

Agenda Including Addeds

Corporate Services Committee

9th Meeting of the Corporate Services Committee

May 31, 2021, 12:00 PM

2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

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.

- 6.2. 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.

- 6.3. *(ADDED) Land Disposition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations*

A matter pertaining to the proposed or pending disposition 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.

7. Adjournment

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Mat Daley, Director, Information Technology Services
Subject: Recommendation to award RFP 21-24 Network Connectivity Services
Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Information Technology Services, the following actions be taken with respect to the award of the contract for Request for Proposal (RFP) 21-24 Network Connectivity Services as per City of London Procurement Policy Section 12.2 (b), requiring Committee and City Council approval for Request for Proposal awards greater than \$100,000:

- a) the proposal submitted by Rogers Communications Canada Inc., 800 York Street, London, ON, N5W 2S9 for network connectivity services in the estimated annual amount of \$153,479.64 (exclusive applicable taxes), for a three (3) year term, and an option to renew the contract for two (2) additional one (1) year terms each at the sole discretion of the City of London, **BE ACCEPTED** in accordance with section 12.0 of the Procurement of Goods and Services Policy;
- b) the Civic Administration Be Authorized to undertake all administrative acts that are necessary in connection with this purchase, and;
- c) approval hereby given Be Conditional upon the Corporation entering into a formal contract, agreement or having a purchase order relating to the subject matter of this approval.

Executive Summary

In the proposal, Rogers Communications Canada Inc., hereafter referred to as Rogers, demonstrated a comprehensive understanding of the expectations required to successfully fulfill the requirements and deliver network connectivity services.

Rogers has a proven track record with the City of London in providing wireless smartphone services. In addition, Rogers has been a reliable service partner throughout the COVID-19 pandemic in supplying critical network services to support both assessment centres and vaccines sites.

Linkage to the Corporate Strategic Plan

The services proposed support the City of London's "Leading in Public Service" strategic area of focus. Network connectivity connects public service locations to essential data centres and the internet. This undertaking supports the following specific strategies outlined in the 2019-2023 Strategic Plan:

- Increase the use of technology to improve service delivery - continue to maintain, build and enhance a high-performing and secure computing environment;
- Enhance the ability to respond to new and emerging technologies and best practices - deliver and maintain innovative digital solutions to increase efficiency and effectiveness across the Corporation, and;
- Maintain London's finances in a transparent and well-planned manner to balance equity and affordability over the long term.

Notable Accomplishments

Rogers has won several notable awards. Highlighted below are two awards that demonstrate the values of Rogers, and reflect the City's commitment to workplace diversity, equity, and inclusion.

Gender Equality – Bloomberg Gender-Equality Index (GEI)

Notably they were named to the 2018 and 2019 Bloomberg Gender-Equality Index (GEI), which shared data on 100 companies (in 2018) and over 200 companies (in 2019) who lead in gender equality around the world. The GEI looks at internal statistics, policies, engagement, and other gender-conscious programs that reflect the commitment to advancing women in the workplace and marketplace.

Canada's Best Diversity Employer

In addition, Rogers has been recognized for nine consecutive years for leadership in creating a diverse and equitable environment for employees and customers.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

1.2 Historical Review

The City of London depends on a service provider to supply and support network connectivity services. The City of London network connects and integrates network end points that require a connection to the Corporate network and the internet. Examples include:

- Wireless access points (Wi-Fi)
- Corporate computers
- Phones
- Security cameras
- Radio equipment
- Network equipment
- Building automation
- Traffic intersections
- Data centers

This network is vital to the delivery of computing and communications across all City of London work locations. It is essential that the City has a qualified and flexible service provider to deliver a highly reliable and secure solution. The vendor must:

- Provide a high performing, highly available enterprise solution that is supported 7x24, 365 days a year
- Support the network with qualified and knowledgeable resources
- Achieve Service Level Agreements (SLAs)
- Offer valuable engagement opportunities to support current and future network design and services
- Maintain investment and growth in a robust fibre network

Operational responsibilities of the vendor include:

- Maintenance and ongoing support of the network
- Communication of any planned maintenance
- Installation of services
- Single point of contact account team
- Adherence to SLAs
- Response to critical incidents

2.0 Discussion and Considerations

The purpose of this report is to seek approval to appoint a supplier to provide network connectivity services to the City of London.

In the response to the Request for Proposal, Rogers met the requirements of the evaluation committee by presenting a proposal that will support the City of London with the continued delivery of network connectivity services.

Rogers has proposed an innovative solution that will deliver desired network speeds and bandwidth. The proposed solution is referred to as Virtual Private Local Area Network Service (VPLS) - both modern in technology and economical. VPLS is a robust technology that is above pace when compared to alternative solutions. The benefits of this solution are high-speed connectivity, scalability and diversity resulting in enhanced user-experience and increased network flexibility. The proposal outlined the organizational strengths of Rogers and capability to deliver reliable customer service with a dedicated and experienced support team for the City of London.

Rogers Communications will provide the following services, support and resources to the City of London:

- New network connectivity
- Account management
- Project management
- Incident management
- Change management
- Risk identification and management
- Service performance and reporting
- Escalation processes and procedures

Rogers will have a dedicated Project Manager that will be responsible for providing leadership throughout the duration of the project. This key role will manage the coordination, development, and delivery of the project schedule based on mutual agreement with Information Technology Services (ITS). Key elements of the Rogers proposal included the following:

- Fibre builds for each individual location within scope of the project
- Management of all permits associated with the work
- Development of the project scope, schedule and risk documentation
- Definition of risks and mitigation strategies
- Facilitation of proactive project meetings to provide status updates, including action items and milestone dates
- Execution of the project plan while monitoring and controlling project progress

2.1 Procurement Process

On March 22, 2021, the City issued a Request for Proposal (RFP) 21-24 – Network Connectivity Services for the City of London. After the RFP was posted, there were six (6) addenda issued to respond to questions, inquiries, and requests for clarification. When the RFP closed, four (4) submissions were received, and all four (4) were compliant.

A two envelope RFP process was used – one envelope contained the technical project proposal and the second contained the pricing proposal.

With the assistance of the Procurement Officer, four (4) Evaluation Committee representatives from the City's ITS department and a telecommunications consultant, evaluated the four (4) submissions based on the criteria outlined in the RFP document.

At the end of the RFP process, the proponent with the highest score, demonstrating the ability to fully meet the City's requirements was Rogers Communication Canada Inc.

3.0 Financial Impact/Considerations

The annual cost to the City of London to provide network connectivity services identified in the RFP associated with this report is \$153,479.64 (exclusive applicable taxes).

The full budget for the delivery of network connectivity services, as outlined in this report, has been approved and allocated in the 2020-2023 ITS Operating Multi-Year Budget.

Prepared by: Jane Latter-Hutchinson, Manager, Network and
Telecom, Information Technology Services
Recommended by: Mat Daley, Director, Information Technology Services

cc: Mary Ma, Procurement Officer

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: 2022 Municipal Election Update
Date: May 31, 2021

Recommendation

That, on the recommendation of the City Clerk, the following actions be taken with respect to the 2022 Municipal Election:

- a) the City Clerk **BE DIRECTED** that as elementary and secondary schools are used as voting locations the local school boards be requested to consider scheduling a Professional Development on Voting Day, October 24, 2022;
- b) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 2021 to establish the following advance voting dates and times:

Saturday, October 8, 2022 from 10:00 AM to 8:00 PM

Tuesday, October, 11, 2022 to Saturday, October 15, 2022, inclusive, from 10:00 AM to 8:00 PM; and
- c) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 2021 to authorize the use of poll optical scanning vote tabulators, voting by mail, and proxy voting for the 2022 Municipal Election; and
- d) **NO FURTHER ACTIONS BE TAKEN** with respect to adopting a candidate contribution rebate by-law or implementing internet voting in advance of the 2022 Municipal Election; and
- e) the staff report dated May 31, 2021 entitled "2022 Municipal Election Update" **BE RECEIVED** for information.

Executive Summary

To review and receive direction on upcoming 2022 Municipal Election programs and initiatives including advance voting dates, alternative voting methods, proxy voting, and candidate contribution rebate program.

Analysis

1.0 Background Information

1.1 Previous Reports on this Matter

Corporate Services Committee – January 24, 2017 – Municipal Election Campaign Contributor Rebate By-law

Corporate Services Committee – February 20, 2018 – 2018 Municipal Election Update

Corporate Services Committee – March 19, 2019 – 2018 Municipal Election

1.2 Legislative Context – Bill 218, *Supporting Ontario’s Recovery and Municipal Elections Act, 2020*

On November 20, 2020, Bill 218, *Supporting Ontario’s Recovery and Municipal Elections Act, 2020* received Royal Assent. Bill 218 enacts several amendments to the *Municipal Elections Act, 1996* (MEA), the most significant being the removal of sections that permit municipalities to offer a ranked ballot election. Bill 218 also amended the MEA to place Nomination Day on the third Friday in August (Friday, August 19, 2022).

The timeline for passing a by-law authorizing the use of voting and vote-counting equipment or alternative voting methods is now May 1 in the year of an election (previously May 1 in the year before an election). The deadline for clerks to establish procedures for voting and vote-counting equipment, including alternative voting methods is now June 1 in the year of an election (previously December 31 in the year of an election).

1.3 Voters’ List – Bill 204, *Helping Tenants and Small Businesses Act, 2020*

As outlined in the March 29, 2019 staff report entitled “2018 Municipal Election”, the Civic Administration spent significant time and resources cleansing Voters’ List data after it was received from the Municipal Property Assessment Corporation (MPAC). This issue is not unique to the City of London. To address these issues, on October 1, 2020 the Province passed Bill 204, *Helping Tenants and Small Businesses Act, 2020*. This Bill confirms that Elections Ontario will be providing the Voters’ Lists to municipalities for the 2026 Municipal Election. However, it will not address data accuracy issues in time for 2022.

Bill 204 amended the MEA, by moving the responsibility for preparing the preliminary Voters’ List in municipal elections from MPAC to the Chief Electoral Officer, beginning in 2024. The responsibilities of the Clerk regarding updating the Voters’ List are adjusted accordingly, as are the dates regarding the calculation of contribution and spending limits. The *Assessment Act* is also amended to reflect that MPAC will no longer be carrying out enumerations for the purposes of the MEA. It will still carry out other enumerations required by the Minister.

Voters’ List next steps

A communication strategy for the 2022 Municipal Election will be developed through collaboration between City Clerk’s and Communications staff. The focus of the strategy will build on MPAC’s online enumeration efforts, encourage electors to check if they are on the Voters’ List through a variety of avenues, and will be targeted to tenants of rental properties and areas in the City that are known to have gaps in voter information.

1.4 Voting Locations

Properly managed and efficient voting locations are essential in conducting an election. With the impact of COVID-19, selecting the right voting locations is now more important than ever to ensure proper social distancing and adequate safety protocols. Voting locations must be located in close proximity to electors, large enough to properly channel electors physically through the voting process and be accessible to all electors. There are legislative requirements for voting locations. Under section 45(1) of the MEA, “the clerk shall establish the number and location of voting places for an election as he or she considers most convenient for the electors” and under section 45(2) “voting locations are accessible to electors with disabilities”. The following criteria and best practices are applied when establishing voting locations in municipal elections:

- convenience and proximity to electors;
- accessibility;
- on or close to transit routes;

- walkability; and
- sufficient parking.

In the most recent elections, the Civic Administration has experienced difficulty in securing locations that meet these criteria. Schools are typically used along with city facilities, libraries, and churches. In previous elections, schools were largely used as polling locations throughout the City of London and the Province of Ontario. This is widely accepted practice throughout Ontario, Canada, and the United States. Schools, as public buildings, meet all legislative requirements and are convenient for electors as they are located centrally in neighbourhoods, most often within walking distance, on bus routes and meet accessibility requirements. The Civic Administration has found that although schools have been ideal for voting locations, there have been concerns raised regarding the placement of a polling station within schools during school hours. The concerns that arise with each election are parking issues, school safety, disruption to regularly scheduled programming and curriculum, traffic congestion in the morning and at the close of school. COVID-19 introduces the added difficulty of ensuring social distancing and safety protocols in a public building.

Preparations for the next municipal and school board elections are now underway. There is a great probability that the Civic Administration will be utilizing schools as voting locations throughout the city. In 2018, on Voting Day, there was 201 voting locations across the city, with 35 locations dedicated only to residents of retirement communities or nursing homes. The remaining 166 voting locations were placed throughout the community, keeping in mind the number of electors within the ward and the number of poll assigned to them. From the 166 voting locations, 49 were schools. Schools account for 30% of Voting Day community voting locations. Of the 49 schools, 34 were elementary and 2 were secondary schools within the Thames Valley District School Board, and 12 schools within the London District Catholic School Board, with 2 being secondary schools and 10 being elementary schools. The 1 remaining elementary school was with the Conseil scolaire catholique Providence. It is important to have an open communication between the Civic Administration and school board administrators to discuss, mitigate, and navigate through any issues that may arise, while providing minimal disruption to the education and curriculum of students in the schools.

This issue is not necessarily unique to the City of London. Some other jurisdictions plan a Professional Development day where students would not be present at the school during Voting Day, mitigating the concerns mentioned above. In accordance with section 7 of the MEA, the City of London incurs the cost of the municipal and school board elections and section 45(4)(6) provides that upon notice school boards are required to provide the space free of charge.

The Civic Administration will be reaching out to the impacted school boards to share information on the operation and conduct of our next election, particularly with the use of schools as voting locations on October 24, 2022. The hope is to identify previous issues and strategies to improve the election experience in advance of the 2022 municipal election.

The Civic Administration is requesting support from the Municipal Council for a letter to be sent to each school board from the City Clerk requesting that consideration be given to scheduling a Professional Development day for October 24, 2022 (Voting Day), as many voting locations will be within schools.

1.5 Accessibility

Under section 12.1 of the MEA, the Clerk is required to prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before Voting Day. After Voting Day, the Clerk is required to prepare a report regarding the identification,

removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public. Consistent with the previous two elections, the City of London plans to utilize accessible voting devices at advance voting locations to alleviate potential barriers to voting. Accessible devices include a tactile handheld touch pad, “yes/no” paddles and a sip and puff machine. These devices give the voter the opportunity to listen to an audio ballot with candidate options read out over headphones. As with previous municipal elections, the Civic Administration will consult with and seek input from the City’s Accessibility Advisory Committee on the 2022 Accessible Election Plan.

1.6 Advance Voting and Proxy Voting

The MEA states that all municipalities must have an advance vote on one or more dates and that the Clerk shall establish the dates, the number and location of voting places, and the hours the voting places will be open. Both advance voting and proxy voting will be available for the 2022 Municipal Election. The appointment time for a proxy vote will begin after the close of nominations (2:00 PM, Friday, August 19, 2022), until the close of voting on Voting Day (8:00 PM, October 24, 2022).

The advance vote dates and times are proposed to be Saturday, October 8, and Tuesday, October 11 to Saturday, October 15, 2022, inclusive, from 10:00 AM to 8:00 PM.

Attached as Appendix “A” to this report is a by-law to approve the above-noted advance vote days for the 2022 Municipal Election.

1.7 Tabulation and Voting Equipment

Subsection 42(1)(a) of the MEA, makes provision for the Municipal Council to pass a by-law authorizing the use of voting and vote-counting equipment, such as voting machines, voting recorders or optical scanning vote tabulators. The City of London began using optical scanning voting tabulators at the 1991 Municipal Election and has used similar equipment for each subsequent Municipal Election.

On Voting Day, electors will mark their paper ballot at the poll, the marked ballot will immediately be fed through the optical scanning vote tabulator and then be deposited into a ballot box. The elector will then receive confirmation that their ballot has been counted. When the polls close, the results will be uploaded and provided to the public as soon as possible.

Subsection 42(5) of the MEA, provides that when a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance vote) and 44 (voting proxies) of the MEA apply only if the by-law so specifies.

Attached as Appendix “B” to this report is a by-law to approve vote-counting equipment and alternative voting methods for the 2022 Municipal Election. The by-law must be approved by Council by May 1, 2022.

1.8 Candidate Contribution Rebate By-law

In the staff report dated January 24, 2017 entitled “Candidate Contribution Rebate By-law” the City Clerk provided information on a rebate of contributions to candidates’ program in London. On January 30, 2017, the Municipal Council resolved that no action be taken with respect to the establishment of a rebate of contributions to candidates’ program. The City Clerk continues to recommend that a candidate contribution rebate by-law for 2022 not be enacted, as the program requires a significant amount of staff time and resources to administer. If the decision of Municipal Council is to implement this program, the Civic Administration will bring forward a staff report with financial impacts, proposed eligibility criteria and the necessary by-law.

2.0 Discussion and Considerations

2.1 Remote Voting

The current climate of the COVID-19 Pandemic has highlighted the need for alternative voting options. The City Clerk's Office has been carefully monitoring how provincial and municipal elections have been offered safely in accordance with public health requirements during the Pandemic.

Vote by Mail

An overwhelming shift to mail-in voting as the primary alternative to in-person voting has been observed in many jurisdictions running elections during the Pandemic. The City of London has used mail-in voting since the 2010 Municipal Election. Subsection 42(1)(b) of the MEA, as amended, includes provisions for the Municipal Council to pass a by-law authorizing the electors to use an alternative voting method, such as voting by mail.

This process has been refined over the past few elections and is an accessible and secure voting method. The City Clerk recommends that this option continue for the 2022 Municipal Election.

A vote by mail ballot kit is mailed to those voters in the City who have prequalified and preregistered to vote by mail. Voters have the option of returning the Ballot Return Envelope containing the sealed Ballot Secrecy Envelope and Voter Qualification Form, to the Municipal Elections' Office via Canada Post or by hand delivering it to the Municipal Elections' Office at City Hall up to and including Voting Day. The convenience and accessibility of vote by mail can provide enhanced opportunity for all voters to safely participate in the local election process.

Some of the benefits of vote by mail include increased accessibility, less voter traffic at the polls and reduction of proxy voting. Some of the challenges identified with a vote by mail process include, the timeframe required for the mail-out and return of ballots, which is reliant on Canada Post and the accuracy of the Voters' List.

The cost to undertake voting by mail is approximately \$2.00 per voter, excluding the cost to produce the ballot. This cost is already accounted for in the Elections budget. Vote by mail is a low cost, safe and reliable alternative for voters who would not be able to vote at an advance poll, a voting day poll, or by proxy.

Attached as Appendix "B" to this report is the by-law to approve alternative voting methods (including vote by mail) for the 2022 Municipal Election. The by-law must be approved by Council by May 1, 2022.

2.2 Internet Voting

The Civic Administration is committed to exploring technical and other solutions that improve voter engagement and accessibility, however, the future of internet voting is uncertain. Recent data and security breaches in both the public and private sectors have highlighted the continued challenge of maintaining internet security and vote integrity given the number of cyber-attacks directed towards governments, including Canadian municipalities. For these reasons the Civic Administration does not recommend that Municipal Council adopt internet voting. This report advises that there have been insufficient advances in internet security to accept the risks of implementing internet voting for the 2022 Municipal Election. Internet voting continues to be vulnerable to security threats and attacks while raising concerns about secrecy of the vote and integrity of the results. The Civic Administration must strike a balance between accessibility, safety and security while ensuring the secrecy of the vote and the integrity of the election. Failure to conduct an election in a manner consistent with the principles of the MEA could result in a legal challenge.

The City Clerk has the statutory obligation to ensure that any alternative voting method adheres to the following principles of the MEA:

- the secrecy and confidentiality of the individual votes is paramount;
- the election should be fair and non-biased;
- the election should be accessible to the voters;
- the integrity of the process should be maintained throughout the election;
- there be certainty that the results reflect the votes cast; and
- voters and candidates should be treated fairly and consistently within a municipality.

The security risks associated with internet voting make it difficult to maintain the integrity of the guiding principles. In the fall of 2019, the City of Toronto released a report produced by the Auditor General entitled, “Cyber Safety: A Robust Cybersecurity Program Needed to Mitigate Current and Emerging Threats”. This report raised significant concerns with cybersecurity given the number of cyber-attacks directed towards government. The Auditor General's report noted that a single data breach could have a devastating effect on a city the size of Toronto's, particularly given the vast amount of confidential and sensitive information that the City stores, including election data.

