 2021 Values<br>(2020 Phase-in Values) | % Change     |
|---|--|---|--------------|
| Commercial                                | \$4,012,527,187  | \$4,012,527,187   | 0.00%        |
| Office Building                           | \$379,482,012  | \$379,482,012   | 0.00%        |
| Farmland                                  | \$475,528,727  | \$475,528,727   | 0.00%        |
| Industrial                                | \$387,579,485  | \$387,579,485   | 0.00%        |
| Large Industrial                          | \$211,680,532  | \$211,680,532   | 0.00%        |
| Multi-residential                         | \$1,768,698,765  | \$1,768,698,765   | 0.00%        |
| New Multi-residential                     | \$38,489,900   | \$38,489,900  | 0.00%        |
| Pipeline                                  | \$110,210,500  | \$110,210,500   | 0.00%        |
| Residential                               | \$38,532,437,009   | \$38,532,437,009  | 0.00%        |
| Shopping Centre                           | \$1,657,807,878  | \$1,657,807,878   | 0.00%        |
| Managed Forest                            | \$1,058,800  | \$1,058,800   | 0.00%        |
|   | <b>\$47,575,500,795</b>                                  | <b>\$47,575,500,795</b>   | <b>0.00%</b> |
| Commercial Including Optional Classes (1) | \$6,049,817,077  | \$6,049,817,077   | 0.00%        |
| Farmland                                  | \$475,528,727  | \$475,528,727   | 0.00%        |
| Industrial Including Optional Classes (2) | \$599,260,017  | \$599,260,017   | 0.00%        |
| Multi-residential                         | \$1,768,698,765  | \$1,768,698,765   | 0.00%        |
| New Multi-residential                     | \$38,489,900   | \$38,489,900  | 0.00%        |
| Pipeline                                  | \$110,210,500  | \$110,210,500   | 0.00%        |
| Residential                               | \$38,532,437,009   | \$38,532,437,009  | 0.00%        |
| Managed Forest                            | \$1,058,800  | \$1,058,800   | 0.00%        |
|   | <b>\$47,575,500,795</b>                                  | <b>\$47,575,500,795</b>   | <b>0.00%</b> |

Note:

- 1) Commercial Including Optional Classes comprises: Commercial, Office Building and Shopping Centre property classes.
- 2) Industrial Including Optional Classes comprises: Industrial and Large Industrial property classes.

**SCHEDULE "C"****ESTIMATED SHIFTS IN MUNICIPAL TAXATION BETWEEN PROPERTY CLASSES WITH NO CHANGE IN TAX LEVY OR RATIOS FOR 2021**

| <b>Property Class</b>                     | <b>Allocation of General Levy<br/>Using 2020 Phase-in Values</b> | <b>Allocation of General Levy<br/>Using 2021 Values<br/>(2020 Phase-in Values)</b> | <b>% Change</b> |
|---|--|--|-----------------|
| Commercial                                | \$91,587,248   | \$91,587,239   | 0.00%           |
| Office Building                           | \$8,663,366  | \$8,663,365  | 0.00%           |
| Farmland                                  | \$584,411  | \$584,408  | 0.00%           |
| Industrial                                | \$8,828,718  | \$8,828,718  | 0.00%           |
| Large Industrial                          | \$4,832,550  | \$4,832,550  | 0.00%           |
| Multi-residential                         | \$36,152,446   | \$36,152,447   | 0.00%           |
| New Multi-residential                     | \$460,054  | \$460,054  | 0.00%           |
| Pipeline                                  | \$2,256,537  | \$2,256,537  | 0.00%           |
| Residential                               | \$460,541,127  | \$460,541,143  | 0.00%           |
| Shopping Centre                           | \$37,846,842   | \$37,846,838   | 0.00%           |
| Managed Forest                            | \$3,164  | \$3,164  | 0.00%           |
|   | <b>\$651,756,462</b>   | <b>\$651,756,462</b>   | <b>0.00%</b>    |
| Commercial Including Optional Classes (1) | \$138,097,456  | \$138,097,442  | 0.00%           |
| Farmland                                  | \$584,411  | \$584,408  | 0.00%           |
| Industrial Including Optional Classes (2) | \$13,661,269   | \$13,661,267   | 0.00%           |
| Multi-residential                         | \$36,152,446   | \$36,152,447   | 0.00%           |
| New Multi-residential                     | \$460,054  | \$460,054  | 0.00%           |
| Pipeline                                  | \$2,256,537  | \$2,256,537  | 0.00%           |
| Residential                               | \$460,541,127  | \$460,541,143  | 0.00%           |
| Managed Forest                            | \$3,164  | \$3,164  | 0.00%           |
|   | <b>\$651,756,462</b>   | <b>\$651,756,462</b>   | <b>0.00%</b>    |

Note:

- 1) Commercial Including Optional Classes comprises: Commercial, Office Building and Shopping Centre property classes.
- 2) Industrial Including Optional Classes comprises: Industrial and Large Industrial property classes.

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee  
**From:** Cathy Saunders, City Clerk  
**Subject:** Ontario Transfer Payment Agreement – Bill 218, *Supporting Ontario's Recovery and Municipal Elections Act, 2020*  
**Date:** January 18, 2021

## Recommendation

That, on the recommendation of the City Clerk, the attached proposed by-law (Appendix “A”) being a by-law to approve and authorize the Ontario Transfer Payment Agreement between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Province”) and The Corporation of the City of London (the “Recipient”) to provide funding for expenses related to the to return to first-past-the-post election framework for the 2022 Municipal Election, **BE INTRODUCED** at the Municipal Council meeting to be held on February 2, 2021.