There has been significant analysis conducted of methods used by municipalities in 2018. Of Ontario's 444 municipalities, there were 391 elections involving 9,444,628 eligible voters. Of the 391 municipalities where the method could be identified, 214 or 54% of municipalities continued to use paper ballot only. 71% (6,702,533) of the total eligible voters used a paper ballot only to participate in the 2018 municipal elections. 177 municipalities offered an online voting option, of which 131 were completely paperless.¹

On October 22, 2018, approximately 51 Ontario municipalities using Dominion's Internet Voting portal experienced traffic slow down and system time-outs that caused a disruption to voting services on Election night. Dominion was able to quickly identify the source of the issue and work with the provider to resolve all issues with the system service by 7:30 PM. Unfortunately, the 90-minute slowdown and resulting bandwidth issue caused a varying number of voters to experience slow response times and system time-outs.² As a result of the slow-down, most municipalities had to extend voting hours – some up until 8:00 PM the following day – to ensure the vote would not be compromised due to the disruption.

Even a minor technical issue that gets resolved could still have the effect of making voters wary of the process, distrustful of the results, or could cast doubt on the integrity of the election. Any failure of a voting system that has the effect of violating the principles of the MEA could result in a controverted election.

Additionally, as identified in section 1.2 of this report, the Civic Administration expect to see similar issues with the Voters' List for 2022 as experienced in 2018. These issues have been addressed with Bill 204 and are expected to significantly improve the accuracy of information on the list for the 2026 Municipal Election. This would make offering alternative voting a more viable option in the future. However, it would not address data accuracy issues in time for 2022.

If Municipal Council wishes to consider the introduction of internet voting for any future municipal elections, the Civic Administration recommends a minimum of 3 years

¹ Pg. 12, Cardillo A., Akinyokun N., Essex A. (2019) Online Voting in Ontario Municipal Elections: A Conflict of Legal Principles and Technology?. In: Krimmer R. et al. (eds) Electronic Voting. E-Vote-ID 2019. Lecture Notes in Computer Science, vol 11759. Springer, Cham. https://doi.org/10.1007/978-3-030-30625-0_5

² “Dominion Voting Statement Regarding Internet Voting Service Slowdown Affecting Ontario Municipalities”, October 22, 2018

preparation time to provide sufficient time to work with the Information Technology Services to develop requirements, issue a Request for Proposal (RFP), award a contract, test and implement a fully integrated and secure internet voting solution.

3.0 Financial Impact/Considerations

Significant additional costs would be incurred, outside of the approved budget, should a decision be made to proceed with internet voting. In a report to their municipal council in 2016, staff of the City of Toronto estimated the cost of implementing an internet voting system to be \$3.1M, which would include the licensing/hosting of the internet voting system, staff training and support, and the hiring of external consultant to comprehensively test and review the voting system. Internet voting costs for the City of London are currently unknown, however it is known that there will be cost increases related to staffing and communication/outreach budgets as well as vendor services, expert consultants/auditor, and technology costs. Preliminary costs would be determined with the information gathered through a formal RFP process. It is important that any decision to proceed with internet voting be made as early as possible to give ample time to develop and issue an RFP for a risk assessment, as well as for system development, security, and accessibility testing. If Council decides to proceed with internet voting in 2022, the Election Reserve Fund would likely be depleted after the 2022 election. The Civic Administration would work to determine strategies to replenish the Election Reserve Fund moving forward.

In 2018, Dominion Voting Systems was awarded the contract to provide Vote Tabulation System and Election Software for the Municipal and School Board Elections, with the option for the City to extend the contract for services for any by-elections and the 2022 and 2026 elections. To reduce costs, a 20% discount, was negotiated with Dominion for a multi-election agreement that includes both the 2018 and 2022 Municipal and School Board Elections. The contract includes:

- Vote Tabulators – 225 units
- Accessible Voting Ballot Marker Device – 12 units (Advance Vote)
- Ballots
- Election Products and Supplies
- Election Management Software System
- Professional Services and Support

For vote tabulators, election services and equipment, the City can continue the 2018 contract with Dominion Voting Services at an estimated cost of \$477,651³.

4.0 Key Issues and Considerations

4.1. COVID-19 Pandemic Impact on Municipal Elections

The COVID-19 Pandemic remains an ongoing concern, and health experts believe there may be additional waves of the virus for months or years to come. All aspects of 2022 election planning must shift to accommodate the reality of this global Pandemic, which will have significant effects on programs, procedures, and technology. Planning is underway to revisit and rethink the concept of voting so that electors feel safe when casting their ballot. Jurisdictions that have run elections through the Pandemic are being examined to identify best practices within the voting place. With respect to in-person voting, the Civic Administration is working to re-imagine polling stations with a pandemic health and safety lens. A review of current voting procedures to reduce touchpoints and determine what Personal Protective Equipment (PPE) or other tools may be needed to protect both electors and election workers is ongoing.

³ This includes \$12,125 reduction in cost due to the removal of the Ranked Choice Voting Module.

4.2 Next Steps

Over the next eighteen months, the Civic Administration will be updating policies, procedures, and by-laws to ensure compliance with the amendments to the MEA, including such tasks as:

- Review of the current Election Sign By-law.
- Review and update of Municipal Election Compliance Audit Committee By-law and Terms of Reference.
- Review and update of all Municipal Election procedures, policies, and forms to reflect changes to the MEA.

Conclusion

The Municipal Election preparation is well under way for 2022. The Civic Administration will continue to monitor legislative activity at the provincial level and will continue to undertake due diligence to improve its processes. The steps the City Clerks' Office has taken towards a responsive and staged implementation of new voting options will place the City of London in a good position for success for 2022.

These next steps and future Municipal Council considerations are ensuring that the challenges posed by the COVID-19 Pandemic are integrated and addressed within election programs, procedures, and technology. Election practices across the world continue to be monitored to learn from the new and varying approaches to voting in a pandemic.

Prepared by: Jeannie Raycroft, Manager, Licensing and Elections

Submitted by: Sarah Corman, Manager II, Licensing and Elections

Recommended by: Cathy Saunders, City Clerk

APPENDIX “A”

Bill No.
2021

By-law No.

A by-law to establish the dates for advance voting and the hours during which voting places shall be open on those dates for the 2022 Municipal Election.

WHEREAS subsection 43(1) of the *Municipal Elections Act, 1996*, as amended, provides that before voting day, each local municipality shall hold an advance vote on one or more dates.

AND WHEREAS subsection 43(2) of the *Municipal Elections Act, 1996*, as amended, provides that subject to subsection 43(3), the clerk shall establish, the date or dates on which the advance vote is held; the number and location of voting places for the advance vote; and the hours during which the voting places shall be open for the advance vote, which may be different voting places.

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

1. The following advance voting dates and times are hereby established for the October 24, 2022 Municipal Election:
 - a) Saturday, October 8, 2022 from 10:00 AM to 8:00 PM
 - b) Tuesday, October 11, 2022 to Saturday, October 15, 2022, inclusive, from 10:00 AM to 8:00 PM;
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

APPENDIX “B”

Bill No.
2021

By-law No.

A by-law to authorize the use of poll optical scanning vote tabulators, voting by mail, advance voting and proxy voting for the 2022 Municipal Election; and to repeal By-law No. E.-182-116 entitled “A by-law to authorize the use of touchscreen voting machines, poll optical scanning vote tabulators, voting by mail, advance voting and proxy voting for the 2018 Municipal Election.”

WHEREAS subsection 42(1)(a) of the *Municipal Elections Act, 1996*, as amended, provides that the council of a local municipality may pass a by-law authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;

AND WHEREAS subsection 42(1)(b) of the *Municipal Elections Act, 1996*, as amended, provides that the council of a local municipality may pass a by-law authorizing electors to use an alternative voting method, such as voting by mail, that does not require electors to attend at a voting place in order to vote;

AND WHEREAS subsection 42(5) of the *Municipal Elections Act, 1996*, as amended, provides that when a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance vote) and 44 (voting proxies) apply only if the by-law so specifies;

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

1. The use of poll optical scanning vote tabulators for the purpose of counting votes at Municipal Elections is hereby authorized.
2. Sections 43 (Advance Votes) and 44 (Voting Proxy) of the *Municipal Elections Act, 1996*, as amended, apply to the City of London 2022 Municipal Election.
3. The use of voting by mail be provided upon request to qualified voters as an alternative voting method that does not require electors to attend at a voting place in order to vote at Municipal Elections is hereby authorized.
4. By-law No. E.-182-116 passed by the Municipal Council on April 4, 2017 is hereby repealed.
5. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: Review of Ward Boundaries Update
Date: May 31, 2021

Recommendation

That, on the recommendation of the City Clerk, the following actions be taken with respect to the Ward Boundaries Review:

- a) the report dated May 31, 2021 entitled “Review of Ward Boundaries Update” **BE RECEIVED**; and,
- b) the Civic Administration **BE DIRECTED** to not proceed with changes to the existing Ward Boundaries at this time.

Executive Summary

The *Municipal Act, 2001* (the “Act”) provides authority for a municipality to pass a by-law dividing or re-dividing the municipality into wards or dissolving the existing wards. In keeping with Council Policy 5(35) “Review of Ward Boundaries”, this report provides the Municipal Council with information regarding potential ward boundary reviews in the City of London.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee – March 23, 2021 – Review of Ward Boundaries

Corporate Services Committee – May 28, 2019 – Council Policy Manual

Corporate Services Committee – February 27, 2017 – Proposed By-law to Amend City of London Ward Boundaries Public Participation Meeting

Corporate Services Committee – January 24, 2017 – Review of City of London Ward Boundaries

Corporate Services Committee – January 10, 2017 – Review of City of London Ward Boundaries – Public Participation Meeting

Corporate Services Committee – July 19, 2016 – Amendments to the Municipal Elections Act

Finance and Administration Committee – May 4, 2011 – Proposed Ward Boundary Review Policy

Committee of the Whole – March 10, 2009 – Final Report of the Governance Task Force

1.2 Previous Council Direction

Municipal Council, at its meeting held on March 23, 2021 resolved:

“That the following actions be taken with respect to the Ward Boundaries Review:

- a) the report dated March 1, 2021 entitled “Review of Ward Boundaries”, BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards;

it being noted that the reviews outlined in b) above would be undertaken based on the guidelines set out in Council Policy 5(35) Review of Ward Boundaries. (2.9/4/CSC) (AS AMENDED) (2021-C07)”

The purpose of this report is to respond to the direction given by the Municipal Council with respect to the Ward Boundaries Review.

1.3 Legislative Context

Section 222 of the Act provides authority for a municipality to pass a by-law dividing or re-dividing the municipality into wards, or a by-law dissolving the existing wards. The Act also sets out the right to appeal. However, there is no explicit requirement in the Act for a municipality to conduct a review of its ward boundaries at any time. The Act does not provide any criteria to govern the establishment or dissolution of ward boundaries. There is also no specific criteria or process for establishing and reviewing ward boundaries prescribed by the Minister of Municipal Affairs and Housing. That being the case, common law in Canada requires that the principle of “effective representation” be applied when reviewing ward boundaries.

Although the existing provincial legislation provides for municipalities to establish and amend ward boundaries on their own, it is important to note that the provincial government has the ultimate authority in the determination of municipal ward boundaries, council size, and council structure. Additionally, residents of London may also petition Municipal Council to create or revise an existing ward structure, and a failure to act upon such a petition may be appealed to the provincial Local Planning Appeal Tribunal (LPAT) – previously the Ontario Municipal Board (OMB). Any Municipal Council decision with respect to ward boundaries may be subject to appeal through the LPAT. Specifically, section 222 of the Act states:

Establishment of wards

(1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to divide or redivide the municipality into wards or to dissolve the existing wards. 2006, c. 32, Sched. A, s. 96 (1).

Notice

(3) Within 15 days after a by-law described in subsection (1) is passed, the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal under subsection (4). 2006, c. 32, Sched. A, s. 96 (1).

Appeal

(4) Within 45 days after a by-law described in subsection (1) is passed, the Minister or any other person or agency may appeal to the Local Planning Appeal Tribunal by filing a notice of appeal with the municipality setting out the objections to the by-law and the reasons in support of the objections. 2006, c. 32, Sched. A, s. 96 (1); 2017, c. 23, Sched. 5, s. 49 (1).

1.4 Timing

The timing for new ward boundaries to come into force depends on when Council approves a ward boundary by-law. Subsection 222(8) of the Act provides that a by-law to establish ward boundaries comes into force for the next regular election if the by-law is passed before January 1 of a regular election year and no notices of appeal are filed, if notices of appeal are filed and all withdrawn before January 1 of the year of the election, or if notices of appeal are filed and the Local Planning Appeal Tribunal (LPAT) issues an order to affirm or amend the by-law before January 1 of the election year. Despite subsection 222(8), where a by-law comes into force on the day the new council of a municipality is organized following a regular election, that election shall be conducted as if the by-law was already in force.

The entire review process, including receipt of the decision of the LPAT regarding any appeals, must be completed no later than January 1, 2022 in order for the revised ward boundaries to be in place for the 2022 City of London Municipal Election.

1.5 Council Policy 5(35) “Review of Ward Boundaries”

On May 9, 2011, the Municipal Council adopted Council Policy 5(35) entitled “Review of Ward Boundaries.” This policy sets out the frequency of ward boundary reviews and the guiding principles that need to be considered during any ward boundary review process.

On June 11, 2019, the Municipal Council adopted an update to Council Policy 5(35) “Review of Ward Boundaries”, which states as follows:

5(35) Review of Ward Boundaries

The City Clerk shall, as required, undertake a review of the municipal ward boundaries, in sufficient time to allow the implementation of any appropriate ward boundary changes for the next municipal election, in accordance with applicable legislative requirements. The review shall take into consideration balancing population distribution among the wards, both now and in the future based on projections; respecting established neighbourhoods and communities within the municipality; geographical features defining natural boundaries within the municipality; and, infrastructure boundaries such as roads, bridges, rail lines and transit routes. Upon conclusion of the City Clerk’s review, the City Clerk shall recommend if and how the wards should be re-divided for the upcoming election, based upon their findings and in keeping with the public interest.¹

1.6 Previous Ward Boundaries Reviews

The last significant change to the City of London Ward boundaries took place prior to the 2010 Municipal Election with the elimination of the Board of Control, resulting in a 14 Ward system. Since that time, prior to each municipal election, the Civic Administration has reviewed the ward boundaries using available population data within the context of the Council Policy 5(35) “Review of Ward Boundaries”.

On May 30, 2017, the Municipal Council passed a by-law to re-divide the wards in the City of London, adjusting the boundaries of Ward 5, Ward 6, Ward 7, Ward 8, Ward 9, Ward 10, Ward 12 and Ward 13. The revised ward boundaries came into force and effect on December 1, 2018, following the 2018 Municipal Election.

¹ The criteria within the policy is derived from the OMB Decision/Order 3072 (November 22, 2005) (City of London), specifically Attachment 1 Schedule “D”. The policy was in response to a recommendation from Governance Task Force December 1, 2008.

Few concerns have been raised by the public since the changes made to the ward boundaries in 2018. The regular review of the ward boundaries, as required under Council Policy 5(35) “Review of Ward Boundaries”, helps to ensure the ward boundaries continue to remain balanced and assists in achieving the goal of effective representation.

2.0 Discussion and Considerations

2.1 Ward Boundary Review Considerations

In the absence of standard practices, principles, or legislative guidance, municipalities conducting ward boundary reviews use previous Ontario Municipal Board (OMB) decisions, case law and best practices to establish appropriate criteria for an effective review of ward boundaries. Primarily, a review of ward boundaries is intended to achieve “effective representation” or “voter parity” as established by the Supreme Court of Canada. Ward-based electoral systems are structured to reflect this principle and ward boundary reviews are generally conducted to reflect changing community demographics and achieve a balanced population in all wards more appropriately. In accordance with Council Policy 5(35), ward boundary reviews in the City of London, including any reports and preliminary adjustments for revised ward boundaries, are guided by the following principles:

1. A balanced population distribution among wards, both now and in future based on projections;
2. Voter parity;
3. Respecting and protecting established neighbourhoods and communities within the municipality;
4. Respecting geographical features and natural defining boundaries within the municipality;
5. Reviewing existing and proposed developments for future population growth projections; and,
6. Ward history.

The above-noted principles embody criteria like those adopted in recent ward boundary reviews across Ontario and reflect those cited in relevant OMB decisions.

3.0 Key Issues and Considerations

3.1 Current Ward Boundaries

The typical indicator of an effective ward based electoral system is the extent to which all the individual wards approach an “optimal” size. The “optimal” size is determined to be the average population for all wards. Based on the City of London’s current ward structure and overall census population in 2016 (including an enumeration of post-secondary students conducted in 2017), the optimal population size per ward in London is **28,803**.

In accordance with applicable case law and past OMB decisions, population variations of up to 25% above or below the optimal (average) ward size for the City are considered generally acceptable (i.e. no ward should have population greater than 25% above or below the average for all wards). This range is consistent with legislated federal redistribution provisions. Based on population information from the 2016 census, including an enumeration of post-secondary students conducted in 2017, ward populations in the City of London fall within this range (see Table 1).

Table 1: 2018 Population Data by Ward

Ward	Population	Population Variance Prior to 2018 Review	Population	Population Variance Post 2018 Review
1	25,846	-10.27%	25,846	-10.27%
2	25,015	-13.15%	25,015	-13.15%
3	27,150	-5.74%	27,150	-5.74%
4	30,341	5.34%	30,341	5.34%
5	31,916	10.81%	32,116	11.50%
6	28,927	0.43%	29,857	3.66%
7	37,523	30.27%	35,026	21.61%
8	32,619	13.25%	29,391	2.04%
9	31,371	8.92%	28,017	-2.73%
10	26,712	-7.26%	28,429	-1.30%
11	29,509	2.45%	29,509	2.45%
12	29,769	3.35%	31,406	9.04%
13	22,262	-22.71%	26,857	-6.76%
14	24,288	-15.68%	24,288	-15.68%
Total	403,248			
Average	28,803			

Source: Corporate Services Committee – May 23, 2017 – Review of City of London Ward Boundaries (Table 13).

3.2 Post-secondary Student Population

The inclusion of post-secondary students in the total population counts is an estimate only. For 2020 population and ward variance estimates in section 3.5 of this report, only students living in residence at Western University and Fanshawe College for 2020 have been included. A total of 2,056 students living in residence have been added to Ward 3 and a total of 6,339 students living in residence have been added to Ward 6.²

Table 2: 2020 Population Data by Ward

Ward	2018 Population	2020 Population	2020 Population Variance
1	25,846	28,002	-8.23%
2	25,015	26,612	-12.79%
3	27,150	28,860	-5.42%
4	30,341	31,606	3.58%
5	32,116	33,529	9.88%
6	29,857	29,322	-3.90%
7	35,026	37,454	22.75%
8	29,391	29,536	-3.20%
9	28,017	31,893	4.52%
10	28,429	31,232	2.36%
11	29,509	31,146	2.07%
12	31,406	33,436	9.58%
13	26,857	28,583	-6.33%
14	24,288	25,974	-14.88%
Total	403,248		427,185
Average	28,803		30,513

Source: Population data received from City Planning November 2020. Population figures include students living in residence only

² The Western number (6,339) comes from the Institutional Planning and Budgeting – Western facts 2020 website. Fanshawe number is provided by main web site and includes 1,660 units in three traditional on-campus residences and an additional 396 units in an off-campus townhouse complex.

Until recently, Ontario municipalities established ward boundaries without explicitly factoring post-secondary students, however, the OMB ruled in 2013 that the principle of effective representation requires that post-secondary students be counted in the determination of ward boundaries³.

As noted in the 'Review of Ward Boundaries' report dated on March 1, 2021, students are not captured in the Census Data unless their permanent residence is listed as London and are not captured through Municipal Property Assessment Corporation data unless their name has been provided through enumeration forms or other documentation. As a result, in early 2021 the Civic Administration proceeded with contacting post-secondary institutions in London to enquire about the total enrolment, requirements about updating addresses and postal codes, the number of students living in on-campus residence and any information regarding the approximate number of students living in off-campus housing.

Western University and affiliate University Colleges (Brescia, Huron, and Kings) provided the Civic Administration with the current number of students in residence and the current total enrolment. Western University and the affiliated University Colleges do not require students to update their postal codes (or addresses) if they live off-campus. Western University's Off-Campus Housing Service did state that approximately 28,000 students are accommodated off-campus in private sector dwellings (or addresses). How these students are distributed across each ward, or even within the City of London, is currently unknown.

Fanshawe College also provided the City with the current total enrolment and the current number of students in residence. The college was unable to provide estimates regarding the number of Fanshawe students who require off-campus housing. Fanshawe does not require students to update their postal codes or addresses therefore how these students are distributed across each ward, or even within the City of London, is unknown. Both Western University and Fanshawe College have expressed difficulty in enumerating off-campus students. This has been difficult in previous enrolment years but has been exacerbated with the move to virtual learning and online services during the pandemic.

Without accurate information from post-secondary institutions in London, the Civic Administration is unable to provide an estimate of off-campus student population and the distribution of these students between wards for 2020. It being noted that post-secondary student populations are identified as a community of interest in the options below. In conclusion, only students living in residence for 2020 have been included in the proposals for consideration listed in section 3.5 of this Report.

The City of Hamilton and the City of Oshawa have recently completed ward boundary reviews, with specific attention to community consultation, and non-permanent post-secondary student populations. A consultant team (Watson & Associates) was retained by both municipalities to assist with the review of ward boundaries, which included providing estimates for Census undercount and non-permanent post-secondary student population.⁴ If Council wishes to obtain an accurate representation of the distribution and population of non-permanent post-secondary students in London prior to proceeding with a ward boundary review, the Civic Administration recommends retaining a consultant to assist with population estimates, based on the 2016 or possibly the 2021 Census, depending on the availability of data. Based on municipalities of similar size, the Civic Administration estimates this process would take approximately twelve to eighteen months to complete.

³ O.M.B. Decision/Order 130053 (November 6, 2013) (City of Kingston). <https://www.omb.gov.on.ca/e-decisions/mm130053-Nov-06-2013.pdf>

⁴ City of Hamilton Ward Boundary Review Final Report (Amended), 2017

https://www.hamilton.ca/sites/default/files/media/browser/2017-03-06/ward-boundary-review-final-consultant-report_-_amended-appendixa-february1.pdf pg 11;

City of Oshawa Ward Boundary Review Final Recommendations Report, 2017

http://app.oshawa.ca/agendas/city_council/2017/06-15-2017/REPORT_CM-17-14.pdf pg 15

3.3 Growth Projections

The Table below shows growth projection percentage per ward up to 2024, received from the City’s Planning and Economic Development Service Area. The city-wide forecasts are from the Watson and Associates “City of London Population, Housing and Employment Growth Forecast Update” endorsed by Council on February 13, 2018 for use in the 2019 Development Charges Study. These are the City’s latest forecasts and are rooted in the 2016 census.

Table 3: 2019-2024 Growth Projection Percentage per Ward

Ward	Growth Projections 2019-2024
1	2%
2	0%
3	9%
4	1%
5	8%
6	4%
7	13%
8	1%
9	16%
10	1%
11	2%
12	5%
13	7%
14	10%

3.4 Engaging a Consultant

Most large municipalities that have commenced ward boundary reviews have engaged consultants to lead the process. The consultant would conduct research, develop and execute a work plan that includes public consultation, in addition to undertaking a ward boundary review that will withstand legal scrutiny and possible appeals to the LPAT. Findings and recommendations would be reported to Council. In addition, the consultant would be an expert witness, if necessary, in the event of any appeals to the LPAT.

Based on the reviews conducted previously in London and information provided by other municipalities who have undergone similar reviews, it is estimated that engaging a consultant to assist with the review would take approximately twelve to eighteen months complete.

3.5 Potential Changes for Consideration

At the March 23, 2021 meeting of Municipal Council, it was resolved that the Civic Administration be directed to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards. Below are nine (9) options to achieve a more balanced population across the wards with a focus on three specific wards: Ward 2 (population variance of -12.79%), Ward 14 (population variance of -14.88%), and Ward 7 (population variance of 22.75%). Each option uses the information provided in Table 2.

The current populations in each ward do meet the optimal ward size for effective representation and do not exceed the thresholds of up to 25% above or below the optimal ward size for the City, therefore the Civic Administration does not recommend proceeding with a review of the existing ward boundaries at this time.

Status Quo

As outlined above, make no changes to the current ward boundary structure.

Option 1: Ward 7 Masonville Area to Ward 6

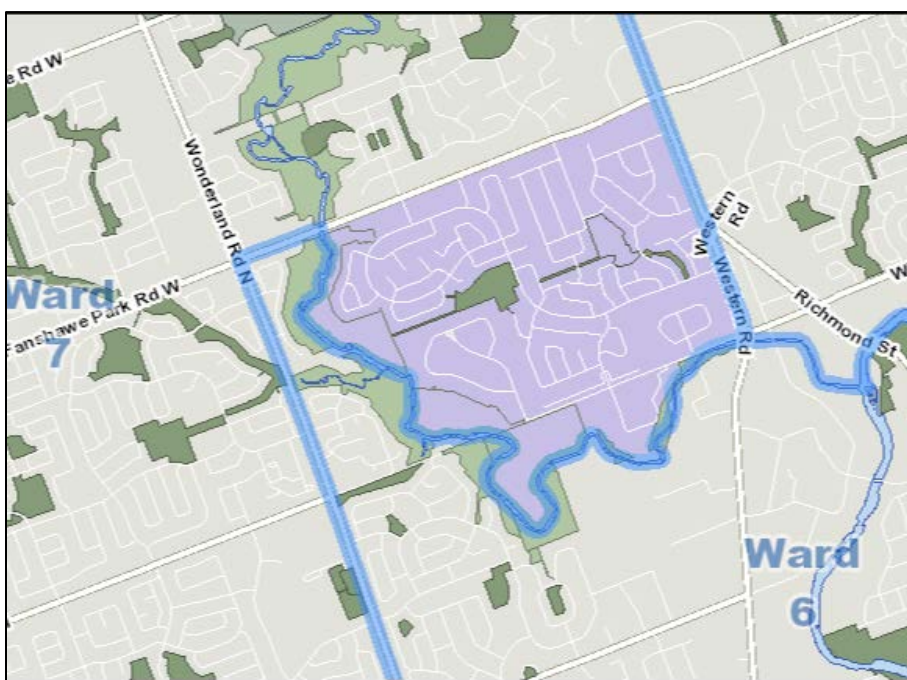
- The area bounded by Richmond Street North (East), Fanshawe Park Road West (North), and along Medway Creek (West & South) be moved from Ward 7 to Ward 6.
- This adjustment would move a population of **5,086** from Ward 7 to Ward 6.
- Both ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of 'effective representation'.
- This adjustment considers the 'community of interest' of post-secondary students by bringing the Near Campus Neighbourhood Area into three wards (5, 6, and 13) rather than four (5, 6, 7, and 13).
- This adjustment considers 'established neighbourhoods and communities' by keeping the Old Masonville Neighbourhood and Old Masonville Rate Payers Association within one ward (Ward 6).
- This adjustment uses the east-west arterial road Fanshawe Park Road West, considering the principle of 'infrastructure boundaries'.

Table 4: Ward 7 Masonville Area to Ward 6

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	28,860	-5.42%
4	31,606	3.58%
5	33,529	9.88%
6	34,408	12.76%
7	32,368	6.08%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 7 Masonville Area to Ward 6



Option 2: Ward 7 Masonville Area to Ward 5

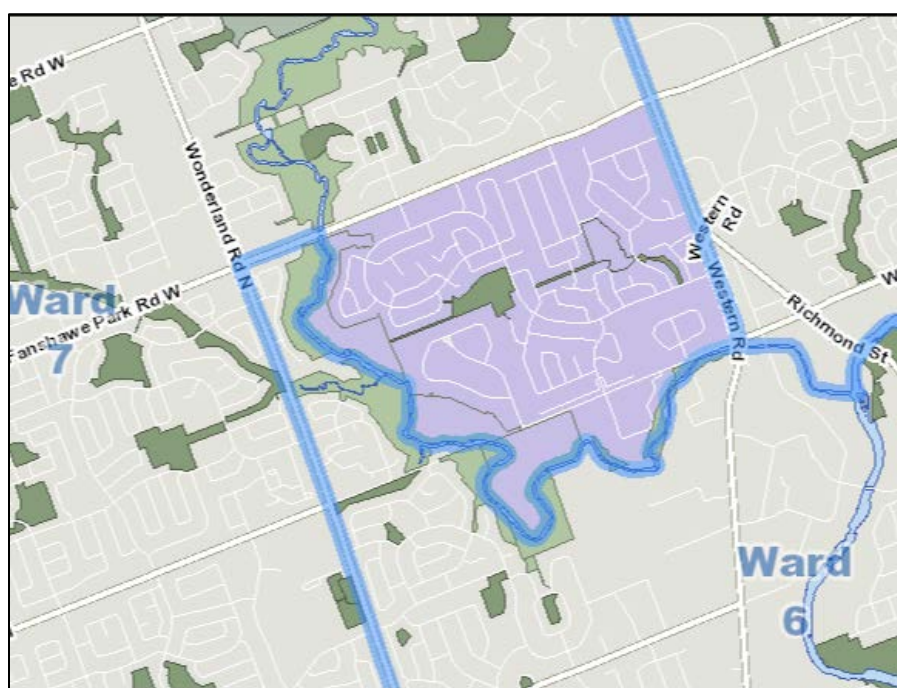
- The area bounded by Richmond Street North (East), Fanshawe Park Road West (North), and along Medway Creek (West & South) be moved from Ward 7 to Ward 5.
- This adjustment would move a population of **5,086** from Ward 7 to Ward 5.
- This adjustment would not keep Ward 5 population within the +/- 25% acceptable range from the average ward size to meet the principle of 'effective representation'.
- This adjustment considers the 'community of interest' of post-secondary students by bringing the Near Campus Neighbourhood Area into three wards (5, 6, and 13) rather than four (5, 6, 7, and 13).
- This adjustment considers 'established neighbourhoods and communities' by keeping the Old Masonville Neighbourhood and Old Masonville Rate Payers Association within one ward (Ward 5).
- This adjustment considers 'natural defining boundaries' with Medway Creek.
- This adjustment uses the east-west arterial road Fanshawe Park Road West, considering the principle of 'infrastructure boundaries'.

Table 5: Ward 7 Masonville Area to Ward 5

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	28,860	-5.42%
4	31,606	3.58%
5	38,615	26.55%
6	29,322	-3.90%
7	32,368	6.08%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 7 Masonville Area to Ward 5



Option 3: Ward 5 Fanshawe Park Road Area to Ward 3

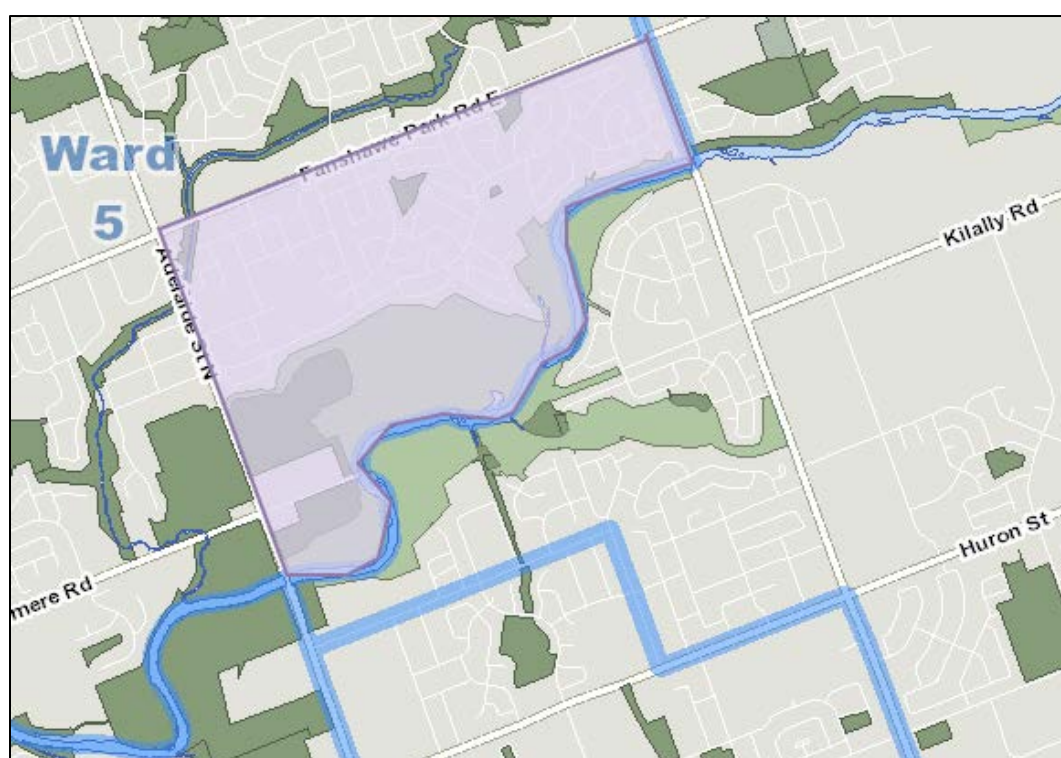
- The area bounded by Adelaide Street North (West), Fanshawe Park Road East (North), Highbury Avenue North (East), and along the Thames River be moved from Ward 5 to Ward 3.
- This adjustment would move a population of **3,976** from Ward 5 to Ward 3.
- Both ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of 'effective representation'.
- This adjustment considers 'established neighbourhoods and communities' by keeping the Northridge Community Association within one ward (Ward 3).
- This adjustment uses the north-south arterial road Adelaide Street North and Fanshawe Park Road East considering the principle of 'infrastructure boundaries'.
- This adjustment would no longer use the 'natural defining boundary' of the Thames River to divide Ward 5 and Ward 3.

Table 6: Ward 5 Fanshawe Park Road Area to Ward 3

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	32,836	7.61%
4	31,606	3.58%
5	29,553	-3.15%
6	29,322	-3.90%
7	37,454	22.75%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 5 Fanshawe Park Road Area to Ward 3



Option 4: Combination of Options 2 & 3 - Ward 7 Masonville Area to Ward 5 & Ward 5 Fanshawe Park Road Area to Ward 3

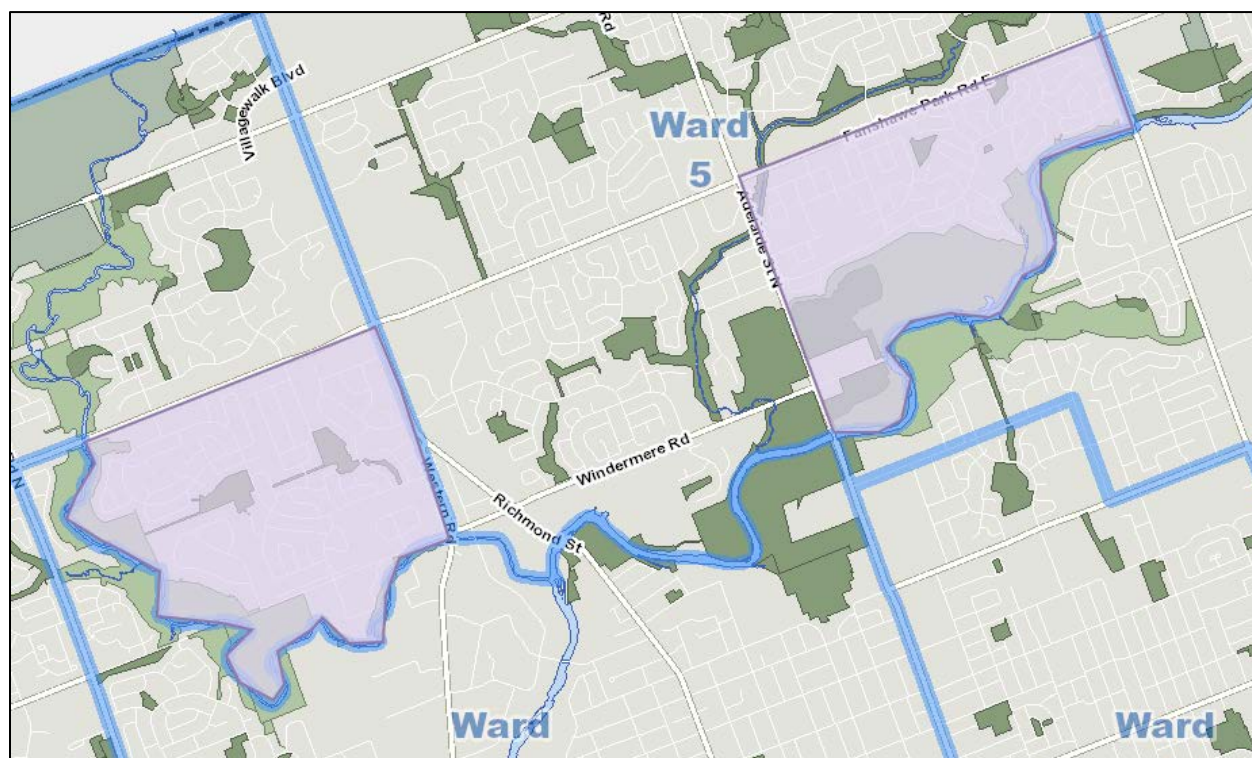
- This adjustment would move a population of **5,086** from Ward 7 to Ward 5 and a population of **3,976** from Ward 5 to Ward 3. This would increase Ward 5 population by **1,110**.
- All three ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of 'effective representation'.

Table 7: Ward 7 Masonville Area to Ward 5 & Ward 5 Fanshawe Park Road Area to Ward 3

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	32,836	7.61%
4	31,606	3.58%
5	34,639	13.52%
6	29,322	-3.90%
7	32,368	6.08%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 7 Masonville Area to Ward 5 & Ward 5 Fanshawe Park Road Area to Ward 3



Option 5: Ward 7 Gainsborough Road Area to Ward 8

- The area bounded by the Gainsborough Road (North), Wonderland Road North (East), Canadian National Railway and Sarnia Road (South), and the city limit (West) move from Ward 7 to Ward 8.
- This adjustment would move a population of **10,372** from Ward 7 to Ward 8.
- This adjustment would not keep Ward 8 population within the +/- 25% acceptable range from the average ward size to meet the principle of ‘effective representation.
- With respect to ‘community of interest’, this adjustment would divide the Hyde Park Business Improvement Area (HPBIA) between Ward 7 and Ward 8 along Gainsborough Road rather than along the Canadian Pacific Railway as it is currently. The result would place a larger portion of the HPBIA into Ward 8.
- This adjustment would move a large portion of the Hyde Park Neighbourhood and the Whitehills Neighbourhood from Ward 7 to Ward 8. Currently, these neighborhoods are located in both Ward 7 and Ward 8.
- This adjustment would divide the ‘Hyde Park Corner’ (Gainsborough Road and Hyde Park Road) established in 1818 and the foundation of the Hyde Park community.⁵
- The adjustment uses east-west arterial road Gainsborough Road, considering the principle of ‘infrastructure boundaries’.

Table 8: Ward 7 Gainsborough Road Area to Ward 8

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	28,860	-5.42%
4	31,606	3.58%
5	33,529	9.88%
6	29,322	-3.90%
7	27,082	-11.25%
8	39,908	30.79%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 7 Gainsborough Road Area to Ward 8



⁵ <https://hydeparkbia.ca/about-us/>

Option 6: Ward 3 Oxford Street Area to Ward 2

- The area bounded by Highbury Avenue North (West), Oxford Street East (North), Veteran’s Memorial Parkway (East), and Canadian Pacific Railway (South) be moved from Ward 3 to Ward 2.
- This adjustment would move a population of **3,664** from Ward 3 to Ward 2.
- Both ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of ‘effective representation’.
- This adjustment impacts a ‘community of interest’ with post-secondary students by bringing the Near Campus Neighbourhood Area into three wards (2, 3, and 4) rather than two wards (3 and 4).
- This adjustment considers ‘established neighbourhoods and communities’ with the following:
 - the Argyle Community Association remains split between three wards (2, 3 and a small portion in 4), however a smaller portion remains in Ward 3.
 - the Argyle neighbourhood would be located in three wards (1, 2 and 4) rather than four wards (1, 2, 3 and 4). The Argyle neighbourhood encompasses several smaller neighbourhoods – Pottersburg, Nelson Park, Trafalgar Heights and the Hale Street District.⁶ These neighbourhoods are not impacted by this adjustment.
- This adjustment uses the east-west arterial road Oxford Street East and north-south arterial road Veteran’s Memorial Parkway considering the principle of ‘infrastructure boundaries’.