## Executive Summary

The purpose of this report is to seek authorization to enter into a Transfer Payment Agreement with the Provincial Government of Ontario for the reimbursement of election expenses related to the return to a first-past-the-post election (FPTP) framework for the 2022 Municipal Election.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Corporate Services Committee – November 2, 2020 – Proposed Changes to the *Municipal Elections Act, 1996*

### 2.0 Discussion and Considerations

#### 2.1 Amendments to the *Municipal Elections Act, 1996*

Bill 218, *Supporting Ontario's Recovery and Municipal Elections Act, 2020* received Royal Assent on November 20, 2020. Bill 218 removed the ranked ballot framework in the *Municipal Elections Act, 1996* (MEA) and revoked the supporting Ontario Regulation 310/16 for Ranked Ballot Elections. Therefore, despite the City of London having used Ranked Choice Voting in the 2018 Municipal Election, the City of London will not be permitted to use Ranked Choice Voting (RCV) for the 2022 Municipal Election.

#### 2.2 Returning to First-Past-the-Post (FPTP)

There is no requirement under Bill 218 or the MEA for the City of London to perform any public consultation prior to returning to the first-past-the-post (FPTP) framework, however, as indicated in the November 2, 2020 Staff Report, the City Clerk recommends that a public awareness campaign be developed and executed to mitigate voter confusion and effectively communicate FPTP. Recognizing the unique position of the City of London with respect to this change, the Province, based on the cost estimates of the City Clerk, will provide the City with funding of \$51,000 to cover costs for a public awareness campaign, poll supplies and other administrative expenses necessary for the transition to FPTP.

### **3.0 Financial Impact/Considerations**

In order to receive the above-noted funding, the Province of Ontario requires The Corporation of the City of London enter into the attached (Appendix “A”) Ontario Transfer Agreement (“Agreement”).

The above-noted Agreement requires the City to submit an interim report by January 31, 2022 and a final report by January 31, 2023 to the Province providing a detailed budget breakdown of funds that were expended for the purpose of the elimination of the ranked ballot framework and the return to FPTP elections.

The Agreement contains an indemnification provision requiring the City to indemnify and hold harmless Her Majesty the Queen in right of Ontario, her ministers, agents, appointees and employees from all liability arising out of or in connection with the Project, unless caused solely by the negligence or willful misconduct of the Province. The benefit of this Agreement far exceeds the low level of risk. The City of London Risk Management staff confirm that the City can satisfy the insurance requirements of the agreement.

### **Conclusion**

The City Clerk will be conducting a public awareness campaign to deliver the message that the City of London is returning to FPTP and the funding from the Province will offset that cost.

This report was prepared with the assistance of Michelle Butlin from City Solicitor's Office and Jason Wills from Risk Management.

**Prepared by:** Sarah Corman, Manager II, Licensing and Elections  
Jeannie Raycroft, Manager, Licensing and Elections

**Submitted by:** Barb Westlake-Power, Deputy Clerk

**Recommended by:** Cathy Saunders, City Clerk

## Appendix “A”

Bill No.  
2021

By-law No.

A by-law to approve the Ontario Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Ministry of Municipal Affairs and Housing and The Corporation of the City of London for the reimbursement of election expenses incurred to return to first-past-the-post election framework.

WHEREAS section 2 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under this Act and many other Acts for the purpose of providing good government with respect to those matters;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

AND WHEREAS it is desirable for The Corporation of the City of London to enter into an agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Ontario Transfer Payment Agreement”) to be reimbursed for costs incurred to return to the first past-the-post election framework for the 2022 election;

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

1. The Ontario Transfer Payment Agreement, substantially in the form attached as Schedule 1 to this by-law, is authorized and approved.
2. The Mayor and City Clerk are authorized to execute the Ontario Transfer Payment Agreement approved in section 1 of this by-law.
3. The City Clerk is delegated the authority to approve any further amendments to Ontario Transfer Payment Agreement if they are consistent with the requirements in the agreement approved in section 1 of this bylaw and do not require additional funding or are provided for in the City’s current budget and do not increase the indebtedness or contingent liabilities of The Corporation of the City of London.
4. The City Clerk, or written designate, are authorized to execute any amendments to the Ontario Transfer Payment Agreement authorized in section 3 above.
5. The City Clerk, or written designate, is delegated the authority to undertake all the administrative, financial and reporting acts, including signing authority regarding: application forms for funding, budgets, cash flows, other financial reporting including financial claims, and directions, consents and other authorizations as may be required, provided that the monetary amounts do not exceed the maximum amount of the Ministry of Municipal Affairs and Housing’s

## Appendix “A”

contribution specified in the Agreement that are necessary in connection with the Ontario Transfer Payment Agreement approved in section 1 of this bylaw.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council February 2, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – February 2, 2021  
Second Reading – February 2, 2021  
Third Reading – February 2, 2021



## ONTARIO TRANSFER PAYMENT AGREEMENT

THE AGREEMENT is effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**B E T W E E N :**

**Her Majesty the Queen in right of Ontario  
as represented by the Minister of Municipal Affairs and  
Housing**

(the “Province”)

- and -

**The Corporation of the City of London**

(the “Recipient”)

### CONSIDERATION

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

#### 1.0 ENTIRE AGREEMENT

1.1 The agreement, together with:

Schedule “A” - General Terms and Conditions  
Schedule “B” - Project Specific Information and Additional Provisions  
Schedule “C” - Project  
Schedule “D” - Budget  
Schedule “E” - Payment Plan  
Schedule “F” - Reports, and

any amending agreement entered into as provided for in section 4.1,

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

#### 2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

### **3.0 COUNTERPARTS**

- 3.1 The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

### **4.0 AMENDING THE AGREEMENT**

- 4.1 The Agreement may only be amended by a written agreement duly executed by the Parties.