Table 9: Ward 3 Oxford Street Area to Ward 2

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	30,276	-0.78%
3	25,196	-17.43%
4	31,606	3.58%
5	33,529	9.88%
6	29,322	-3.90%
7	37,454	22.75%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

⁶ NeighbourGood London. <https://www.neighbourgoodlondon.ca/neighbourhoods/argyle>

Map Ward 3 Oxford Street Area to Ward 2



Option 7: Ward 4 Hale Street Area to Ward 2

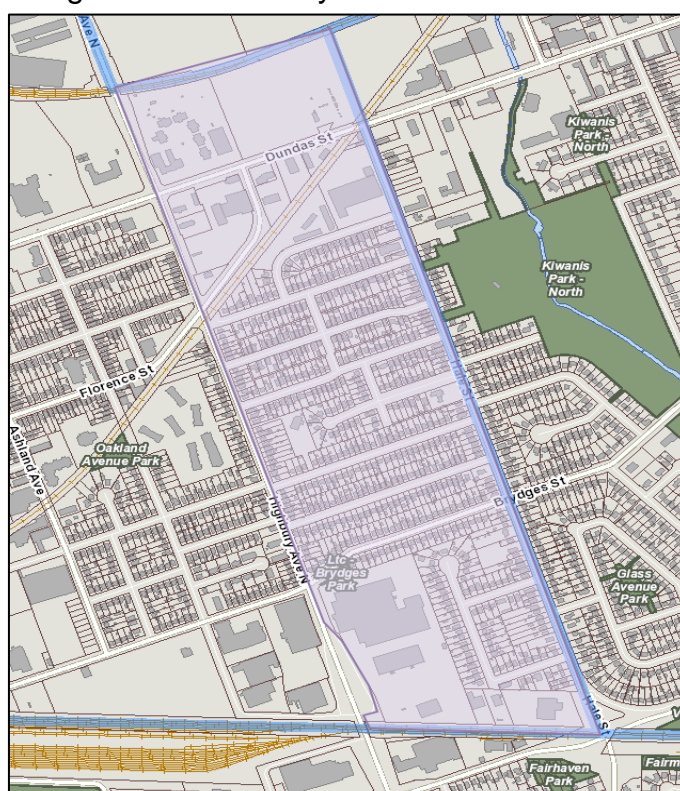
- The area bounded by the Canadian Pacific Railway (North), Hale Street (East), Canadian National Railway (South), and Highbury Avenue North (West) be moved from Ward 4 to Ward 2
- This adjustment would move a population of **651** from Ward 4 to Ward 2.
- Both ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of 'effective representation'.
- This adjustment considers the 'community of interest' by moving the Argyle Business Improvement Area into one ward (Ward 2) rather than being split into two wards (Ward 2 and Ward 4).
- This adjustment does impact a 'community of interest' with the Argyle Community Association by splitting it between two wards (2 and 3) rather than three wards (2, 3 and 4).
- This adjustment considers 'established neighbourhoods and communities' by moving the Hale Street District Neighbourhood into one ward (Ward 2) rather than two wards (Ward 2 and Ward 4).
- This adjustment uses the north-south arterial road Highbury Avenue North, keeping with the principle of 'infrastructure boundaries'.

Table 10: Ward 4 Hale Street Area to Ward 2

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	27,263	-10.65%
3	28,860	-5.42%
4	30,955	1.45%
5	33,529	9.88%
6	29,322	-3.90%
7	37,454	22.75%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	33,436	9.58%
13	28,583	-6.33%
14	25,974	-14.88%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 4 Hale Street Area to Ward 2



Option 8: Ward 12 & Ward 9 Highway 401 Area to Ward 14

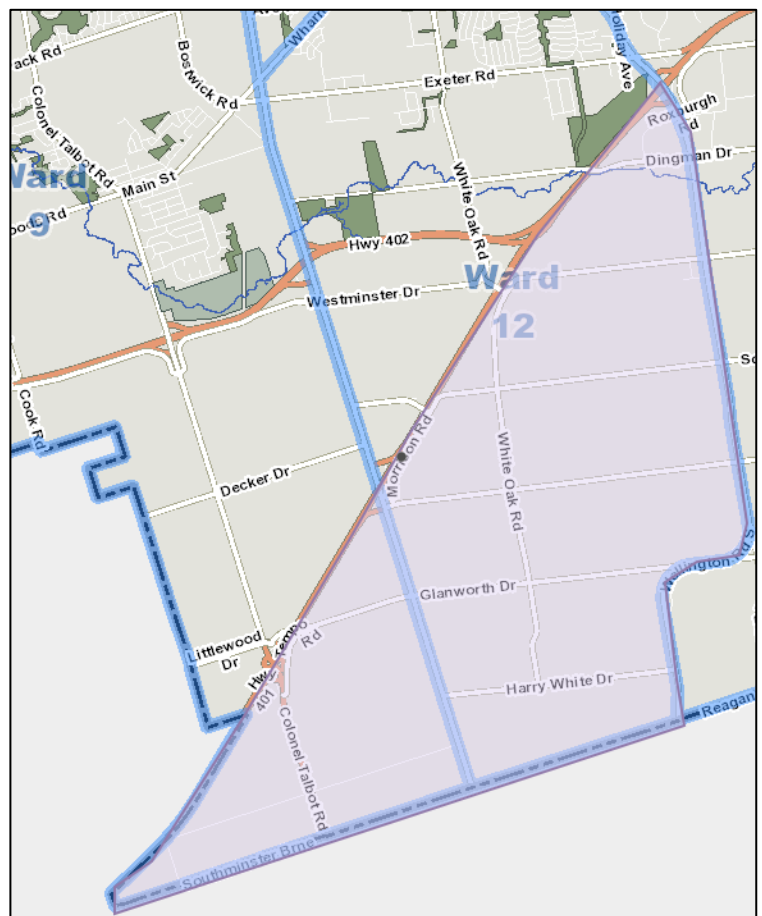
- The area bounded by Macdonald-Cartier Freeway (King's Highway 401) and the city limit (North), Wellington Road South (East), the city limit (South), and the city limit (West) be moved from Ward 9 and Ward 12 to Ward 14
- This adjustment would move a population of **350** from Ward 9 and Ward 12 to Ward 14.
- All three ward populations remain in the +/- 25% acceptable range from the average ward size and meet the principle of 'effective representation'.
- This adjustment does impact a 'community of interest' by moving a large portion of the Glanworth Community Association to Ward 14. It would remain split between three wards (9, 12 and 14).
- The adjusted ward boundaries between Ward 9, Ward 12 and Ward 14 would use the north-south arterial road Wellington Road South and King's Highway 401, keeping with the principle of 'infrastructure boundaries'.

Table 11: Ward 9 & Ward 12 Highway 401 Area to Ward 14

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	28,860	-5.42%
4	31,606	3.58%
5	33,529	9.88%
6	29,322	-3.90%
7	37,454	22.75%
8	29,536	-3.20%
9	31,843	4.36%
10	31,232	2.36%
11	31,146	2.07%
12	33,136	8.60%
13	28,583	-6.33%
14	26,324	-13.73%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.

Map Ward 9 & Ward 12 Highway 401 Area to Ward 14



Option 9: Ward 12 Southdale Road East Area to Ward 14

- The area bounded by Commissioners Road East (North), Wellington Road (East), Southdale Road East (South), and Wharncliffe Road South (West) be moved from Ward 12 to Ward 14.
- This adjustment would a population of **12,348** from Ward 12 to Ward 14.
- This adjustment would not keep Ward 12 and Ward 14 populations in the +/- 25% acceptable range from the average ward size and meet the principle of ‘effective representation’.
- This adjustment would use Wharncliffe Road South as a ward boundary line would move the Cleardale, Highland and Lockwood Park Neighbourhoods from Ward 12 to Ward 14.
- This adjustment uses the north-south arterial roads Wellington Road South and Wharncliffe Road South, and the east-west arterial road Southdale Road East, considering the principle of ‘infrastructure boundaries’.

Table 12: Ward 12 Southdale Road East Sub-Area to Ward 14

Ward	2020 Population	Population Variance
1	28,002	-8.23%
2	26,612	-12.79%
3	28,860	-5.42%
4	31,606	3.58%
5	33,529	9.88%
6	29,322	-3.90%
7	37,454	22.75%
8	29,536	-3.20%
9	31,893	4.52%
10	31,232	2.36%
11	31,146	2.07%
12	21,088	-30.89%
13	28,583	-6.33%
14	38,322	25.59%
Total	427,185	
Average	30,513	

Population figures include students living in residence only.



Map Ward 12 Southdale Road East Area to Ward 14

4.0 Financial Impact/Considerations

Should the Municipal Council determine that no changes to the existing ward boundaries is necessary there are no financial implications.

Should Council direct staff to proceed with a ward boundaries review, there would be costs associated with notifying residents of the ward boundary change and any potential LPAT challenges that may occur. Based on the previous ward boundaries review, the estimated cost of notifying residents would be between \$6,000 and \$12,000.

Should Municipal Council determine that a Request for Proposal be issued to retain a consultant to assist in enumeration in support of a ward boundaries review, based on costs reported by municipalities of similar size, it is estimated that the consultant will cost approximately \$200,000, depending on the complexity of the review. The City of Hamilton completed a comprehensive review in 2017, with costs estimated at \$227,000.

All costs associated with a ward boundaries review would be drawn from the existing Election Budget.

Conclusion

As the fluctuations in each ward from the optimal (average) do not currently meet or exceed the thresholds of up to 25% above or below the optimal ward size for the City, the Civic Administration does not recommend proceeding with any changes to the existing ward boundaries at this time. If Municipal Council decides to proceed with any of the options listed in section 3.5 of this Report, the proposed by-law to implement these changes would be referred to a future public participation meeting.

Prepared by: Jeannie Raycroft, Manager, Licensing and Elections
Submitted by: Sarah Corman, Manager II, Licensing and Elections
Recommended by: Cathy Saunders, City Clerk



City of London
300 Dufferin Ave.
London, ON
N6B 1Z2

May 27, 2021

ATTN: Corporate Services Committee

C/O: Corporate Services Committee Clerk

RE: Letter of Support for Option 7 (under “Review of Ward Boundaries”)

To Members of the Corporate Services Committee:

On behalf of the Argyle Business Improvement Association (Argyle BIA), I would like to submit this Letter of Support for Option 7: Ward 4 Hale Street Area to Ward 2, under agenda item 2.3 (Review of Ward Boundaries) at the next Corporate Services Committee meeting scheduled for May 31, 2021.

The Board of Management at the Argyle BIA strongly believes that repositioning Ward 4 Hale Street area into Ward 2 makes logical sense, as it aligns the entire BIA into a single ward and establishes a more cohesive and homogenous setup.

We hope you will take our support of this change into consideration when making your decision.

Sincerely,

Randy Sidhu

Randy Sidhu
Executive Director
Argyle Business Improvement Association

From: Helen Booth
Sent: Thursday, May 27, 2021 8:18 PM
To: csc <csc@london.ca>; Lewis, Shawn <slewis@london.ca>
Cc: Andra O'Neill
Subject: [EXTERNAL] Adjustments to Ward boundaries

Hi,

Please add this communication/letter as a communication on the agenda.

As the warden at St. Mark's Anglican Church at 1320 Wilton Ave I am writing on behalf of the church to support of having our area moved into Ward 2.

Our church is very actively involved with events and projects that occur in Ward 2. The community that surrounds our church use the services, programs and support system in the Argyle area, or Ward 2.

Our church believes it would only be to our benefit, and allow us to serve the community better being moved to Ward 2

Thank you for your consideration

Helen

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: Standing Committee Meetings and Annual Meeting Calendar
Date: May 31, 2021

Recommendation

That, on the recommendation of the City Clerk, the attached annual meeting calendar for the period January 1, 2022 to December 31, 2022 (Appendix "A"), BE APPROVED; it being understood that adjustments to the calendar may be required from time to time in order to accommodate special/additional meetings or changes to governing legislation.

Previous Reports Pertinent to this Matter

June 8, 2020 – Corporate Services Committee
May 14, 2019 – Corporate Services Committee
April 2, 2019 – Corporate Services Committee
May 28, 2018 – Governance Working Group
September 11, 2018 – Corporate Services Committee

Background

Annual Meeting Calendar

The attached draft meeting schedule is generally in accordance with the current Council Procedure By-law, which includes the following direction:

- Corporate Services Committee meetings to be held on Mondays at 12:00 PM.
- Civic Works Committee meetings to be held on Tuesdays at 12:00 PM.
- Community and Protective Services Committee to be held on Tuesdays at 4:00 PM.
- Planning and Environment Committee to be held on Mondays at 4:00 PM.
- Strategic Priorities and Policy Committee meetings to be held on Tuesdays at 4:00 PM.

The above-noted draft is a three-week rotation that includes all of the standing committees. Although each cycle includes all standing committees, you will note that some are still identified as "if required".

In developing the draft calendar, consideration was given to the scheduling of the 2022 Municipal Election, the Federation of Canadian Municipalities' (FCM) Annual General Meeting and the Association of Municipalities of Ontario's (AMO) Annual General Meeting.

Multi-Year Budget Process

The 2022 calendar does not include meetings specifically dedicated to the Multi-Year Budget update as the Municipal Election will be held in 2022 and the incoming Council would be requested to consider the 2023 Budget Update.

Additions and/or Adjustments

It is understood that from time-to-time exceptional circumstances may arise where special meetings will have to be added to the meeting schedule, or certain adjustments may have to be made to the meeting schedule.

Prepared by and Recommended by:

Cathy Saunders, City Clerk

December 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 DEARNESS HOME COMMITTEE OF MANAGEMENT 12:00 PM	7 COUNCIL 4:00 PM	8	9	10	11
12	13 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	14 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	15	16	17	18
19	20	21 COUNCIL 4:00 PM	22	23	24 CITY HALL CLOSED at 12:00 PM	25
26	27 CITY HALL CLOSED	28 CITY HALL CLOSED	29 CITY HALL CLOSED	30 CITY HALL CLOSED	31 CITY HALL CLOSED	

January 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 CITY HALL CLOSED	4	5	6	7	8
9	10 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	11 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	12	13	14	15
16	17	18 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	19	20	21	22
23	24	25 COUNCIL 4:00 PM	26	27	28	29
30	31 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM					

February 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	2	3	4	5
6	7 PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (If necessary)	8 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	9 AUDIT COMMITTEE 12:00 PM	10	11	12
13	14 DEARNESS HOME COMMITTEE OF MANAGEMENT 12:00 PM	15 COUNCIL 4:00 PM	16	17	18	19
20	21 CITY HALL CLOSED FAMILY DAY	22	23	24	25	26
27	28 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM					

March 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	2	3	4	5
6	7 PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (if needed)	8 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	9	10	11	12
13	14 Week of March Break	15	16	17	17	19
20	21	22 COUNCIL 4:00 PM	23	24	25	26
27	28 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	29 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	30	31		

April 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 DEARNESS HOME COMMITTEE OF MANAGEMENT 12:00 PM	5 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	6	7	8	9
10	11	12 COUNCIL 4:00 PM	13 AUDIT COMMITTEE 12:00 PM	14	15 CITY HALL CLOSED GOOD FRIDAY	16
17	18 CITY HALL CLOSED EASTER MONDAY	19 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	20 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	21	22	23
24	25 CORPORATE SERVICES COMMITTEE 12:00 PM (if needed) PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (if needed)	26 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	27	28	29	30

May 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 COUNCIL 4:00 PM	4	5	6	7
8	9 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	10 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	11	12	13	14
15	16	17 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	18	19	20	21
22	23 CITY HALL CLOSED VICTORIA DAY	24 COUNCIL 4:00 PM	25	26	27	28
29	30 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	31 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM				

June 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2 FCM ANNUAL CONFERENCE	3 FCM ANNUAL CONFERENCE	4 FCM ANNUAL CONFERENCE
5 FCM ANNUAL CONFERENCE	6 PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (if needed)	7 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	8	9	10	11
12	13 DEARNESS HOME COMMITTEE OF MANAGEMENT 12:00 PM	14 COUNCIL 4:00 PM	15 AUDIT COMMITTEE 12:00 PM	16	17	18
19	20 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	21 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	22 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	23	24	25
26	27	28	29	30		

July 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 CITY HALL CLOSED CANADA DAY	2
3	4	5 COUNCIL 4:00 PM	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	26 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	27 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	28	29	30
31						

August 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 CITY HALL CLOSED CIVIC HOLIDAY	2 COUNCIL 4:00 PM	3	4	5	6
7	8	9	10	11	12	13
14 AMO ANNUAL CONFERENCE	15 AMO ANNUAL CONFERENCE	16 AMO ANNUAL CONFERENCE	17 AMO ANNUAL CONFERENCE	18	19 Nomination Day	20
21	22 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	23 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	24	25	26	27
28	29	30 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	31			

September 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 CITY HALL CLOSED LABOUR DAY	6 COUNCIL 4:00 PM	7 AUDIT COMMITTEE 12:00 PM	8	9	10
11	12 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	13 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	14	15	16	17
18	19 DEARNESS HOME COMMITTEE OF MANAGEMENT 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (if needed)	20 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	21	22	23	24
25	26	27 COUNCIL 4:00 PM	28	29	30	

October 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	4 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	5 PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM (if needed)	6	7	8
9	10 CITY HALL CLOSED THANKSGIVING DAY	11 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	12	13	14	15
16	17 COUNCIL 4:00 PM	18	19	20	21	22
23	24 ELECTION DAY	25	26	27	28	29
30	31 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM					

November 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	2 AUDIT COMMITTEE 12:00 PM	3 Council Orientation 9:00 AM	4 Council Orientation 9:00 AM	5
6	7	8 COUNCIL 4:00 PM	9	10 Council Orientation 9:00 AM (if needed)	11 Council Orientation 9:00 AM (if needed)	12
13	14	15 INAUGURAL COUNCIL 6:00 PM	16 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM (Committee and Board Appointments)	17	18	19
20	21	22 COUNCIL 4:00 PM (Confirmation of Appointments and General Orientation)	23	24	25	26
27	28 CORPORATE SERVICES COMMITTEE 12:00 PM PLANNING AND ENVIRONMENT COMMITTEE 4:00 PM	29 CIVIC WORKS COMMITTEE 12:00 PM COMMUNITY AND PROTECTIVE SERVICES COMMITTEE 4:00 PM	30			

December 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM	7	8	9	10
11	12 STRATEGIC PRIORITIES AND POLICY COMMITTEE 4:00 PM (HOLD-Strategic Planning)	13 COUNCIL 4:00 PM	14	15	16	17
18	19	20	21	22	23 CITY HALL CLOSED at 12:00 PM	24
25	26 CITY HALL CLOSED	27 CITY HALL CLOSED	28 CITY HALL CLOSED	29 CITY HALL CLOSED	30 CITY HALL CLOSED	31

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports

Subject: Agency, Board, and Commission Asset Management Maturity Assessment Review

Date: May 31, 2021

Recommendation

That on the recommendation of the Deputy City Manager, Finance Supports, this report with respect to Agency, Board, and Commission Asset Management Maturity Assessment review **BE RECEIVED** for information.

Executive Summary

O.Reg. 588/17 requires the City to expand the Corporate Asset Management Plan scope beyond its current directly owned City assets and include all owned municipal infrastructure assets (i.e., all asset included in the City's consolidated financial statement) by July 1st, 2024. This report outlines the asset management maturity of Agencies, Boards, and Commissions that are required to be incorporated in the City's Corporate Asset Management Plan. Approximately three additional Full time Equivalent FTEs are required to ensure compliance with O.Reg. 588/17 requirements for Agencies, Boards, and Commissions. Funding for these resources will be pursued through a future budget process and/or assessment growth funding request.

Linkage to the Corporate Strategic Plan

Council's 2019-2023 Strategic Plan for the City of London identifies 'Building a Sustainable City' and 'Leading in Public Service' as strategic areas of focus. The Agency, Board, and Commission Asset Management Maturity Assessment supports these strategic areas of focus of all City infrastructure via the strategic priority "London's infrastructure is built, maintained, and operated to meet the long-term needs of our community" which include 'Maintain or increase levels of service', 'Manage the infrastructure gap for all assets', and 'Increase access to information to support community decision making' as strategic priorities. Respectively these strategies are ensuring the decisions for City's finances are transparent, comprehensive across all infrastructure owned by the City, and are well planned to keep costs as low as possible with the intention to limit the burden on current and future rate payers.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- September 8, 2020 Report to Corporate Services Committee – Corporate Asset Management Plan 2020 Review
- August 26, 2019 Report to Strategic Priorities and Policy Committee - 2019 Corporate Asset Management Plan
- April 8, 2019, Report to Strategic Priorities and Policy Committee – Corporate Asset Management Policy

1.2 Ontario Regulation 588/17

Ontario Regulation 588/17 – Asset Management Planning for Municipal Infrastructure, under the *Infrastructure for Jobs and Prosperity Act, 2015* (O.Reg. 588/17), came into

force on January 1, 2018. It sets out requirements and deadlines for municipal asset management plans and policies. The regulation helps to improve the way municipalities plan for their infrastructure. It builds on the progress municipalities have made while bringing consistency and standardization to asset management plans to help spread best practices throughout the sector and enable the collection of comparable data.

As of March 15, 2021, the Ministry of Infrastructure has amended O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure to extend the timelines under the regulation by one year. The regulation now outlines the following timelines:

- July 1, 2022: an asset management plan in respect of the core municipal infrastructure assets
- July 1, 2024: an asset management plan in respect of all other assets
- July 1, 2025: an asset management plan with proposed level of services

The City of London prepared its Corporate Asset Management Plan (CAM Plan) in 2019 meeting Phase 1 of the Regulation for directly owned City asset well ahead of O.Reg. 588/17 timelines. O.Reg. 588/17 requires the City to expand CAM Plan scope beyond its current directly-owned City assets and include all owned municipal infrastructure assets (i.e. all asset included in the City's consolidated financial statement) by July 1st, 2024. This expansion was formalized in the City's 2019 CAM Plan Recommendation #5 'Explore opportunities to incorporate the corporate asset management practices to the Boards & Agencies [and Commissions] of the City as appropriate'.

2.0 Discussion and Considerations

2.1 Asset Management Maturity Assessment Overview

Beginning early 2020, the Corporate Asset Management (CAM) office launched an Asset Management Maturity Assessment initiative for Agencies, Boards, and Commissions ("ABCs") that are listed on the City's consolidated financial statements, and thus are in scope of the CAM Plan. The assessment helped the ABCs identify their asset management needs to develop an Asset Management Plan that is compliant with the O.Reg. 588/17 requirement by the July 1, 2024 deadline. Additionally, Civic Administration will continue to ensure proper coordination with ABCs to align their asset management planning with the City's Corporate Asset Management Plan.

The Maturity Assessment tool incorporates eight (8) knowledge areas that cover all pertinent asset management elements and was used to assess the asset management capabilities and competencies of each of the ABC entities as shown in Table 1. A five (5) point rating system is used to rate all ABCs progress, as seen in Table 2. This scale shows how well each Asset Management knowledge area is being implemented, where level one represents innocence of the knowledge area amongst staff, and level five represents best-in-class implementation. Each entity was asked to rate their current practices for asset management in each area against a prescribed rating scale, answering standardized questions, and then asked to set target scores that could reasonably be achieved in two time periods; short term (2023 to 2024 meeting O.Reg. 588/17 requirements), and long term (2024 and beyond). A summary Report Card (Listed in Appendix A) per ABC, includes each ABC Overview, Maturity Level, Areas of Improvement & Recommendations, Staffing Recommendations, and Priority Initiatives.

Table 1: Asset Management Maturity Knowledge Area

Knowledge Area	Description
Asset Inventory/Knowledge	Entity level of understanding of their owned assets and the available information and knowledge related to assets registries, databases, specifications, condition, valuation, processes of acquisition/disposal, and historical records.
Level of Service	Entity level of maturity to the level of service they provide to their customers; and whether the services are well defined and documented, customer and technical metrics are developed and mapped, benchmarks and targets are set and are consistent with the Entity's strategic goals and aims, has been approved by Senior Management, and regularly monitored and reviewed.
Asset Management Strategies and Decision Making	Entity level of advancement of their asset management strategies and decision-making processes. The availability of the required information for making decisions throughout the lifecycle of their assets considering non-infrastructure solutions, replacements, renewals, maintenance, growth, service improvements, and disposal, and whether these strategies are aligned with the corporate strategic plans and regularly monitored and reviewed.
Risk	Entity level of consideration and implementation to the risk management in the management of their assets throughout its lifecycle, and whether the entity has a well documented full risk framework using a range of risk assessment methods and models for each asset type.
Financial Management	The entity financial management maturity level regarding their long-term capital and operating financing strategies and planning, understanding of their sources of funding, ability to identify the infrastructure backlog and gap, and the availability of strategies to address any infrastructure gap.
Systems and Technology	The entity level of utilization of systems and technology in their asset management processes, and if they have advanced from manual and extensive use of paperwork to using asset management systems to a full integrated technology solution using modern techniques that are under regular review
People	The entity staff level of maturity regarding the asset management skills and competencies and if the entity management is clear on long-term organization structures, and asset management staff roles, responsibilities, and competencies.
Monitoring and Reporting	The entity level of advancement in monitoring their performance and frequently communicating and reporting it to internal or external parties.

Short-term Target

The regulations require all municipalities to prepare a detailed asset management plan in a prescribed way. The objective of the Corporate Asset Management Section is setting the short-term target to fulfil the regulation requirements before July 1st, 2024, and 2025 due dates. The City is planning to comprehensively update its Corporate Asset Management Plan in 2022-2023 for directly owned assets.

Long-term Target

The objective of setting the long-term target is to apply asset management best practices, depending on the type of assets owned, by each of the ABCs to foster optimized decision-making across the corporation. Based on the type of assets owned by each ABC, the long-term target may vary and is reflected in the respective ABC Report Card.

2.2 Asset Management Maturity Assessment Framework

The Asset Management Maturity Assessment Framework and questions were developed based upon best practices from the International Infrastructure Management Manual and requirements from O.Reg. 588/17. A series of workshops were held with each of the ABC entities. The workshops usually took two 1/2-day sessions with the Subject Matters Experts of each of the ABCs. Reports were prepared for each ABC by ranking their AM Maturity and assessing their needs to comply with the O.Reg. requirements (and long-term targets), as seen in Figure 1. The Asset Management Maturity tool provides a quantitative evaluation of the City's AM practices in the eight Knowledge Area. A list of standardized questions was used to reflect the different aspects within these Asset Management knowledge areas. These knowledge areas form the elements of the City of London's Asset Management Program. This model provides a systematic process to help assess, plan, deliver, and review asset management practices of each ABC. The goal is to develop competencies associated with these criteria which will enable effective monitoring and decision-making through consistent management of asset levels of risk and service delivery.

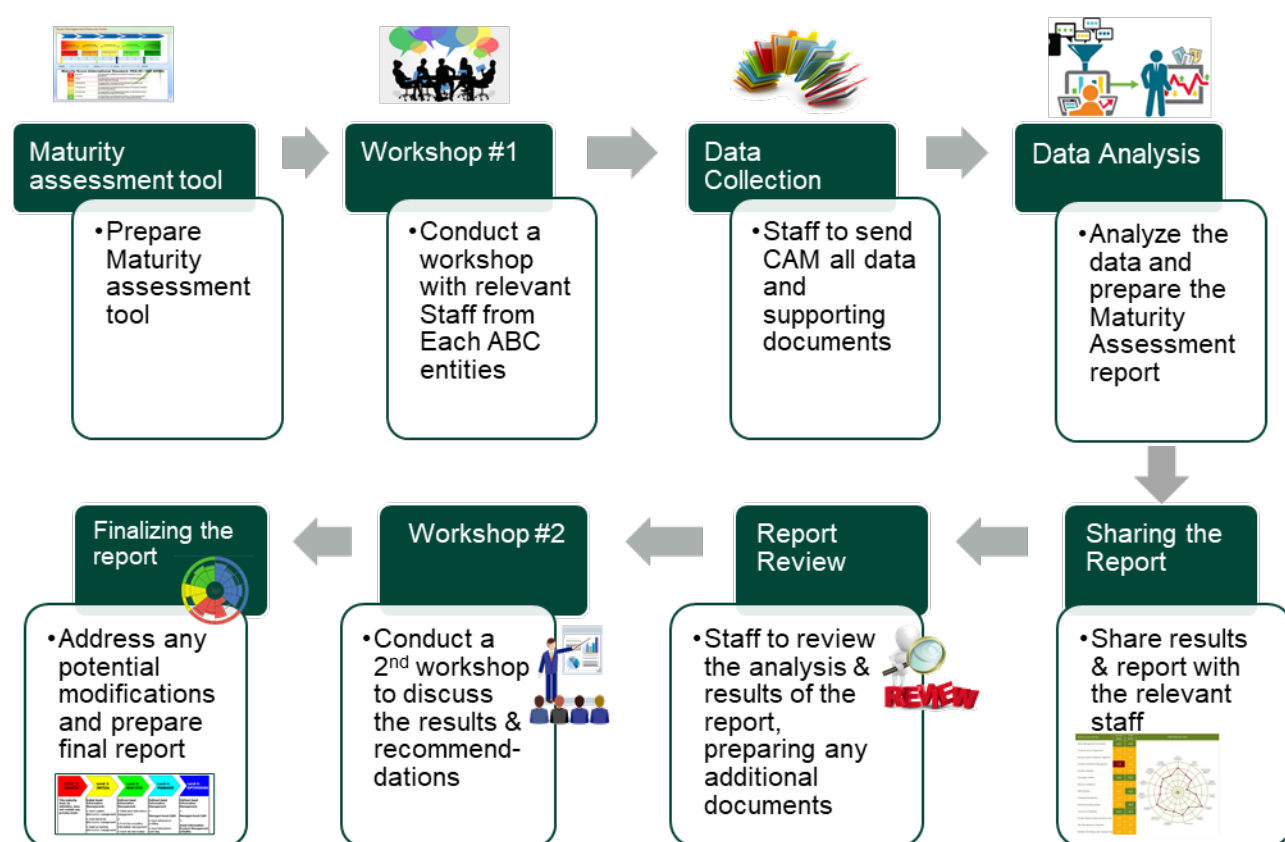


Figure 1: Asset Management Maturity Assessment Framework

2.3 Asset Management Maturity Assessment Results

Overall, all entities demonstrated a culture of dedication to customer service and doing more with less. In general, staff were enthusiastic to embrace the various asset management concepts and practices, recognized obvious opportunity gaps in how they are currently managing assets, and saw potential value to the City in adopting leading asset management practices and concepts.

With respect to asset management concepts, most Entities demonstrated a maturity level between two (2) (awareness) and three (3) (development). The workshop discussions identified several opportunity gaps across each entity and evaluated how quickly the City wanted to address these gaps.

Table 2: AM Maturity Assessment Index

Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

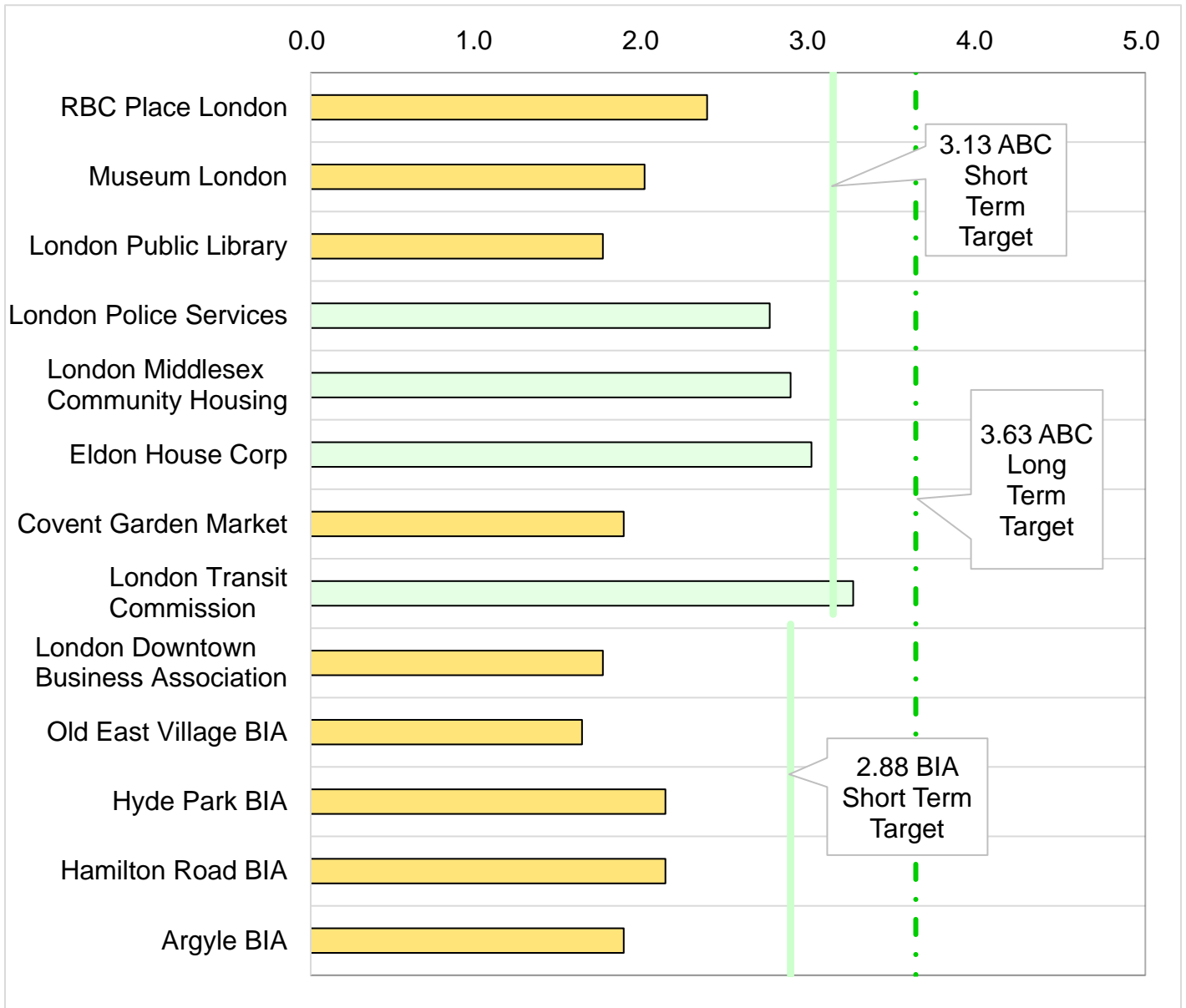


Figure 2 Asset Management Maturity Results

Figure 2 summarizes the asset management maturity results by providing an overall score for each Agencies, Boards, and Commissions and Business Improvement Area (BIA). The overall scores are compared to the short term and long-term targets of ABCs (excluding Business Improvement Associations) and for BIAs.

BIAs generally have relatively few assets and thus can meet O. Reg. 588/17 standards with relatively less effort when compared to other Agencies, Boards, and Commissions. In addition, they generally do not have to meet higher standards such as considering asset management software given their relatively few and less complex assets. Thus, their short-term minimum asset management maturity target score is lesser when compared to ABCs minimum short-term scoring target.

The long-term targets of ABCs and BIAs are identical, but the targets must reflect the complexity of an entity. For example, an ABC is recommended to intertwine asset management best practices into any human resource plan they create in the long term, but a BIA may not require such complex documents. However, a BIA can still integrate asset management descriptions into job roles and responsibilities.

In general, the ABCs and BIAs have recurring recommendations when they are preparing their O.Reg. 588/17 compliant asset management plans, such as:

- Completing and regularly documenting and updating asset management data, such as replacement value, assets condition, expected useful life, etc. with reporting templates to be facilitated by Corporate Asset Management section; this will enable making decisions based on improved and updated information.
- ABCs generally require Building Condition Assessments in the facilities they operate.
- Quantifying current and proposed levels of service, identifying their financial impacts.
- Identify asset related risks; analyzing the risk associated with achieving or not being able to achieve the proposed levels of service.
- Identify and quantify any potential infrastructure gap and develop strategies to address them if exist.
- Asset management roles and responsibilities can be more clearly embedded in human resources practices. Appendix “A”, attached, Summary Report Cards highlights various areas of improvement for each ABC entity.

3.0 Financial Impact/Considerations

3.1 Additional Resources Requirements

Existing staffing resources are presently over-stretched, with no capacity available to undertake additional analysis/responsibilities. This was a common comment from participants during all the outreach activities. This resource concern is important as it will reflect on the implementation needs. It is very important that Council continues their support of the Asset Management initiative. There will be significant time and effort, regardless of ABC entity size, to ensure each entity is O.Reg. 588/17 compliant, and the subsequent annual updates required by O.Reg. 588/17 and ensuring asset management best practices are implemented. Ontario requires any municipality seeking provincial capital funding to prepare a detailed asset management plan in compliance with O. Reg 588/17, providing sufficient resource to enable compliance with regulation will mitigate the risk of not being eligible for other level of government funding.

Civic administration assessed the additional resources required based upon the AM maturity and size of each ABC. Civic administration requires approximate additional three (3) Full time equivalent (FTEs) to ensure O.Reg. 588/17 implementation and continued compliance. Funding for these resources will be pursued through a future budget process and/or assessment growth funding request. Full business cases with supporting analysis will be presented at that time.

4.0 Key Issues and Considerations

Based on the results of the maturity assessment, the CAM office recommended either advisory or leading roles approaches to help each of the ABCs in creating their Asset Management Plan, as seen in Figure 3.

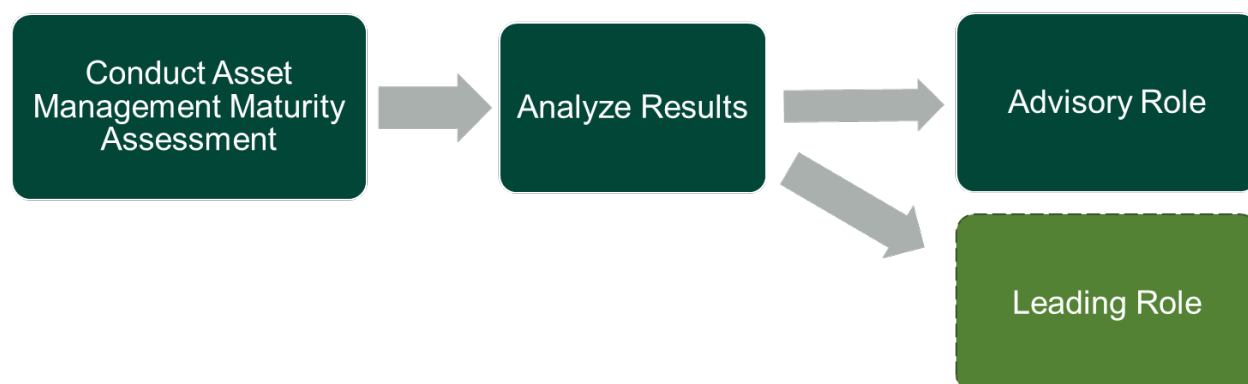


Figure 3 : AM Assessment procedures and next steps

There is no formal approach to AM governance across the Agencies, Boards, and Commissions, a formal governance structure can help the City exercise sustainable asset

management practices. There is an opportunity to incorporate asset management roles and responsibilities in all job descriptions across each entity. CAM office is recommending expanding its program to integrate the thirteen (13) Agencies, Boards, and Commissions, of which, there have been only two (2) asset management plans ever completed (London Transit Commission in 2015 and London Middlesex Housing Corporation in 2020). Having the CAM office playing an active role in the development of each entity Asset Management Plan will enable the City to focus skills development plans aimed at developing core Asset Management competencies. CAM providing either of the two recommended approaches is vital/essential to ensure consistency of Asset Management practices across the organization, adopting best Asset Management practices and ensure compliance with the O.Reg. 588/17 within the required due dates. Additionally, it aligns with the province direction to share Asset Management resources between various entities when possible. CAM is to provide an advisory role for all ABC entities, except Library, Museum, and Police, where CAM will provide a leading role. The additional required FTEs will enable development and implementation of Asset Management program for all ABCs and ensure compliance with the new Asset Management regulation.

Conclusion

The City of London's Corporate Asset Management Program needs to expand its scope to include Agencies, Boards, and Commissions, as listed on the City's consolidated financial statements, to fully implement O.Reg. 588/17. The first step to integrate ABCs into the CAM Program has been completed by conducting an asset management maturity assessment. Results reveal there are areas of strength, but additional resources will be required to integrate these entities with the City's next CAM Plan update, as well as continue with ongoing asset management best practices. It is important that progress continues to be made and flexibility exercised as the City progresses towards implementing CAM practices to agencies, boards, and commissions, while using effective standardized asset management practices applying 'state of the art' technologies. This will result in Council having enhanced information on which to base strong and effective decisions.