### **5.0 ACKNOWLEDGEMENT**

- 5.1 The Recipient acknowledges that:
  - (a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);
  - (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
  - (c) the Funds are:
    - (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
    - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
  - (d) the Province is not responsible for carrying out the Project; and
  - (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

**- SIGNATURE PAGE FOLLOWS -**

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF  
ONTARIO as represented by Minister of Municipal  
Affairs and Housing**

December 29, 2020

Date



Name: The Honourable Steve Clark

Title: Minister of Municipal Affairs and Housing

**The Corporation of the City of London**

Date

Name:

Title:

I have authority to bind the Recipient.

Date

Name:

Title:

I have authority to bind the Recipient.

**SCHEDULE “A”  
GENERAL TERMS AND CONDITIONS**

---

**A1.0 INTERPRETATION AND DEFINITIONS**

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) “include”, “includes” and “including” denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

**“Additional Provisions”** means the terms and conditions set out in Schedule “B”.

**“Agreement”** means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

**“Budget”** means the budget attached to the Agreement as Schedule “D”.

**“Business Day”** means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

**“Effective Date”** means the date set out at the top of the Agreement.

**“Event of Default”** has the meaning ascribed to it in section A13.1.

**“Expiry Date”** means the expiry date set out in Schedule “B”.

**“Funding Year”** means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and

- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

**“Funds”** means the money the Province provides to the Recipient pursuant to the Agreement.

**“Indemnified Parties”** means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

**“Maximum Funds”** means the maximum Funds set out in Schedule “B”.

**“Notice”** means any communication given or required to be given pursuant to the Agreement.

**“Notice Period”** means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4.

**“Parties”** means the Province and the Recipient.

**“Party”** means either the Province or the Recipient.

**“Project”** means the undertaking described in Schedule “C”.

**“Reports”** means the reports described in Schedule “F”.

## **A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS**

**A2.1 General.** The Recipient represents, warrants, and covenants that:

- (a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;
- (b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

- A2.2 **Execution of Agreement.** The Recipient represents and warrants that it has:
- (a) the full power and authority to enter into the Agreement; and
  - (b) taken all necessary actions to authorize the execution of the Agreement.
- A2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:
- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
  - (b) procedures to enable the Recipient's ongoing effective functioning;
  - (c) decision-making mechanisms for the Recipient;
  - (d) procedures to enable the Recipient to manage Funds prudently and effectively;
  - (e) procedures to enable the Recipient to complete the Project successfully;
  - (f) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
  - (g) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
  - (h) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.
- A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

### **A3.0 TERM OF THE AGREEMENT**

- A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0, Article A12.0, or Article A13.0.

### **A4.0 FUNDS AND CARRYING OUT THE PROJECT**

- A4.1 **Funds Provided.** The Province will:
- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
  - (b) provide the Funds to the Recipient in accordance with the payment plan

attached to the Agreement as Schedule “E”; and

- (c) deposit the Funds into an account designated by the Recipient provided that the account:
  - (i) resides at a Canadian financial institution; and
  - (ii) is in the name of the Recipient.

**A4.2 Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
- (c) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.1; or
- (d) if, pursuant to the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
  - (i) reduce the amount of Funds and, in consultation with the Recipient, change the Project; or
  - (ii) terminate the Agreement pursuant to section A12.1.

**A4.3 Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

**A4.4 Interest Bearing Account.** If the Province provides Funds before the Recipient’s immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial



institution.

- A4.5 **Interest.** If the Recipient earns any interest on the Funds, the Province may:
- (a) deduct an amount equal to the interest from any further instalments of Funds; or
  - (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Ministry will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

#### **A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS**

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will:

- (a) do so through a process that promotes the best value for money; and
- (b) comply with the *Broader Public Sector Accountability Act, 2010* (Ontario), including any procurement directive issued thereunder, to the extent applicable.

A5.2 **Disposal.** The Recipient will not, without the Province's prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

#### **A6.0 CONFLICT OF INTEREST**

A6.1 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

**A6.3 Disclosure to Province.** The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

**A7.0 REPORTS, ACCOUNTING, AND REVIEW**

**A7.1 Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1, all Reports in accordance with the timelines and content requirements as provided for in Schedule “F”, or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address referred to in section A17.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

**A7.2 Record Maintenance.** The Recipient will keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

**A7.3 Inspection.** The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province’s expense, upon twenty-four hours’ Notice to the Recipient and during normal business hours, enter upon the Recipient’s premises to review the progress of the Project and the Recipient’s allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section A7.2;
- (b) remove any copies made pursuant to section A7.3(a) from the Recipient’s premises; and

- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

A7.4 **Disclosure.** To assist in respect of the rights provided for in section A7.3, the Recipient will disclose any information requested by the Province, any authorized representatives, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized representative, or any independent auditor identified by the Province, as the case may be.

A7.5 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.6 **Auditor General.** The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

## **A8.0 COMMUNICATIONS REQUIREMENTS**

A8.1 **Acknowledge Support.** Unless otherwise directed by the Province, the Recipient will:

- (a) acknowledge the support of the Province for the Project; and
- (b) ensure that the acknowledgement referred to in section A8.1(a) is in a form and manner as directed by the Province.

A8.2 **Publication.** The Recipient will indicate, in any of its Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

## **A9.0 INDEMNITY**

A9.1 **Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

## **A10.0 INSURANCE**

A10.1 **Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary

and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

**A10.2 Proof of Insurance.** The Recipient will:

- (a) provide to the Province, either:
  - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
  - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) upon the request of the Province, provide to the Province a copy of any insurance policy.

## **A11.0 TERMINATION ON NOTICE**

**A11.1 Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

**A11.2 Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
  - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and

- (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

## **A12.0 TERMINATION WHERE NO APPROPRIATION**

**A12.1 Termination Where No Appropriation.** If, as provided for in section A4.2(d), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the Agreement, the Province may terminate the Agreement immediately without liability, penalty, or costs by giving Notice to the Recipient.

**A12.2 Consequences of Termination Where No Appropriation.** If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A12.2(b).

**A12.3 No Additional Funds.** If, pursuant to section A12.2(c), the Province determines that the costs to wind down the Project exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

## **A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT**

**A13.1 Events of Default.** Each of the following events will constitute an Event of Default:

- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
  - (i) carry out the Project;
  - (ii) use or spend Funds; or
  - (iii) provide, in accordance with section A7.1, Reports or such other reports as may have been requested pursuant to section A7.1(b);
- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the

eligibility requirements of the program under which the Province provides the Funds;

- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or
- (d) the Recipient ceases to operate.

**A13.2 Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

**A13.3 Opportunity to Remedy.** If, in accordance with section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

**A13.4 Recipient not Remediating.** If the Province provided the Recipient with an

opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), and (i).

**A13.5 When Termination Effective.** Termination under Article will take effect as provided for in the Notice.

#### **A14.0 FUNDS AT THE END OF A FUNDING YEAR**

**A14.1 Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A13.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

#### **A15.0 FUNDS UPON EXPIRY**

**A15.1 Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession or under its control.

#### **A16.0 DEBT DUE AND PAYMENT**

**A16.1 Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

**A16.2 Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or

- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

A16.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A16.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province as provided for in Schedule “B”.

A16.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

## A17.0 NOTICE

A17.1 **Notice in Writing and Addressed.** Notice will be in writing and will be delivered by email, postage-prepaid mail, personal delivery, or fax, and will be addressed to the Province and the Recipient respectively as provided for Schedule “B”, or as either Party later designates to the other by Notice.

A17.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of email, personal delivery, or fax, one Business Day after the Notice is delivered.

A17.3 **Postal Disruption.** Despite section A17.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, or fax.

## A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A18.1 **Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will



comply with such terms and conditions.

## **A19.0 SEVERABILITY OF PROVISIONS**

A19.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

## **A20.0 WAIVER**

A20.1 **Waiver Request.** Either Party may, in accordance with the Notice provision set out in Article A17.0, ask the other Party to waive an obligation under the Agreement.

A20.2 **Waiver Applies.** Any waiver a Party grants in response to a request made pursuant to section A20.1 will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

## **A21.0 INDEPENDENT PARTIES**

A21.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

## **A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS**

A22.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A22.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors, and permitted assigns.

## **A23.0 GOVERNING LAW**

A23.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

## **A24.0 FURTHER ASSURANCES**

A24.1 **Agreement into Effect.** The Recipient will provide such further assurances as

the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

## **A25.0 JOINT AND SEVERAL LIABILITY**

A25.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

## **A26.0 RIGHTS AND REMEDIES CUMULATIVE**

A26.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

## **A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS**

A27.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

## **A28.0 SURVIVAL**

A28.1 **Survival.** The following Articles and sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 3.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.2(d), A4.5, section A5.2, section A7.1 (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), sections A7.2, A7.3, A7.4, A7.5, A7.6, Article A8.0, Article A9.0, section A11.2, sections A12.2, A12.3, sections A13.1, A13.2(d), (e), (f), (g) and (h), Article A15.0, Article A16.0, Article A17.0, Article A19.0, section A22.2, Article A23.0, Article A25.0, Article A26.0, Article A27.0 and Article A28.0.

**- END OF GENERAL TERMS AND CONDITIONS -**

**SCHEDULE “B”  
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS**

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|   |   |
|---|---|
| <b>Maximum Funds</b>  | \$51,000.00   |
| <b>Expiry Date</b>  | March 31 <sup>st</sup> , 2023   |
| <b>Amount for the purposes of section A5.2 (Disposal) of Schedule “A”</b>   | \$5,000.00  |
| <b>Insurance</b>  | \$ 2,000,000  |
| <b>Contact information for the purposes of Notice to the Province</b>   | <p><b>Name:</b> Helen Collins</p> <p><b>Position:</b> Director (A), Municipal Programs and Outreach Unit</p> <p><b>Address:</b> 777 Bay Street, Toronto, Ontario M7A 2J3, 16<sup>th</sup> Floor</p> <p><b>Email:</b> helen.collins@ontario.ca</p> |
| <b>Contact information for the purposes of Notice to the Recipient</b>  | <p><b>Position:</b></p> <p><b>Address:</b></p> <p><b>Fax:</b></p> <p><b>Email:</b></p>  |
| <b>Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement</b> | <p><b>Position:</b></p> <p><b>Address:</b></p> <p><b>Fax:</b></p> <p><b>Email:</b></p>  |

**Additional Provisions:**

None

**SCHEDULE “C”  
PROJECT**

**Objectives**

The objective of the Project is to reimburse the Recipient for costs incurred to return to the first-past-the-post election framework for the 2022 municipal election.