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Attached - Appendix "A" Agency, Board, and Commission Report Cards

CC:

Senior Leadership Team

Tim Wellhauser - Division Manager, Facilities

Kyle Murray - Director, Financial Planning & Business Support

Appendix "A" - Agency, Board,
and Commission Report Cards



OVERVIEW

RBC Place’s mission is to be the venue of choice in Southwestern Ontario for knowledge transfer and social engagements. Its assets include building and pedestrian bridge to adjacent hotels, vehicles (forklifts and scissorlifts), Information Technology (Hardware & software), Equipment (specialized kitchen equipment, and trade show staging assets).



MATURITY LEVEL

RBC Place scored an “Awareness” rating with an overall score of 2.38 out of 5. RBC Place has met certain asset management maturity requirements to meet O. Reg 588/17. RBC Place met the regulation target for asset inventory and risk knowledge areas. The analysis shows that, in 3 out of 8 areas, RBC Place has scored a ‘Development’ level.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Development		
3 AM Strategies & Decision Making	Awareness		
4 Risk	Awareness		
5 Financial Management	Development		
6 Systems and Technology	Awareness		
7 People	Awareness		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Some updates are required, such as documenting replacement values, asset condition, and key asset-related level of service metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing RBC Place’s job descriptions in relevant positions. Preparing a risk registry and integrating RBC Place London’s facility information with the City’s facility asset management software tools is recommended.

STAFFING

Corporate Asset Management is expected to provide an advisory role in preparation of RBC Place asset management Plan (such as providing reporting templates and ensure RBC Place is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Additional external consultancy will likely be required to have a complete building replacement value, including pedestrian bridge, and to integrate facility information with the City’s facility asset management software tools.

Asset Management Maturity Assessment Museum London (“ML”)



OVERVIEW

ML is SW Ontario's leading establishment for the collection and presentation of visual art and material culture. ML's assets include the museum building, collections, equipment, and furniture to promote the knowledge and enjoyment of regional art, culture and history.



MATURITY LEVEL

ML has some advanced Asset Management (AM) practices; however, ML has not met the required level for the short-term goals in 5 areas, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. ML scored an “Awareness” rating with an overall score of 2.00 out of 5. Asset management activities are required to be developed, documented, and approved by the senior management and the board in order to be compliant with O.Reg. 588/17.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Awareness		
2 Level of Service (LOS)	Awareness		
3 AM Strategies & Decision Making	Development		
4 Risk	Awareness		
5 Financial Management	Awareness		
6 Systems and Technology	Development		
7 People	Innocence		
8 Monitoring and Reporting	Innocence		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

ML is required to complete and keep updating their asset inventory. ML has some strict technical measures but needs to formally review the variety of level of service metrics available and integrate them in an O. Reg compliant Asset Management Plan. This includes identifying the cost of proposed level of service. ML is required to develop methods of formally identifying and quantifying the needs for each asset type.

STAFFING

Recommendation is for Corporate Asset Management to provide a leading role in the preparation of ML's asset management plan, providing staff support, knowledge, analysis tools, utilization of asset management planning software, and reporting ensuring O. Reg 588/17 requirements are fulfilled.

PRIORITY INITIATIVES

Preparing a building condition assessment (includes replacement value of the building and its systems and expected lifecycle costs for a minimum of 10 years) and maintain the lifecycle needs in a database.



OVERVIEW

LPL’s assets include facilities, IT equipment, furniture, and collections.

MATURITY LEVEL

Generally, LPL has not met the Asset Management (AM) maturity requirements to meet O. Reg 588/17 and scored “Awareness” rating with an overall score of 1.75 out of 5. The analysis shows that, in 6 out of 8 areas, LPL has scored an ‘Awareness’ level showing some areas of strength.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	2	3	4
2 Level of Service	2	3	4
3 AM Strategies & Decision Making	2	3	4
4 Risk	2	3	4
5 Financial Management	2	3	4
6 Systems and Technology	2	3	4
7 People	2	3	4
8 Monitoring and Reporting	2	3	4

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Improving their knowledge and information about their owned assets to better make AM related decisions in the short and long terms; recording and tracking them in an AM system. LPL is required to develop a level of service and risk management frameworks and integrate them in a comprehensive Asset Management Plan. LPL is also required to define, quantify, and document any possible infrastructure gap and develop strategies to address it in the future.

STAFFING

Recommendation is for Corporate Asset Management to provide a leading role in the preparation of LPL’s asset management plan. This includes developing their asset registry, documenting, managing, and reporting for asset classes across the portfolio; utilizing asset management system for decision making; and providing asset management training and workshops with LPL staff in order to ensure O. Reg 588/17 requirements are fulfilled).

PRIORITY INITIATIVES

Preparing a building condition assessment to update facilities replacement values and expected lifecycle costs for a minimum of 10 years and integrating the lifecycle needs and repairs history in a database.



Asset Management Maturity Assessment London Police Service (“LPS”)



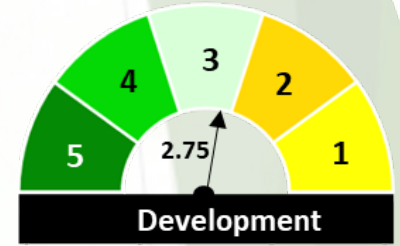
OVERVIEW

LPS’ mission is to ensure the safety and well-being of London’s communities. LPS asset portfolio includes buildings/facilities, IT equipment, vehicles, and specialized equipment.



MATURITY LEVEL

LPS has achieved several asset management maturity requirements to meet O. Reg 588/17 and scored a “Development” rating with an overall score of 2.75 out of 5. The analysis also shows that LPS could improve their current practices in three areas of the Asset management Processes to meet the O.Reg 588/17 in the short-term and implement the Asset Management best practices in the long-term.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Development		
3 AM Strategies & Decision Making	Development		
4 Risk	Awareness		
5 Financial Management	Competence		
6 Systems and Technology	Development		
7 People	Awareness		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Some updates are required, such as formalizing asset registry and documenting across various asset classes across the LPS portfolio. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing LPS’ job descriptions in relevant positions

STAFFING

Recommendation is for Corporate Asset Management to provide a leading role in the preparation of LPS’s asset management plan. This includes developing their asset registry, documenting, managing, and reporting for asset classes across the portfolio; utilizing asset management system for decision making; and providing asset management training and workshops with LPS staff in order to ensure O. Reg 588/17 requirements are fulfilled.

PRIORITY INITIATIVES

Additional external consultancy as required to have a complete building condition assessment to inform the asset management plan.

London & Middlesex Community Housing (“LMCH”)

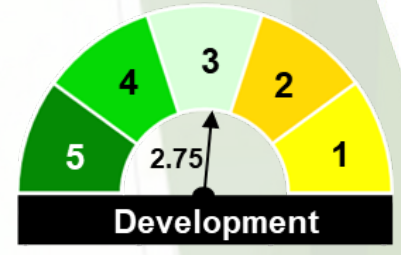
OVERVIEW

LMCH’s assets are categorized into two groups: “core assets”, which comprise all real property (i.e., buildings and sites), and “other assets” which are comprised of all remaining Tangible Capital Assets and include appliances, vehicles, and furniture.



MATURITY LEVEL

LMCH has achieved asset management maturity requirements to meet O. Reg 588/17 and scored a “Development” rating with an overall score of 2.75 out of 5. LMCH has also completed an asset management plan in 2020 (prior to O.Reg. phase 2 requirements).



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Development		
3 AM Strategies & Decision Making	Development		
4 Risk	Development		
5 Financial Management	Development		
6 Systems and Technology	Development		
7 People	Awareness		
8 Monitoring and Reporting	Development		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Continually updating asset databases to make decisions based on improved data for LMCH’s asset portfolio. Decisions on lifecycle activities need to be based on documented procedures for ranking projects based on the short-term cost and performance, planning to extend the risk in the decision making in the long term. Quantify the financial impact for Level of Service (LOS) metrics and establish costs for current and proposed LOS. Identify and analyze the risk associated with achieving or not being able to achieve the proposed LOS.

STAFFING

Corporate Asset Management is expected to provide an advisory role in the preparation of LMCH’s Phase 2 asset management plan (such as providing reporting templates and ensuring O. Reg 588/17 requirements are fulfilled). Additionally, LMCH need a Full time equivalent (FTE) to manage the Asset Management program .

PRIORITY INITIATIVES

LMCH has secured an external consultant to complete Building Condition Assessment and conduct long-term capital planning for all facilities they own on a regularly bases using an external consultant.

Eldon House Corporation (“Eldon House”)



OVERVIEW

Eldon House is a municipal museum and historic site. Its assets include Collections (meaning historic artifacts) and assets required to operate Eldon House effectively (such as website, security cameras, furniture, signage). Eldon House itself is a directly owned City asset.

MATURITY LEVEL

Generally, Eldon House has met asset management maturity requirements to meet O. Reg 588/17 and scored a “Development” rating with an overall score of 3.0 out of 5. Eldon House’s detailed Collections database and preventative conservation program, and detailed risk management plan results in rankings above target scoring in three categories.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	5	4	3
2 Level of Service	5	4	3
3 AM Strategies & Decision Making	5	4	3
4 Risk	4	3	2
5 Financial Management	5	4	3
6 Systems and Technology	5	4	3
7 People	2	3	4
8 Monitoring and Reporting	2	3	4

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Expanding on asset management roles & responsibilities through enhancing Eldon House’s job descriptions. A few formal documentation updates are required, such as documenting replacement values and key asset-related level of service metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan.

STAFFING

Corporate Asset Management division is expected to provide an advisory role in preparation of Eldon House’s asset management plan (such as providing reporting templates and ensure Eldon House is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

No additional external consultancy is expected to develop an O. Reg compliant AMP. EH staff may need to review their Collections data has appropriate attributes for O. Reg purposes.

OVERVIEW

CGM is an indoor market to shop and dine at located in the heart of the City of London providing facility space for businesses to provide their services and a stable location for festivals and activities that reflect the ethnic diversity of London. CGM’s assets include main market building, parking garage, and equipment.



MATURITY LEVEL

CGM scored an “Awareness” rating with an overall score of 1.88 out of 5. CGM has not achieved the required level to meet O. Reg 588/17, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. CGM has some advanced asset management practices that require documentation.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Innocence		
2 Level of Service (LOS)	Awareness		
3 AM Strategies & Decision Making	Development		
4 Risk	Innocence		
5 Financial Management	Development		
6 Systems and Technology	Innocence		
7 People	Awareness		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

CGM understands what infrastructure they own; however, a detailed inventory for AM purposes is required to be developed utilizing an AM system. CGM is required to create and track LOS metrics consistent with the variety of services they provide and identify the cost of achieving the proposed level of service. CGM is required to have a documented process for identifying the future requirements for the short and long-term capital planning. Decisions on lifecycle activities need to be based on documented procedures for prioritizing and ranking projects based on cost, performance, and risk.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of CGM’s asset management plan (such as providing reporting templates and ensuring O. Reg 588/17 requirements are fulfilled). CGM expressed desire to hire an Operations Manager that will support Asset Management program Implementation.

PRIORITY INITIATIVES

Conduct building condition assessment (including replacement value of the building and its systems and outline the expected lifecycle costs for the next 10-20 years).



London Transit Commission (“LTC”)

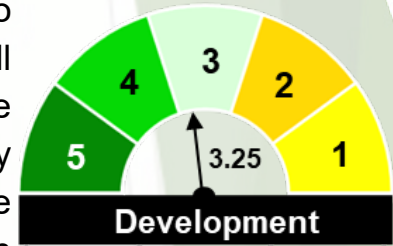
OVERVIEW

LTC’s assets include facilities, bus shelters, rolling stock, service vehicles, IT equipment, and specialized equipment to service their fleet, in order to provide transit services in the London geographic area.



MATURITY LEVEL

Generally, LTC has achieved asset management maturity requirements to meet O. Reg 588/17 and scored a “Development” rating with an overall score of 3.25 out of 5. They have attained the highest scoring possible with Level of Service (Excellence), given their extensive community involvement and town hall meetings to assess customer level of service expectations. LTC has also completed one asset management plan in 2016 (prior to O.Reg. requirements).



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Excellence		
3 AM Strategies & Decision Making	Awareness		
4 Risk	Awareness		
5 Financial Management	Competence		
6 Systems and Technology	Competence		
7 People	Development		
8 Monitoring and Reporting	Development		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

A few formal documentation updates are required, such as documenting replacement values, key asset-related LOS metrics, and asset decision making strategies. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through LTC’s People Plan.

STAFFING

Corporate Asset Management division is expected to provide an advisory role in the preparation of LTC’s asset management plan (such as providing reporting templates and ensuring O. Reg 588/17 requirements are fulfilled).

PRIORITY INITIATIVES

Preparing a building condition assessment (that includes replacement value of facilities and their systems and expected lifecycle costs for a minimum of 10 years) and integrating the facility lifecycle needs and repair history in a database.

Asset Management Maturity Assessment

London Downtown Business Association (“LDBA”)



OVERVIEW

LDBA is a catalyst and connector for a shared community vision of London’s downtown. LDBA assets include furniture and computer equipment.

MATURITY LEVEL

LDBA scored an “Awareness” rating with an overall score of 1.75 out of 5. LDBA has not achieved the required level to meet O. Reg 588/17 , indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. LDBA (and BIAs in general), have relatively few assets and thus can meet O. Reg standards with relatively less effort when compared to other Agencies, Boards, and Commissions.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Awareness		
3 AM Strategies & Decision Making	Innocence		
4 Risk	Innocence		
5 Financial Management	Awareness		
6 Systems and Technology	Awareness		
7 People	Innocence		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

A few formal documentation updates are required, such as documenting replacement values and key asset-related LOS metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing LDBA job descriptions in relevant positions.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of LDBA asset management plan (such as providing reporting templates and ensure LDBA is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Provide training to educate staff on the Asset Management knowledge areas and develop an O. Reg. compliant asset management plan.

Old East Village Business Improvement Association ("OEV BIA")

OVERVIEW

OEV BIA's mandate is to create a vibrant, diverse, and sustainable commercial corridor, at the heart of an inclusive community, where more people live, work, shop, play and produce. OEV BIA assets include Outdoor assets (street banners) and Indoor assets (office furniture, computers, and IT equipment).

MATURITY LEVEL

OEV BIA scored an "Awareness" rating with an overall score of 1.63 out of 5. OEV BIA has not achieved the required level to meet O. Reg 588/17, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. OEV BIA (and BIAs) in general, have relatively few assets and thus can meet O. Reg standards with relatively less effort when compared to other Agencies, Boards, and Commissions.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Awareness	Development	Excellence
2 Level of Service	Innocence	Competence	Excellence
3 AM Strategies & Decision Making	Awareness	Development	Excellence
4 Risk	Innocence	Competence	Excellence
5 Financial Management	Awareness	Competence	Excellence
6 Systems and Technology	Awareness	Development	Excellence
7 People	Innocence	Competence	Excellence
8 Monitoring and Reporting	Awareness	Development	Excellence

AREAS OF IMPROVEMENT & RECOMMENDATIONS

A few formal documentation updates are required, such as documenting replacement values, condition, key strategic risks, and key asset-related LOS metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing OEV BIA job descriptions in relevant positions.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of OEV BIA asset management plan (such as providing reporting templates and ensure OEV BIA is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Provide training to educate staff on the Asset Management knowledge areas and develop an O. Reg. compliant asset management plan.

Asset Management Maturity Assessment

Hyde Park Business Improvement Association

("Hyde Park BIA")



OVERVIEW

Hyde Park BIA serves as an economic and social anchor for the surrounding neighbourhood while helping to stabilize and add vitality to the local community. Hyde Park BIA assets include Outdoor assets (such as outdoor hangers) and Indoor assets (IT equipment and office furniture).

MATURITY LEVEL

Hyde Park BIA scored an "Awareness" rating with an overall score of 2.13 out of 5. Hyde Park BIA has not achieved the required level to meet O. Reg 588/17, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. Hyde Park BIA (and BIAs) in general, have relatively few assets and thus can meet O. Reg standards with relatively less effort when compared to other Agencies, Boards, and Commissions.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Awareness		
3 AM Strategies & Decision Making	Awareness		
4 Risk	Awareness		
5 Financial Management	Awareness		
6 Systems and Technology	Awareness		
7 People	Awareness		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

A few formal documentation updates are required, such as documenting replacement values and key asset-related LOS metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing Hyde Park BIA job descriptions in relevant positions.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of Hyde Park BIA asset management plan (such as providing reporting templates and ensure Hyde Park BIA is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Provide training to educate staff on the Asset Management knowledge areas and develop an O. Reg. compliant asset management plan.

Hamilton Road Business Improvement Area ("Hamilton Road BIA")

OVERVIEW

Hamilton Road BIA develops, advocates, promotes and invests in areas of Economic Development, Beautification and Marketing and Promotion of Hamilton road area. Hamilton Road BIA assets include computer equipment and carved Tree Trunks.



MATURITY LEVEL

Hamilton Road BIA scored an "Awareness" rating with an overall score of 2.13 out of 5. Hamilton Road BIA has not achieved the required level to meet O. Reg 588/17, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. Hamilton Road BIA (and BIAs) in general, have relatively few assets and thus can meet O. Reg standards with relatively less effort when compared to other Agencies, Boards, and Commissions.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Development		
2 Level of Service	Awareness		
3 AM Strategies & Decision Making	Awareness		
4 Risk	Awareness		
5 Financial Management	Awareness		
6 Systems and Technology	Awareness		
7 People	Awareness		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

A few formal documentation updates are required, such as documenting replacement values, condition, and key asset-related LOS metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing Hamilton Road BIA job descriptions in relevant positions.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of Hamilton Road BIA asset management plan (such as providing reporting templates and ensure Hamilton Road BIA is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Provide training to educate staff on the Asset Management knowledge areas and develop an O. Reg. compliant asset management plan.

Asset Management Maturity Assessment

Argyle Business Improvement Association (“Argyle BIA”)



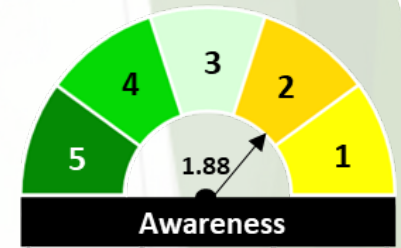
OVERVIEW

Argyle BIA organizes, finances, and carries out physical improvements and promote economic development in their district. Argyle BIA assets includes Outdoor assets, such as hanging baskets and pole wraps, and Indoor assets, such as furniture and computer equipment



MATURITY LEVEL

Argyle BIA scored an “Awareness” rating with an overall score of 1.88 out of 5. Argyle BIA has not achieved the required level to meet O. Reg 588/17, indicating areas for improvement in the short-term to meet the O.Reg. requirements, and in the long-term for AM best practices. Argyle BIA (and BIAs in general), have relatively few assets and thus can meet O. Reg standards with relatively less effort when compared to other Agencies, Boards, and Commissions.



Innocence	Awareness	Development	Competence	Excellence
1	2	3	4	5

Category	Current Score	Short-term Target	Long-term Target
1 Asset Inventory/ Knowledge	Awareness		
2 Level of Service	Development		
3 AM Strategies & Decision Making	Awareness		
4 Risk	Innocence		
5 Financial Management	Awareness		
6 Systems and Technology	Awareness		
7 People	Innocence		
8 Monitoring and Reporting	Awareness		

AREAS OF IMPROVEMENT & RECOMMENDATIONS

Some updates are required, such as documenting replacement values, asset condition, and key asset-related level of service metrics. These tasks will be accomplished through developing an O. Reg-compliant asset management plan. Expanding on asset management roles & responsibilities through enhancing Argyle BIA’s job descriptions in relevant positions.

STAFFING

Recommendation is for Corporate Asset Management to provide an advisory role in preparation of Argyle BIA asset management plan (such as providing reporting templates and ensure Argyle BIA is aware of O. Reg 588/17 requirements).

PRIORITY INITIATIVES

Provide training to educate staff on the Asset Management knowledge areas and develop an O. Reg. compliant asset management plan.

Public Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports

Subject: Declare Surplus - Portion of City Owned Property
Part of Carfrae Park East

Date: May 31, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to a portion of City owned parkland, known as part of Carfrae Park East, as outlined on the location map attached as Appendix A, the following actions be taken:

- a) the subject property **BE DECLARED SURPLUS**; and,
- b) the subject property ("Surplus Lands") **BE TRANSFERRED** to the abutting property owner, in accordance with the City's Sale and Other Disposition of Land Policy.

Executive Summary

This report recommends that a portion of the City owned parkland known as Carfrae Park East be declared surplus and conveyed to the abutting property owner, subject to further negotiations.

Linkage to the Corporate Strategic Plan

Municipal Council's 2019-2023 Strategic Plan identifies "Building a Sustainable City" and "Growing our Economy" as strategic areas of focus.

Strengthening our Community

- Londoners have access to the services and supports that promote well-being, health, and safety in their neighbourhoods and across the city
- London's neighbourhoods have a strong character and sense of place

Building a Sustainable City

- Londoners can move around the city safely and easily in a manner that meets their needs
- Build infrastructure to support future development and protect the environment

The recommendation in this report will support the forementioned strategic areas by declaring the subject land surplus and transferring ownership to the abutting owner, resolving a long standing in congruent property line in support a future pathway system.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

1.2 Summary

Carfrae Park East is located in London's Old South neighbourhood between Ridout Street South and Wellington Street in proximity to Carfrae Crescent. The portion of parkland being proposed surplus is currently being used by the abutting property owner to access their property as their driveway currently traverses the lands.

Options to provide final disposition of part of the parkland was discussed with Parks and Recreational Services. Surplus declaration was determined to be the appropriate option from a planning perspective. The abutting owner is interested in acquiring the subject land in order to resolve incongruent lot lines. Discussions are ongoing with the abutting property owner and may include a land exchange for a portion of the property currently maintained by the abutting owner.

2.0 Discussion

Realty Services was contacted by Parks Planning and Operations to examine surplus declaration of the subject property in order to dispose the land to the abutting owners. The abutting owners were then contacted to see if they would be interested in acquiring the subject land and in exchange the City would acquire some of their land. Both parties are agreeable to these discussions.

The City's Sale and Other Disposition of Land policy under Section 4 - Methods of Sale allows for the disposition of lands to abutting property owners through direct negotiation.

The area of the land to be declared surplus is minor in nature and approximates 218 square meters, or 2,345 square feet.

3.0 Benefits to the City

As part of the transfer of the land to the abutting owner, an incongruent lot line will be resolved in furtherance of a future pathway system. Transferring the lands will eliminate potential liability and ongoing maintenance with the land.

4.0 Financial Impact

There are no significant cost implications to the City to declare this property surplus and transfer ownership to the abutting owners. Costs may include legal and conveyance costs.

Conclusion

Part of the parkland located at Carfrae Park East is currently being used by the abutting owners to access their property.

The benefits in declaring the land surplus include releasing the City from land which presently serve no utility, release of liability and maintenance.

It is therefore recommended that the subject property be declared surplus and transferred to the adjacent property owners, subject to a negotiated outcome in accordance with the City's Sale and Other Disposition of Land Policy

A location map of the subject property is shown on Appendix A.

A sketch detailing the subject site and parts to be conveyed is shown on Appendix B.

Prepared by: Bryan Baar, Manager II, Realty Services

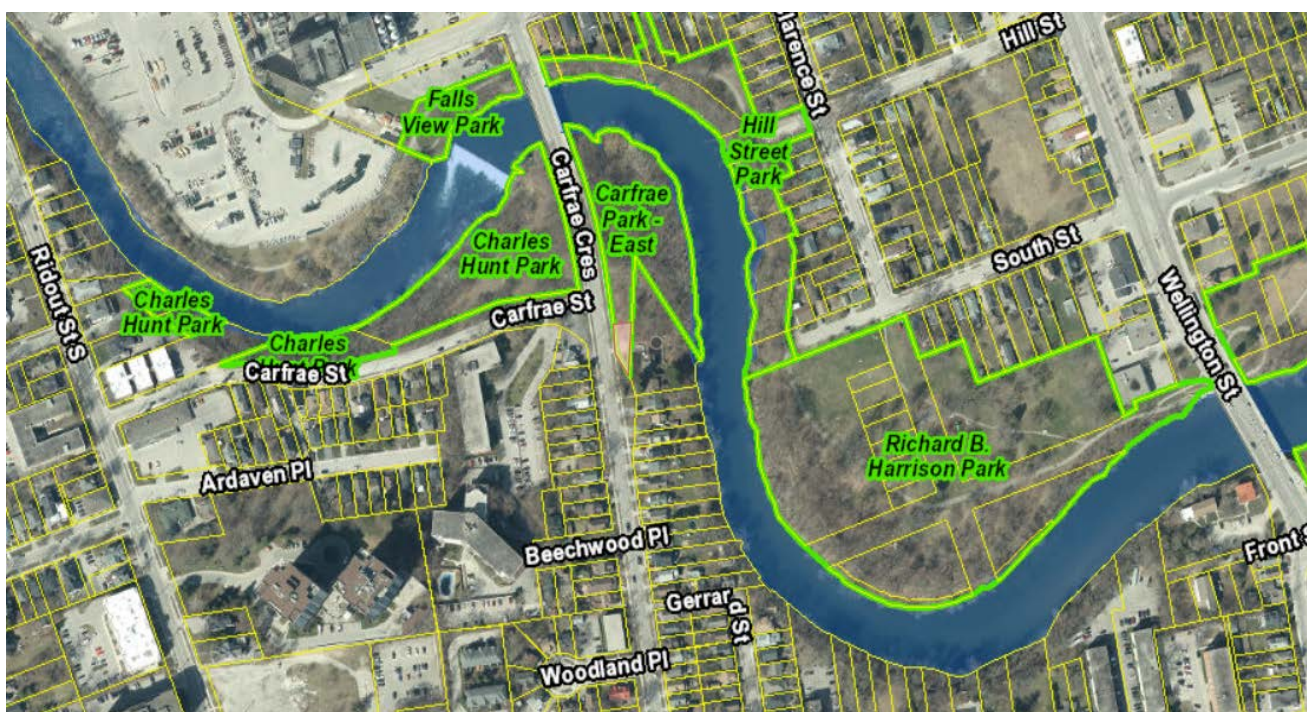
Submitted by: Bill Warner, Director, Realty Services

Recommended by: Anna Lisa Barbon, Deputy City Manager, Finance Supports

cc: Andrew Macpherson, Division Manager, Parks Planning & Operations
Sachit Tatavarti, Solicitor

File No. P-2454
May 19, 2021

Appendix A - Location Map



Appendix B – Subject Property Outlined in Red



Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: Province of Ontario – Request for Comment – Code of Conduct for Members of Council and Report on the Town of Collingwood Judicial Inquiry
Meeting on: May 31, 2021

Recommendation

That on the recommendation of the City Clerk, the following actions be taken with respect to the Code of Conduct for Members of Council:

- a) the report dated May 31, 2021 entitled “Province of Ontario – Request for Comment – Code of Conduct for Members of Council and Report on the Town of Collingwood Judicial Inquiry”, BE RECEIVED; and,
- b) the City Clerk BE ADVISED of any actions to be taken in response to the above-noted report.

Analysis

1.0 Background Information

The purpose of this report is to review the Municipal Council’s current Code of Conduct and to seek direction from the Municipal Council for any changes that the Municipal Council may wish to make to enhance the Code of Conduct that has been in place for two-years, and to provide comments to the Government of Ontario in response to their ongoing consultation process with respect to Municipal Council’s Codes of Conduct — taking into consideration the City’s experience over the past two years and the recommendations contained in the Report of the Collingwood Judicial Inquiry.

The following summarizes pertinent background information related to this matter.

1.1 *Modernization of Ontario’s Municipal Legislation Act, 2017*

In March 2019, in response to the implementation of the *Modernization of Ontario’s Municipal Legislation Act, 2017*, the Municipal Council adopted by by-law, the following documents:

- A new Code of Conduct for Members of Council;
- A new Code of Conduct for Local Boards;
- A revised Terms of Reference for the Integrity Commissioner to reflect legislative changes related to the new Codes of Conduct for Members of Council and Local Boards;
- A new “Members of Council Public Registry Declaration of Interest” policy;
- A new “Public Registry Declaration of Interest for Local Boards” policy; and
- A new “Members of Council – Absence – Pregnancy or Parental Leave” policy.

1.2 Transparency and the Public Trust – Report of the Collingwood Judicial Inquiry

In November 2020, Associate Chief Justice, Frank N. Marrocco released the report on the Town of Collingwood Judicial Inquiry. The full Report can be found at the following link: <https://www.collingwoodinquiry.ca/report/index.html>

The purpose of the Judicial Inquiry was “to examine two major transactions that the Town of Collingwood engaged in under the leadership of its 2010-14 municipal Council”. The two actions related to the “sale of 50 percent interest in the Town’s electrical utility”.

The findings of the Collingwood Judicial Inquiry are pertinent to considerations related to the municipal council’s Codes of Conduct and Procurement Policies.

1.3 Government of Ontario – Consultation Code of Conduct

On April 14, 2021, the Province of Ontario launched a 90-day consultation process to receive comments on how Municipal Council’s Codes of Conduct could be strengthened to ensure that municipal governments have a safe and respectful workplace and carry out their duties in an ethical manner. The following link provides further information on this process: <https://www.ontario.ca/page/consultation-strengthening-accountability-municipal-council-members>

A letter dated February 2, 2021 from the Association of Municipalities submitted to the Minister of Municipal Affairs and Housing in response to the Government of Ontario inquiry “as to whether AMO might provide input into a potential council member recall mechanism” can be found at the following link: https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Letters/2021/OptionsforEnforcingCompliancebyCouncilMemberswithMunicipalCodesofConductAMOLtr20210203.pdf?_zs=0tLdL1&_zl=PFjw1

2.0 Discussion and Considerations

2.1 Current Code of Conduct for Members of Council

Attached as Appendix “A” to this report is the current “Code of Conduct for Members of Council” (“Code of Conduct”) adopted by Council in 2019.

The most notable change made to the Code of Conduct in 2019 related to the following additional Principles provided for in the *Municipal Conflict of Interest Act*:

“The Province of Ontario endorses the following principles in relation to the duties of members of councils and local board under this Act;

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.”

In addition, Members who have a direct or indirect pecuniary interest in a matter that is being considered by an officer or employee of a municipality or local board or a person or body who has a delegated power or duty are precluded from using their office in any way to attempt to influence any decision or recommendation that results from consideration of the matter.

Potential Penalties Issued by the Integrity Commissioner

If the Integrity Commissioner determines that a violation of the Code of Conduct has occurred, the Integrity Commissioner may impose one of the following sanctions:

- written or verbal public apology;
- return of property or reimbursement of its value or of monies spent;
- removal from membership of a committee; and,
- removal as a chair of a committee.

The Integrity Commissioner has the final authority to recommend any of the sanctions above or other remedial action at their discretion.

The Integrity Commissioner has the authority to apply sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* and investigate complaints or initiate an investigation of suspected violations of the Act. If the Integrity Commissioner determines that a violation has occurred, the Integrity Commissioner may apply to a judge for determination of the questions of whether a Member has contravened section 5, 5.1 or 5.2 of the Act.

Potential Penalties Issued by Municipal Council

Upon receipt of a recommendation from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either:

- a reprimand; or
- a suspension of the remuneration paid to the Member in respect of their services as a Member of Council or a local board, as the case may be, for a period of up to 90 days.

Potential Penalties Issued by the Courts

If a Judge determines that a member or former member has contravened the *Municipal Conflict of Interest Act* and therefore also in violation of the Code of Conduct, the Judge may do any of the following:

- reprimand the member or former member;
- suspend remuneration paid to the member for a period up to 90 days;
- declare the member's seat vacant;
- declare the member's seat vacant;
- disqualify the member or former member from being a member during a period of not more than seven years after the date of the order; and,
- if the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or if the party's identity is not reasonable ascertainable, to the municipality.

2.2 Transparency and the Public Trust – Report of the Collingwood Judicial Inquiry

In November of 2020, Associate Chief Just Frank N. Marrocco issued the “Transparency and the Public Trust – Report of the Collingwood Judicial Inquiry” in response to actions taken by the 2010-2014 Town of Collingwood Council and Town Administration with respect to the “sale of a 50 percent interest in the Town’s electric utility, Collus Power Corporation”. The Inquiry also reviewed “the construction of an arena and pool facilities, which the Town substantially paid for by using the proceeds of the Collus Power share sale”. The Judicial Inquiry determined that the “(r)oles and responsibilities of Council members were (also) misunderstood, leading to certain fundamental decisions being made away from the Council table or behind closed doors. Undisclosed conflicts of interest marred many of the decisions made in respect to these two transactions.”

The recommendations of the Judicial Inquiry are pertinent considerations when determining how Municipal Council Codes of Conduct “could be strengthened to ensure that municipal governments have a safe and respectful workplace and carry out their duties in an ethical manner”. The recommendations are also relevant to and should be considered when reviewing the Council’s “Procurement of Goods and Services Policy”.

The Judicial Inquiry resulted in 306 recommendations. Although prepared in response to actions of the Town of Collingwood, the recommendations are applicable to any municipal government. This report will focus on the following recommendations pertaining to strengthening Municipal Council’s Codes of Conduct, noting that the current Code of Conduct does contain many of the recommendations set out in the Judicial Review:

- Require annual financial disclosure;
- Disclosure of private interests of all elected officials;
- Include a statement that “Council members must discharge their duties in a manner that not only promotes public confidence in the integrity of the individual Council member but also fosters respect for Council as a whole;
- Should reflect “the differences in the roles and responsibilities of Council members and staff, Council members should fully understand the roles of staff and never blur the distinction between their duties as elected officials and that of staff...”;
- Council members must encourage public respect for by-laws and policies;
- Council members shall not use the influence of their office for any purpose other than for the exercise of their official duties;
- Council members must respect the role of staff to provide advice based on political neutrality and objectivity and without the undue influence of a Council member or group of Council members;
- Define “immediate relatives” to include a spouse, common law partner, or any person with whom the person is living as a spouse outside marriage; parent, including stepparent and legal guardian; child, including stepchild; grandchild; sibling; aunt, uncle, nephew, niece, first cousins; and in-laws, including mother- and father-in-law, sister- and brother-in-law and daughter- and son-in-law and that a Council member should state any pecuniary interests related to “immediate relatives”;

- Define “disqualifying interest” as an interest in a matter, that by virtue of the relationship between the Member of Council and other persons and bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member of Council could not participate impartially in the decision-making processes related to the matter;
- Define “non-disqualifying interest” as an interest in a matter that, by virtue of the relationship between the Member of Council and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member of Council could participate impartially in the decision-making processes related to the matter if:
 - i) the Council member “fully discloses the interest” and provides “transparency” regarding the relationship;
 - ii) the Council member thoroughly explains “why the interest does not prevent” the Council member “from making an impartial decision on the matter”;
 - iii) the Council member promptly files a Transparency Disclosure Form established by the municipality which is available to the public and posted on the municipality’s website;
- Prohibit Council members from accepting gifts, favours, entertainment, meals, trips, or benefits of any kind from lobbyists;
- Council members shall not receive gifts, favours, benefits or hospitality which a reasonable member of the public would believe is gratitude for influence, to induce influence, or goes beyond the appropriate public functions involved;
- Council members be prohibited from accepting gifts, favours, entertainment, trips, or benefits of any kind from any bidder or potential bidder in either the pre-procurement phase or during the procurement process;
- Council members should be required to file a disclosure statement each month relating to all such gifts, favours, benefits, hospitality, including all sponsored travel. The disclosure statement should at a minimum indicate:
 - i) the source of the gift, favour, benefit, hospitality;
 - ii) a description of the gift, favour, benefit or hospitality;
 - iii) its estimated value;
 - iv) the circumstances in which the Council member received it;
 - v) the date of the gift, favour, benefit or hospitality;
 - vi) the estimated value of the gifts, favours, benefits, hospitality received by the Council member from that person, organization, or group in the previous twelve months.
- Former Council members should not accept employment for one year on a specific matter on which they worked as an elected official;
- Council members who have reasonable grounds to believe that a violation of the Code of Conduct has occurred should promptly report such behaviour or activity to the Integrity Commissioner;
- An appropriate range of penalties must exist for Council members who are found to be in violation of ethical conduct including a reprimand, suspension of remuneration paid to Council members, a public oral or written apology by the Council member, the return of property or reimbursement of its value or monies spent, removal from membership of a committee, or removal as chair of a committee. The appropriate penalty is to be determined by the Integrity Commissioner;
- Training and education with respect to the Code of Conduct should be mandatory for new members of Council; and

- Council members should be required to sign annually an acknowledgement that they are aware of their obligations and will abide by the provisions in the Code of Conduct.

There are several other recommendations that relate to conduct with staff, however the City of London's Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination policy) speaks to these matters in greater detail.

The Civic Administration is seeking direction on any changes, if any, the Municipal Council may wish to make to the current Code of Conduct for Members of Council.

2.3 Government of Ontario – Consultation Code of Conduct

As noted previously in this report, the Government of Ontario is currently undertaking consultation to seek input into potential legislative changes to increase possible penalties for violations of Council Codes of Conduct.

A copy of the response submitted by the Association of Municipalities of Ontario (AMO) with respect to this matter can be found at this link:

https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Letters/2021/OptionsforEnforcingCompliancebyCouncilMemberswithMunicipalCodesofConductAMOLtr20210203.pdf?_zs=0tLdL1&_zl=PFjw1

Section 223.4(5) of the *Municipal Act, 2001* sets out the following penalties for a member of council that is, in the opinion of the Integrity Commissioner, has contravened the code of conduct:

1. a reprimand.
2. suspension of remuneration paid to the member in response of his or her services as a member of council for a period up to 90 days.

The current legislation does not provide for additional penalties for serious contraventions of Codes of Conduct and therefore, the Government of Ontario is seeking input what, if any, additional measures, could/should be put in place. This could include the ability to remove a member of council for a serious breach of the Code of Conduct.

The two options presented by the Government of Ontario for the purpose of discussion, included removal of a council member by the Minister of Municipal Affairs and Housing, and voter recall.

The Association of Municipalities of Ontario has recommended the following in response to the request for comment:

- The levying of an Administrative Monetary Penalty for a violation of a Code of Conduct provision, subject to a municipal policy adopted by a Council specifying penalty ranges;
- Suspension of a council member for a specific time where the council member's attendance at council is affecting the ability of council to make necessary decisions in the interest of the public such as during an emergency;
- Referral to a member of the judiciary with a recommendation to consider removing a councillor from office where continued and serious violations of the Code of Conduct have been documented; and
- The Ministry of Municipal Affairs and Housing provide funding and resources to improve the education and performance of Integrity Commissioners to create norms and standards in the office holders to improve councillor and public acceptance and trust.

The Civic Administration is seeking direction from the Municipal Council as to what comments, if any, you may wish to submit in response to the request from the Government of Ontario for comment.

2.4 Lobbyist Registrar

The Municipal Council has previously considered the establishment of a Lobbyist Registry as is provided for by the *Municipal Act, 2001*, but determined not to move forward at the last review, which occurred in March 2019, given that the Municipal Council had passed a Code of Conduct and had retained an Integrity Commissioner.

Lobbyist Registry and Registrar

Sections 223.9 and 223.11 of the *Municipal Act, 2001* authorize a municipality to establish and maintain a registry to keep returns filed by persons who lobby public office holders and to appoint a registrar who is responsible for performing, in an independent manner, the functions assigned by the municipality with respect to its lobbyist registry.

Section 223.9(2) of the *Municipal Act, 2001*, where a registry is established, authorizes a municipality to do the following things:

1. Define “lobby”.
2. Require persons who lobby public office holders to file returns and give information to the public.
3. Specify the returns to be filed and the information to be given to the municipality by persons who lobby public officer holders and specify the time within which the returns must be filed and information provided.
4. Exempt persons from the requirement to file returns and provide information.
5. Specify activities with respect to which the requirement to file returns and provide information does not apply.
6. Establish a code of conduct for persons who lobby public office holders.
7. Prohibit former public office holders from lobbying current public office holders for the period of time specified in the by-law.
8. Prohibit a person from lobbying public office holders without being registered.
9. Impose conditions for registration, continued registration or a renewal of registration.
10. Refuse to register a person, and suspend or revoke a registration.
11. Prohibit persons who lobby public office holders from receiving payment that is in whole or in part contingent on the successful outcome of any lobbying activities.

The registry is to be available for public inspection.

A Lobbyist Registrar, appointed by Municipal Council, performs in an independent manner and may conduct an inquiry in respect of a request made by council, a member of council or a member of the public about compliance with the system of registration noted above and may make a report to the municipality in respect of an inquiry.

A Lobbyist Registrar:

- oversees the establishment and maintenance of a lobbyist registry;
- provides advice, opinions and interpretation to the administration, application and enforcement of the provisions set out in a by-law to establish a registry;
- conducts inquiries in respect to a request made by Council, a member of Council or a member of the public about compliance with the municipal by-law, which may include requesting that a public office holder gather information concerning lobbying of them and provide that information concerning lobbying of them and provide that information to the Lobbyist Registrar; and
- advises Council on lobbying matters

What are the best practices for a municipal Lobbyist Registry and Lobbyist Registrar?