**Description**

The Recipient has stated it will incur expenses related to the to return to first-past-the-post elections.

The Recipient will use the Funds to reimburse itself for its actual costs related to the elimination from the Municipal Election Act of the rank ballot election framework for the 2022 municipal election.

The eligible costs for the Funds could include, but are not limited to:

- A public awareness campaign regarding a return to first-past-the-post
- New information guidelines, pamphlets, and training materials for public consumption
- Reprinted secrecy folders and voting screens without Ranked Choice Voting graphics and instructions
- Overtime payment to staff to assist with a public awareness campaign and a communication plan
- A results display for a first-past-the-post election by the Dominion Voting Services
- Such other costs that may be approved by the Province

Interim Report

The Recipient will submit an interim report to the Province by January 31<sup>st</sup>, 2022. The report will detail how the Funds were expended in 2021 in preparation for the 2022 municipal election and the return to first-past-the-post elections. The report will include a detailed election budget breakdown and a proposed budget summary for how the Recipient will expend any remaining Funds in 2022.

Final Report

The Recipient will submit a final report to the Province by January 31<sup>st</sup>, 2023. The report will detail how any remaining Funds were expended in 2022 in preparation and for the execution of the 2022 municipal election's return to first-past-the-post. The report will include a detailed election budget breakdown for how the Recipient expended the Funds.

**SCHEDULE "D"**  
**BUDGET**

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| ITEM   | AMOUNT      | FUNDING YEAR |
|--|-------------|--------------|
| Reimbursement for election expenses to the Recipient | \$51,000.00 | 2020-2021    |

**SCHEDULE "E"**

## PAYMENT PLAN

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| Milestone   | Scheduled Payment   |
|---|---|
| <ul style="list-style-type: none"><li>• Execution of the Agreement</li></ul>  | Payment of \$51,000.00 made to Recipient no more than thirty (30) days after the execution of the Agreement |
| <ul style="list-style-type: none"><li>• Submission of Interim Report to the Province</li><li>• Submission of Final Report to the Province</li></ul> |   |

**SCHEDULE “F”  
REPORTS**

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| <b>Name of Report</b> | <b>Reporting Due Date</b>       |
|-----------------------|---------------------------------|
| 1. Interim Report     | January 31 <sup>st</sup> , 2022 |
| 2. Final Report       | January 31 <sup>st</sup> , 2023 |

**Report Details**

**1. Interim Progress Report**

The Recipient will submit an Interim Report to the Province by January 31<sup>st</sup>, 2022. The Interim Report will include:

- A detailed budget breakdown of how the Funds were expended in 2021 for election expenses related to the elimination of the ranked ballot framework and the return to first-past-the-post elections.
- A proposed budget summary of how any remaining Funds will be used in 2022.

**2. Final Report**

The Recipient will submit a Final Report to the Province by January 31<sup>st</sup>, 2023. The Final Report will include:

- A detailed budget breakdown of how the Funds were expended in 2022 for election expenses related to the elimination of the ranked ballot framework and the return to first-past-the-post elections.





300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

**London**  
CANADA

December 15, 2020

To the members of Corporate Services Committee,

I wish to inform Council through you of my appointment to the National Board of the Climate Caucus for the term commencing October 19<sup>th</sup> 2020 through November 2021.

Though this appointment doesn't require Council approval, I do present at the Association of Municipalities of Ontario Conference and lead delegations to Ministers on behalf of the Climate Caucus and wanted colleagues to be aware.

It's a pleasure to serve on the National Board of the Climate Caucus with fellow Ontario Councillors:

**Mike Layton**

Councillor, Toronto, ON

**Robert Kiley**

Councillor, Kingston, ON

The Climate Caucus is a non-partisan network of 300+ elected local leaders working collectively to create and implement equitable policy which aligns [IPCC](#) and [IPBES](#) science. Our network currently includes more than 300 councillors, mayors, and regional directors throughout Canada.



[www.climateCaucus.ca](http://www.climateCaucus.ca)

Regards,

Councilor Elizabeth Pelozo  
Ward 12

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee  
**From:** Cathy Saunders, City Clerk  
**Subject:** Application – Issuance of Proclamation – London Black History Month  
**Date:** January 18, 2021

## Recommendation

That, the Civic Administration BE ADVISED as to how Municipal Council wishes to proceed with the attached (Appendix “A”) Proclamation request.

## Previous Reports Pertinent to this Matter

Corporate Services Committee – December 3, 2019  
Corporate Services Committee – January 6, 2020

## Background

The Issuance of Proclamations Policy is attached as Schedule “A” for information purposes.

## Conclusion

The Civic Administration is seeking direction from the Municipal Council as to how they wish to proceed with the attached (Appendix “A”) proclamation request received December 17, 2020 from the London Black History Coordinating Committee requesting the month of February be proclaimed London Black History Month 2021.


**Submitted by:** Cathy Saunders, City Clerk

## Appendix "A"

### Proclamation Request Form

Requests for the issuance of proclamations are governed by Council Policy (excerpted below). Requests must be received at least six (6) weeks in advance of the requested issuance date and may be emailed to the City Clerk at [ClerksApprovalRequests@london.ca](mailto:ClerksApprovalRequests@london.ca) or mailed to City Hall, P.O. Box 5035 LONDON, ON, N6A 4L9.