Lobbyist Registries and Registrars were discussed extensively at the Toronto and Mississauga Inquiries and both reports contain recommendations regarding them. Justice Bellamy recommended that the City of Toronto establish a lobbyist registry and appoint a registrar to oversee it. The Toronto system was reviewed extensively by experts who testified at the Mississauga Inquiry. These witnesses opined that the Toronto registry was too costly and complex.

Witnesses at the Mississauga Inquiry discussed different types of lobbyist registries including a voluntary registry system that only requires lobbyists to register what the nature of their business is and a disclosure system which would include more detailed information in terms of the lobby activities undertaken.

Also raised at the Inquiry were alternate models including a lobbyist code of conduct regulated through an accountability framework and overseen by an Integrity Commissioner similar to the provincial model. The Surrey B.C. model—which uses guidelines in the city’s code of conduct for council members and employees—was raised at the Inquiry and in Justice Cunningham’s Report as an example for regulating lobbying activity other than through a registry.

Justice Cunningham did not recommend that Mississauga establish a lobbyist registry. Instead, he recommended that the City amend its Code of Conduct for Council Members to incorporate guidelines for how council members should deal with lobbyists particularly in the context of development issues.

What options are available for Council when considering a Lobbyist Registry or Lobbyist Registrar?

During previous reviews of this matter, the Municipal Council acknowledged that as much of the work undertaken by an Integrity Commissioner is to educate and provide advice to Members of Council and recent amendments to the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act* have resulted in an enhanced Code of Conduct with more emphasis on the disclosure of pecuniary interests, disclosures of gifts and hospitality and a greater role for the Integrity Commissioner to investigate and decide on such matters that a Lobbyist Registrar and Lobbyist Registry was not required at that time.

If Council wishes to implement a system with respect to regulating lobbying activities, the following options could be considered:

1. Establish a lobbyist registry system that requires defined classes of lobbyists to register either before or after they undertake a lobbying activity with no enforcement provisions.

2. Establish a lobbyist registry system to be overseen by a Registrar that requires defined classes of lobbyists to register either before or after they undertake a lobbying activity with enforcement provisions which could include offences under the *Provincial Offences Act* (Toronto model), a ban system to be imposed by the Registrar (Ottawa model), or enforcement through the application of the Council Member and Employee Codes of Conduct (currently under review in Ottawa).
3. Amend the Code of Conduct for Council Members to include guidelines as to how elected officials may communicate with lobbyists.
4. Maintain the status quo and rely on the Employee Code of Conduct, the City's Procurement Policy, the Council Members Code of Conduct and the *Criminal Code*.
5. Cross-appoint an individual to perform accountability and transparency duties for the City including holding the office of Closed Meeting Investigator, Integrity Commissioner and/or Lobbyist Registrar.

Report of the Collingwood Judicial Inquiry – Lobbyist Registry

The Collingwood Judicial Inquiry also set out a number of recommendations with respect to the establishment of a Lobbyist Registry for the Town of Collingwood that could be pertinent to Municipal Council's consideration regarding this matter. The following summarizes those recommendations:

- The Town should establish a Lobbyist Registry “to foster transparency and integrity in government decision making”. The Lobbyist Registrar also assists in managing behaviour because the behaviour occurs in the open.
- The Lobbyist Registry should include all those who are paid or represent a business or financial interest whose objectives is to influence elected officials or staff.
- Only persons registered in the Lobbyist Registry should be permitted to participate in any lobbying activity.
- The Lobbyist Registry should contain at a minimum the following information:
 - The name of the lobbyist, the name of the company or partnership represented and “the names of all principals in the company or partnership”;
 - The lobbyist's contact information;
 - “the subject matter of the lobbying activity”;
 - Detailed disclosure of the lobbyist's client, its business activities, or its organizational interests. This disclosure includes information on anyone who, to the knowledge of the lobbyist, controls or directs the client or otherwise has significant control of the client, the client's business activities, or its organizational interests;
 - Identification by the lobbyist of who at the municipality is the subject of the lobbying. This information should be detailed and include, for example, the name and title of the staff being lobbied, as well as the staff's department;
 - The amount paid to the lobbyist for the lobbying activity;
 - The date, hour and location where the lobbying took place, as well as details of the lobbying activity.
- Council members and staff should be required to record “information on their meetings with lobbyists in the Lobbyist Registry.
- Sanctions should be imposed on lobbyists for failing to register.

The Judicial Inquiry also sets out recommendations with respect to establishing a Code of Conduct for the Lobbyist Registry.

The Civic Administration is seeking direction from the Municipal Council on how they wish to proceed with respect to the establishment of a Lobbyist Registry.

3.0 Financial Impact/Considerations

None at this time.

5.0 Conclusion

The purpose of this report is to review the Municipal Council's current Code of Conduct and to seek direction from the Municipal Council of any changes that the Municipal Council may wish to make to enhance the Code of Conduct that has been in place for two-years, taking into consideration the City's experience over the past two years, recommendations contained in the Report of the Collingwood Judicial Inquiry and to provide comments to the Government of Ontario in response to their ongoing consultation process with respect to Municipal Council's Codes of Conduct.

Should the Municipal Council determine that amendments to the Code of Conduct for Members of Council should be undertaken, based on some of the recommendations set out in the Report of the Collingwood Judicial Inquiry and based on the experience of the past few years, the Civic Administration will bring forward a further report with a draft Code of Conduct for Municipal Council's consideration.

Prepared and recommended by:

Cathy Saunders, City Clerk

Appendix “A”

Code of Conduct for Members of Council

Policy Name: Code of Conduct for Members of Council

Legislative History: Adopted March 26, 2019 (By-law No. CPOL.-383-90)

Last Review Date: March 19, 2019

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This Code of Conduct is established under the authority of Part V.1 – Accountability and Transparency of the *Municipal Act, 2001*, as amended.

2. Definitions

In this Code of Conduct:

- 2.1 **Apparent conflict of interest** – shall mean if there is a reasonable perception, which a reasonably well-informed person could properly have, that the Member’s ability to exercise an official power or perform an official duty or function must have been affected by his or her private interest;
- 2.2 **Child** – shall mean a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
- 2.3 **Code** – shall mean this Code of Conduct;
- 2.4 **Corporation** - shall mean The Corporation of the City of London;
- 2.5 **Council** - shall mean the Council of The Corporation of the City of London;
- 2.6 **Family member** - shall mean a child, parent or a spouse;
- 2.7 **Member** - shall mean a Member of Council and includes the Mayor;
- 2.8 **Parent** – shall mean a parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
- 2.9 **Spouse** - shall mean a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

3. Applicability

- 3.1 This Code of Conduct applies to the Mayor and all Members of Council.

4. The Code

Rule 1 - Key Principles and Framework

1.1 The Code is to be given a broad, liberal interpretation in accordance with the applicable legislation, the definitions set out herein and its general intent and purposes.

1.2 The Code operates together with, and as a supplement to, the following legislation that governs the conduct of Members:

- (i) *Municipal Act, 2001*;
- (ii) *Municipal Conflict of Interest Act*;
- (iii) *Municipal Elections Act, 1996*;
- (iv) *Municipal Freedom of Information and Protection of Privacy Act*;
- (v) *Provincial Offences Act*;
- (vi) *Occupational Health and Safety Act*;
- (vii) *Ontario Human Rights Code*;
- (viii) *Criminal Code of Canada*; and
- (ix) the by-laws and policies of Council as adopted and amended from time to time.

1.3 Members are governed by the *Municipal Conflict of Interest Act* which contains the following principles in relation to the duties of Members:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interest of Members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when Members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations and otherwise.

1.4 Members seeking clarification of any part of this Code should consult with the Integrity Commissioner and submit such requests in writing.

1.5 Any advice given by the Integrity Commissioner to a Member shall be in writing and binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

1.6 In carrying out their responsibilities regarding the Code, the Integrity Commissioner is not limited to looking at the pecuniary interest of the Member and, for clarity, the Integrity Commissioner is specifically authorized to investigate issues of conflict in a broad and comprehensive manner.

Rule 2 - General Rules

2.1 Members shall serve and be seen to serve their constituents in a conscientious, accountable, transparent and diligent manner.

2.2 Members shall be committed to performing their functions with integrity, independence and impartiality and avoid the improper use of the influence of their office, and conflicts of interest, including apparent conflicts of interest.

2.3 Members shall not extend favour in the discharge of their official duties, preferential treatment to family members, organizations or groups in which they or their family members have a direct or indirect pecuniary interest.

2.4 Members are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

2.5 Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament, the Ontario Legislature, and the by-laws and policies of the Corporation.

2.6 Members shall accurately and adequately communicate the decisions of the Council, even if they disagree with Council's decision, such that the respect for the decision-making processes of Council is fostered.

Rule 3 – Confidential Information

3.1 Members shall hold in strict confidence all information concerning matters dealt with at a meeting closed to the public under the *Municipal Act* or any other Act. For greater certainty, information shall include, without limitation, documents, records, advice received, presented, reviewed or discussed at a closed meeting and any discussion, direction and deliberation during the closed meeting. A Member shall not, either directly or indirectly, disclose, release, make public or in any way divulge any such information or any aspect of a closed meeting to anyone unless expressly authorized by Council or required by law.

3.2 A Member shall not collect, use, or disclose information in contravention of the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

3.3 A Member shall not disclose information that is subject to solicitor-client privilege, unless the privilege has been expressly waived by Council.

3.4 A Member shall not misuse any confidential information such that the release thereof may cause detriment to the Corporation, Council, the public or others or benefit or detriment to themselves or others. For greater certainty, confidential information includes, without limitation, information that a Member has knowledge of by virtue of their position as a Member that is not in the public domain, including emails, and oral and written communications from other Members or third parties.

3.5 A Member shall return any gift or benefit which does not comply with this Code, along with an explanation why the gift or benefit cannot be accepted.

Rule 4 - Conduct at Meetings and When Representing the Council or the Corporation

4.1 A Member shall conduct themselves with appropriate decorum at all times.

4.2 A Member shall conduct themselves at meetings of Council, committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official, with decorum in accordance with the provisions of the applicable procedure by-law.

4.3 A Member shall make every effort to participate diligently in the activities of the Council and the committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official.

Rule 5 - Incompatible Activity

5.1 A Member shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of their official duties in the public interest.

5.2 Without limiting the generality of the foregoing, a Member shall not:

- a) use the influence of their office for any purpose other than for the exercise of their official duties;
- b) act as an agent before Council, any committee, board or commission of Council or the City's Hearings Officer;
- c) use any information gained in the execution of office that is not available to the general public for any purpose other than for official duties;
- d) place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
- e) give preferential treatment to any person or organization in which a Member has a financial interest;
- f) influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member has a financial interest; or
- g) use the Corporation's property, materials, equipment, services, supplies, facilities, officers, employees, agents or contractors for personal gain, personal purpose or for any private purpose; or
- h) influence or interfere, either directly or indirectly, financially, politically or otherwise with employees, officers or other persons performing duties under the *Provincial Offences Act*.

5.3 A Member shall not allow the prospect of their future employment by a person or entity to detrimentally affect the performance of their duties.

5.4 A Member shall avoid waste, abuse and extravagance in the provision or use of public resources.

5.5. A Member shall expose fraud and corruption of which the Member is aware.

Rule 6 - Conduct Respecting Staff

6.1 A Member shall be respectful of the Corporation's officers, employees, individuals contracted by the Corporation on a purchase of service agreement and students on placements, role to provide advice based on political neutrality and objectivity and without undue influence from any individual Member or faction of the Council or a committee.

6.2 No Member shall injure the professional or ethical reputation, or the prospect or practice of an officer or employee of the Corporation, an individual contracted by the Corporation on a purchase of service agreement or a student on placement, and all Members shall show respect for the professional capacities of such persons.

6.3 No Member shall compel or attempt to compel an officer and employee of the Corporation to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.

6.4 No Member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any officer or employee of the Corporation, individual contracted by the Corporation on a purchase of service agreement or a student on placement with the intent of interfering in that employee's duties, including the duty to disclose improper activity.

6.5 Members shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from an individual Member or group of Members.

Rule 7 – Discreditable Conduct

7.1 Members have a duty to treat members of the public, one another, individuals contracted by the Corporation on a purchase of service agreement, students on placement and officers and employees of the Corporation appropriately and without abuse, bullying or intimidation and to ensure that their work environment is safe and free from discrimination and harassment. *The Ontario Human Rights Code* and the *Occupational Health and Safety Act* apply and, where applicable, the Corporation's Workplace Harassment and Discrimination Prevention Policy.

7.2 Upon receipt of a complaint with respect to alleged discreditable conduct of a Member that relates to the Corporation's Workplace Harassment and Discrimination Prevention Policy, the Integrity Commissioner shall forward the information subject to the complaint to Human Resources which, in the event mediation or other informal attempts to resolve the complaint as provided for in the applicable policy are not appropriate or prove ineffective and where Human Resources determines that further inquiry is warranted, will refer it to an external investigator to conduct an independent investigation in accordance with the applicable policy and the Corporation's Formal Investigation Process.

7.3 Upon receipt of the report of the independent investigator, the Integrity Commissioner shall make a determination on the application of this Code of Conduct and the merits of the investigation respecting the conduct of the Member subject to the complaint. The findings of the Integrity Commissioner shall be reported to City Council as per the normal procedure respecting such matters.

Rule 8 – Requirement to Adhere to Council Policies and Procedures

8.1 Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.

Rule 9 – Gifts, Benefits and Hospitality

9.1 No inappropriate gifts and hospitality are allowed that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

9.2 No Member shall accept, solicit, offer or agree to accept a commission, fee, advance, cash, gift, hospitality, gift certificate, bonus, reward or benefit that is connected directly or indirectly with the performance of their duties of office unless permitted by the exceptions listed in section 9.4 below. No Member shall accept the use of property or facilities, such as a vehicle, office or vacation property at less than fair market value or at no cost.

9.3 For the purpose of this Code a commission, fee, advance, cash, gift, hospitality, gift certificate, bonus, reward or benefit provided with the Member's knowledge to a friend, family member or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a gift to that Member.

9.4 Members are not precluded from accepting:

- a) contributions authorized by law;
- b) political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- c) food and beverages at banquets, receptions, ceremonies or similar events, if:
 - i) attendance serves a legitimate business purpose;

- ii) the person extending the invitation or a representative of the organization is in attendance; and
 - iii) the value is reasonable and the invitations infrequent;
- d) services without compensation by persons volunteering their time;
 - e) food, lodging, transportation, hospitality and entertainment provided by other levels of government, by other local governments, boards or commissions or by a foreign government within a foreign country;
 - f) a reimbursement of reasonable expenses incurred in the performance of duties or office;
 - g) a reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations;
 - h) token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and
 - i) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

9.5 A Member shall return any gift or benefit which does not comply with this Code, along with an explanation why the gift or benefit cannot be accepted.

9.6 In the case of exceptions claimed under 9.4 (c), (e), (h) and (i), if the value of the gift, hospitality or benefit exceeds \$300.00, or if the total value of gifts, hospitality or benefits received from one source during the course of a calendar year exceeds \$300.00, the Members shall within 30 days of receipt of the gift, hospitality or benefit or reaching the annual limit, complete a disclosure statement in a form prescribed by the Integrity Commissioner and file it with the Integrity Commissioner. A disclosure statement shall be a matter of public record.

9.7 On receiving a disclosure statement, the Integrity Commissioner shall examine it to ascertain whether the receipt of the gift, hospitality or benefit might, in their opinion, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Member to justify receipt of the gift, hospitality or benefit.

Rule 10 - Use of Municipal Property and Resources

10.1 In order to fulfil their roles as elected representatives Members have access to municipal resources such as property, equipment, services, staff and supplies. No Member shall use, or permit the use of Corporate land, facilities, equipment, supplies, services, staff or other resources for activities other than purposes connected with the discharge of Council or Corporate business.

Rule 11 - Election-Related Activity

11.1 Members are required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and the Policy for the Use of City of London Resources for Municipal Election Purposes. Members shall not solicit, demand or accept the services of any corporate officer and employee, or individual providing services on a contract for service, for re-election purposes during hours in which the officer, employee, or individual providing services under a contract for service, is in the paid employment of the Corporation.

Rule 12 - Integrity Commissioner

12.1 It is a violation of the Code to obstruct the Integrity Commissioner in the carrying out of their duties and responsibilities.

12.2 No Member shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the Code or against a person who provides information to the Integrity Commissioner in any investigation.

12.3 It is a violation of the Code to destroy any documents or erase any electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code.

12.4 The Integrity Commissioner may also recommend that Municipal Council impose one of the following sanctions:

- (a) written or verbal public apology;
- (b) return of property or reimbursement of its value or of monies spent;
- (c) removal from membership of a committee; and
- (d) removal as a chair of a committee.

The Integrity Commissioner has the final authority to recommend any of the sanctions above or other remedial actions at their discretion.

12.5 Upon receipt of a recommendation from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either:

- a) a reprimand; or
- b) a suspension of the remuneration paid to the Member in respect of their services as a Member of Council or a local board, as the case may be, for a period of up to 90 days.

12.6 The Integrity Commissioner has the authority to apply sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* and investigate complaints or initiate an investigation of suspected violations of the Act. If the Integrity Commissioner determines that a violation has occurred, the Integrity Commissioner may apply to a judge for determination of the questions of whether a Member has contravened section 5, 5.1 or 5.2 of the Act.

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: Application – Issuance of Proclamation – Childhood
Cancer Awareness Month
Date: May 31, 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 April 29, 2021 from Childhood Cancer Canada requesting the month of September, 2021 be proclaimed Childhood Cancer Awareness Month.

Submitted by: Cathy Saunders, City Clerk

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 or mailed to City Hall, P.O. Box 5035 LONDON, ON, N6A 4L9.

Request details

Name of Organization
Childhood Cancer Canada
Date Proclamation Required
Sept 01, 2021
Proclamation Name
Childhood Cancer Awareness Month
Proclamation Type (day, week or month)
Month
Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations)
charity, awareness, health
Requester Name
Kathy Motton
Requester Telephone Number
416-315-4535
Requester Email Address
kathy@childhoodcancer.ca
Requester Address
20 Queen St. W, Toronto, ON M5H 3R3
Provide details of your Organization's Connection to London
Childhood cancer does not discriminate and can be diagnosed in children throughout the country. We are requesting a proclamation to represent children with cancer both nationally, and more importantly children diagnose in (London), including those who have died from cancer and those who may still be diagnose in the future. This campaign tells these children and their families that they are not alone.
Required Supporting Documents
<ul style="list-style-type: none">• Detail information on the Organization• Detail information on the Event• Confirmation of authorization from the Organization to submit the request
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 April 29, 2021
NOTICE OF COLLECTION OF PERSONAL INFORMATION 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: csaunder@london.ca



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 – Longest Day of Smiles
Date: May 31, 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 May 25, 2021 from Operation Smile Canada requesting June 20, 2021 be proclaimed Longest Day of Smiles.

Submitted by: Cathy Saunders, City Clerk

Proclamation Request Form APPENDIX "A"

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 or mailed to City Hall, P.O. Box 5035 LONDON, ON, N6A 4L9.

Request details

Name of Organization Operation Smile Canada			
Date Proclamation Required June 20, 2021			
Proclamation Name Longest Day of SMILES			
Proclamation Type (day, week or month) Day			
Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations) Charitable Fundraising Campaigns			
Requester Name Mary Grant			
Requester Telephone Number 647.952.8050			
Requester Email Address mary.grant@operationsmile.org			
Requester Address 375 University Ave., Suite 204 Toronto, ON M5G 2J5			
Provide details of your Organization's Connection to London The Longest Day of SMILES is a day to celebrate changing the lives of children born with cleft conditions everywhere. We accomplish this by raising funds and awareness year round. A part of this day of celebration is to say thank you to our Medical Volunteers and community ambassadors who reside in London. Without their selflessness and efforts we could not provide free, safe, effective, and life changing surgery to children born with cleft conditions.			
Required Supporting Documents <ul style="list-style-type: none"> • Detail information on the Organization • Detail information on the Event • Confirmation of authorization from the Organization to submit the request 			
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	Mary Grant	Date	05/25/2021
NOTICE OF COLLECTION OF PERSONAL INFORMATION			
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: csaunder@london.ca			



Issuance of Proclamations Policy

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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.

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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.
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 - 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.