#### Request details

|  |
|--|
| Name of Organization<br><b>London Black History Coordinating Committee</b>   |
| Date Proclamation Required<br>Monday January 25, 2021 or anytime that week – before Monday February 1, 2021  |
| Proclamation Name<br>London Black History Month 2021 - 2021 Theme: <b><i>The Strength &amp; Resilience of the Black Community in Southwestern Ontario</i></b>  |
| Proclamation Type (day), (week), (month) <b>London Black History Month</b><br>Monday January 25, 2021  |
| Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations)<br>Public Awareness and Recognition of the contributions of people of African descent who have called London Home since 1865   |
| Requester Name<br>Carl Cadogan, Chair  |
| Requester Telephone Number   |
| Requester Email Address  |
| Requester Address<br>C/O London Cross Cultural Centre<br>505 Dundas Street<br>London, Ontario<br>N6B 1W4   |
| Required Supporting Documents <ul style="list-style-type: none"> <li>Detail information on the Organization</li> <li>Detail information on the Event</li> <li>Confirmation of authorization from the Organization to submit the request</li> </ul>   |
| The undersigned confirms that I am the Official Representative of the Organization requesting the Proclamation and that by signing this Application, I acknowledge and agree that my organization complies with all City of London's Policies and By-laws. <div style="text-align: center; margin-top: 20px;">  </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 40%; border-top: 1px solid black; margin-top: 5px;"></div> <div style="width: 40%; text-align: center; margin-top: 5px;">17.12.2020</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 40%;">Signature</div> <div style="width: 40%; text-align: center;">Date</div> </div> |
| NOTICE OF COLLECTION OF PERSONAL INFORMATION<br><br>Personal information collected on this form is collected under the authority of the <i>Municipal Act, 2001, S.O. 2001, c. 25</i> and may also be used for purposes related to the Issuance of Proclamations Policy and Proclamation Request Form. Questions about this collection should be addressed to the City Clerk, 3rd floor, City Hall, 300 Dufferin Ave., London, ON N6A 4L9. Tel: 519-661-2489, ext. 4937, email: <a href="mailto:csaunders@london.ca">csaunders@london.ca</a>  |



December 17, 2020

City Clerk  
Councillor Arielle Kayabaga  
London City Hall  
300 Dufferin Avenue  
London, Ontario

Dear Councillor Kayabaga & City Clerk:

2020 has been a year of upheaval in London, across the country and around the world. COVID 19, the Black Lives Matter Movement and many other important milestones in the lives of Londoners and member of the City's black community. We once again and more loudly than in the past, wants the city to proclaim Black history Month in February 2021, and want it to be done much sooner than it was done in 2020.

Counsellor Kayabaga and City Clerk, we have again looked at the City of London's strategic plan and I believe the two points below best describe how LBHCC fits in. It is also more than those from the Black community fitting in, and feeling a sense of belonging, but it also means that others, who are not as familiar and know nothing of how far back our community goes in this city, will also learn more through the programming in February. This year we have sponsorship from TD Bank and we will focus some of the programming not only on Black youth, but the intersection of Black Youth issues with those of the Indigenous Community.

Strategic Priorities:

- Increase the number of residents who feel welcomed and included
- Create inclusive engagement opportunities for Londoners

We look forward to seeing this proclamation in place again for 2021.

Sincerely,

Carl Cadogan, Chair  
London Black History Coordinating Committee

## **2020 Theme – Our Community is our Strength**

The London Black History Coordinating Committee, since its inception, has been supported by the London Cross Cultural Learner Centre. From its mission statement: *LCCLC is a community organization that exists to provide settlement services and support to newcomers and to promote intercultural awareness and understanding.* The centre provides outreach support to the committee and an employee of the LCCLC is a member of our committee.

Since 2001, the London Black History Coordinating Committee has held events to celebrate Black History Month. The Committee also acts as a coordinating body to ensure that the community knows about all events not only those developed and planned by the Committee. In 2019, the committee organized six events and continued to promote other similar events in the London area on our Facebook page and on our website. The events in 2019 included: The Opening Ceremony, which featured performances as well as booths displaying information about various cultural groups; The African Food Festival, a food experience featuring food from three East African and three West African countries. The Children’s Festival, held at the downtown branch of LPL, with a turnout of over 350 people including over three hundred children; the Closing Gala, which featured the Black Community Achievement Award ceremony as well as a number of musical and artistic performances.

Through entertainment and education, Black History Month assists with increasing the knowledge in London about the contributions of Canadians of African descent. The social nature of the activities organized and supported, provides time for the community to present their successes and achievements to the city, highlighting their contributions and encouraging more interactions among and between Londoners of different cultures and races. Reducing negative stereotypes and increasing opportunities for community engagement is a proven method for helping to reduce prejudice and discrimination.

Volunteer Committee (Representing almost 20 different organizations and institutions)

Carl Cadogan

leroy@lusocentre.org;

Mercy Nleya

Rita Giroux-Patience

Christina Lord

Speciose.Mukakamanzi

Jean Pierre Cantin

Silence Genti

Lana.Winchester-Tucker

Scholastica Ashchop

Saleha Khan

Alisha Moser

Fanny Newport

Gabrielle Laurin

Katherine Dann

Sara Sale

Vilma Francois

Black history refers to the stories, experiences, and accomplishments of people of African origin. Black history did not begin in recent times in Canada, but in ancient times in Africa. People connected by their common African history and ancestry have created Black history here. The African-Canadian population is made up of individuals from a range of places across the globe including the United States, South America, the Caribbean, Europe, Africa, and Canada.

The commemoration of Black History Month dates back to 1926, when Harvard-educated African American historian Carter G. Woodson proposed setting aside a time devoted to honour the accomplishments of African Americans and to heighten awareness of Black history in the United States. This led to the establishment of Negro History Week in 1926. Celebrations of Black history began in Canada also shortly thereafter. During the early 1970s, the week became known as Black History Week. It was expanded into Black History Month in 1976.

In December 1995, the House of Commons officially recognized February as Black History Month in Canada following a motion introduced by the first Black Canadian woman elected to Parliament, the Honourable Jean Augustine. The motion was carried unanimously by the House of Commons.

In February 2008, Senator Donald Oliver, the first Black man appointed to the Senate, introduced the [Motion to Recognize Contributions of Black Canadians and February as Black History Month](#). It received unanimous approval and was adopted on March 4, 2008. The adoption of this motion completed Canada's parliamentary position on Black History Month.

In 2002, the first meeting was held to plan and coordinate Black History Month in London and in 2003 work began in earnest by a group of individuals to launch the first event in London.

In 2020, the start of a new decade, LBHCC will be launching the 18<sup>th</sup> Black History Month Celebration in London and we invite everyone to attend.



**Issuance of Proclamations Policy**

**Policy Name:** Issuance of Proclamations Policy

**Legislative History:** Adopted September 19, 2017 (By-law No. CPOL.-115-367); Amended July 24, 2018 (By-law No. CPOL.-115(a)-418)

**Last Review Date:** January 6, 2020

**Service Area Lead:** City Clerk

**1. Policy Statement**

1.1 This policy sets out the requirements for the issuance of proclamations.

**2. Definitions**

2.1 Not applicable.

**3. Applicability**

3.1 This policy shall apply to any request for the issuance of proclamations on behalf of the City of London.

**4. The Policy**

4.1. Proclamations are ceremonial documents issued and signed by the Mayor on behalf of City of London Council that officially recognizes public awareness campaigns; charitable fundraising campaigns; and arts and cultural celebrations of organizations that reside/operate within the City of London. The requester must clearly identify the significance and connection of the proclamation to the mandate and goals as set out in the City of London’s Strategic Plan. A proclamation does not constitute a personal or civic endorsement.

Application Process

- a) Proclamations requests are to be submitted on the City of London Application form to the City Clerk’s Office at least six (6) weeks in advance of the requested issuance date.
- b) The Application must provide sufficient background information about the organization, cause or event being proclaimed and the proposed text for inclusion in the proclamation. The proposed text is subject to approval by the City of London to ensure compliance with City of London’s polices and by-laws.
- c) Upon receipt of the Application, the City Clerk’s Office will review the Application in accordance with this Policy and if the Application appears to be in compliance with the Policy, the Application will be placed on the next available Corporate Services Committee meeting for consideration.
- d) The Corporate Services Committee will review the Application and provide a recommendation to the Municipal Council for consideration with respect to the disposition of the Applications.



## SCHEDULE "A"

### Administration of Policy:

- e) The cause or event must contribute to the economic, social and cultural fabric of the City of London.
- f) Repeat requests must be submitted on an annual basis.
- g) An organization may request one proclamation per calendar year.
- h) Organization do not have exclusive rights to the day, week, or month being proclaimed.
- i) Proclamations of a similar topic will be issued on a first come first served basis.
- j) The City of London will not incur any expenses relating to the advertising or promotion of a proclamation. Recipients are responsible for the promotion of the proclamation, organization of related activities and for all associated costs.
- k) Proclamations will not be issued for:
  - Matters of political controversy, ideological or religious beliefs or individual conviction.
  - Events or organizations with no direct connection to the City of London.
  - Campaigns or events contrary to City of London policies or by-laws.
  - National, Independence or Republic Days.
  - Campaign or events intended for profit-making purposes.
  - Recognition of individuals.
  - Recognition of events or organizations that espouse discrimination, hatred, violence or racism.
  - Matters attempting to influence government policy.
  - Matters designed to incite hatred or disorder.
- l) The City of London reserves the right to refuse to issue a proclamation.

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee  
**From:** Cathy Saunders, City Clerk  
**Subject:** Application – Issuance of Proclamation – International Day of Zero Tolerance for Female Genital Mutilation  
**Date:** January 18, 2021

## Recommendation

That, the Civic Administration BE ADVISED as to how Municipal Council wishes to proceed with the attached (Appendix “A”) Proclamation request.

## Previous Reports Pertinent to this Matter

Corporate Services Committee – December 3, 2019  
Corporate Services Committee – January 6, 2020

## Background

The Issuance of Proclamations Policy is attached as Schedule “A” for information purposes.

## Conclusion

The Civic Administration is seeking direction from the Municipal Council as to how they wish to proceed with the attached (Appendix “A”) proclamation request received January 13, 2021 from the End FGM Canada Network requesting February 6, 2021 be proclaimed International Day of Zero Tolerance for Female Genital Mutilation.

**Submitted by:** Cathy Saunders, City Clerk

Requests for the issuance of proclamations are governed by Council Policy (excerpted below). Requests must be received at least six (6) weeks in advance of the requested issuance date and may be emailed to the City Clerk at [ClerksApprovalRequests@london.ca](mailto:ClerksApprovalRequests@london.ca) or mailed to City Hall, P.O. Box 5035 LONDON, ON, N6A 4L9.

**Request details**

|   |
|---|
| Name of Organization<br><b>End FGM Canada Network</b>   |
| Date Proclamation Required<br><b>February 6 2021</b>  |
| Proclamation Name<br><b>International Day of Zero Tolerance for Female Genital Mutilation</b>   |
| Proclamation Type (day, week or month)<br><b>DAY</b>  |
| Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations)<br><b>Public Awareness Campaign, Celebration of a UN designated Day of recognition</b>  |
| Requester Name<br><b>Giselle Portenier</b>  |
| Requester Telephone Number  |
| Requester Email Address   |
| Requester Address<br><b>London, Ontario N6G 1R4</b>   |
| <b>Provide details of your Organization’s Connection to London</b><br><br><p>The End FGM Canada Network is working in every province to raise awareness about the issue of Female Genital Mutilation/Cutting (FGM/C) which affects upwards of 100,000 women in Canada. Every province and every city where immigrants from the more than 90 FGM/C practicing countries have settled has survivors and possibly girls at risk. London has immigrants from at least 11 countries where FGM/C is an issue. We advocate for support for survivors and protection for girls at risk. Last year we received proclamations from St. John’s Newfoundland to Victoria B.C. as well as four provinces. This year we are hoping London will follow suit.</p> |

**Required Supporting Documents**

- Detail information on the Organization-sent
- Detail information on the Event-sent-
- Confirmation of authorization from the Organization to submit the request

**The requestor is the Co-Founder of the organization, and a steering committee member with signing authority.**

The undersigned confirms that I am the Official Representative of the Organization requesting the Proclamation and that by signing this Application, I acknowledge and agree that my organization complies with all City of London's Policies and By-laws

Signature



Date February 12, 2021

**NOTICE OF COLLECTION OF PERSONAL INFORMATION**

Personal information collected on this form is collected under the authority of the *Municipal Act, 2001*, S.O. 2001, c. 25 and may also be used for purposes related to the Issuance of Proclamations Policy and Proclamation Request Form. Questions about this collection should be addressed to the City Clerk, 3rd floor, City Hall, 300 Dufferin Ave., London, ON N6A 4L9. Tel: 519-661-2489, ext. 4937, email: [csaunder@london.ca](mailto:csaunder@london.ca)

Dear Mayor and Council,

For the second year in a row, the End FGM Canada network is running a Canadian campaign to have February 6<sup>th</sup> recognized as the official day to honor survivors of female genital mutilation and those who are fighting against it. This year, we are hoping that your city will join the campaign by proclaiming February 6<sup>th</sup> as the International Day of Zero Tolerance for Female Genital Mutilation as designated by the United Nations. This year's theme is:

***No Time for Global Inaction: Unite, Fund and Act to End Female Genital Mutilation.***

Last year dozens of cities from coast to coast joined in the campaign and proclaimed the day, from St. John's, Newfoundland, to Victoria, B.C; four provinces also proclaimed the day. It was remarkable.

This year, we are looking to double the number of proclamations that were issued last year, and we hope we can count on you to help us reach that goal. The Province of British Columbia has already issued theirs, see attached!

As a bit of background--Female Genital Mutilation/Cutting (FGM/C) is a gross human rights abuse perpetrated on girls and women every 10 seconds of every day somewhere in the world. There are currently more than 200 million survivors worldwide, and **upwards of 100,000 in Canada**. There are also **girls at risk in Canada**, as confirmed in federal government documents. Female Genital Mutilation is extremely traumatizing, debilitating, and even causes death. There is evidence that girls in Canada are being taken outside of Canada for 'vacation cutting,' and that cutters may be being brought into Canada.

See the moving account from [Maryam Sheik](#), a survivor who lives in Newfoundland and who brought her daughter here to save her from FGM/C. Maryam, who is on our End FGM Canada steering committee, is urging Canadians to break the silence on this topic.

FGM is not a question of religion, ethnicity, or nationality. It's a question of human rights. FGM is practiced among many religions including Christianity, Islam, and Animists. It happens in Africa, the Middle East, South America, Asia, and the West—in short, it's an issue on **every continent except Antarctica**. A recent [Equality Now report](#) indicates that there are more than 90 countries worldwide where Female Genital Mutilation is an issue. See our recent campaign highlighting a few [surprising countries](#) where FGM /C is an issue. And the effect of COVID19 has been devastating. The UN estimates that an additional 2 million girls will be cut as a result.

February 6th has been proclaimed by the UN as the day where we focus attention on FGM, and we hope that this year it will be celebrated across Canada.

With these Canadian proclamations we are hoping to draw attention to this world-wide problem, and to raise awareness that this is an issue in Canada as well. In every Canadian province we

have immigrants from communities that practice FGM, including from countries in the Middle East, Africa, and Asia; there are bound to be FGM survivors even in **London**.

Giselle Portenier

Co-Founder

End FGM Canada Network



**Issuance of Proclamations Policy**

**Policy Name:** Issuance of Proclamations Policy

**Legislative History:** Adopted September 19, 2017 (By-law No. CPOL.-115-367); Amended July 24, 2018 (By-law No. CPOL.-115(a)-418)

**Last Review Date:** January 6, 2020

**Service Area Lead:** City Clerk

**1. Policy Statement**

1.1 This policy sets out the requirements for the issuance of proclamations.

**2. Definitions**

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## SCHEDULE "A"

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  - Recognition of events or organizations that espouse discrimination, hatred, violence or racism.
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  - Matters designed to incite hatred or disorder.
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