

Agenda Including Addeds

Corporate Services Committee

13th Meeting of the Corporate Services Committee

July 26, 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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Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

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

Subject: Optional Small Business Subclass Summary and Analysis

Date: July 26, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, this report on the optional small business subclass BE RECEIVED for information.

Executive Summary

The purpose of this report is to provide an overview of the optional small business subclass as announced in the 2020 Ontario Budget and described in Ontario Regulation 331/21 and an analysis of implementation options. Should staff be directed to pursue the introduction of a small business subclass, a further analysis and consultation based on a graduated tax rate system with a discount rate of ten percent will be pursued.

Linkage to the Corporate Strategic Plan

Council's 2019 to 2023 Strategic Plan for the City of London identifies "Leading in Public Services" as a strategic area of focus. The information contained in this report would assist in developing future tax policy which aligns with Council priorities of the Strategic Plan that would "maintain London's finances in a transparent and well-planned manner to balance equity and affordability over the long-term".

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee, March 1, 2021, Consent Items 2.3 and 3.0, 2021 Tax Policy Expectations

Corporate Services Committee, April 19, 2021, Consent Item 2.12, Year 2021 Tax Policy

1.2 Tax Policy Guiding Principles

The guiding principles for the City of London's Tax Policy in past years have been equity, economic development, transparency, and administrative efficiency.

1.3 Ontario Regulation 331/21 Summary

The 2020 Provincial Budget announced that municipalities will have the option to provide a property tax reduction to eligible small business through the adoption of a new small business subclass. As of January 13, 2021, the Province has passed the necessary amendment to the Assessment Act. The legislated rules governing the small business subclassed are established in Ontario Regulation 331/21, passed May 6, 2021, with a deemed effective date of January 1, 2021.

Council may pass a by-law that opts to have the small business subclass apply to the commercial and/or industrial property tax classes. This by-law must define the conditions for properties to be included in the subclass and establish the rate of the reduction for the subclass. The reduction can be set up to 35% of the municipal rate for the property class. If implemented, the municipality must appoint an employee to be the “Program Administrator” who shall provide the assessment corporation with a list of properties, or portions of properties, approved for inclusion in the subclass for a taxation year and, also, make the list available for public inspection by electronic means.

The by-law may specify that the subclass only applies to a portion of the municipality such as a Business Improvement Area (BIA). The by-law may also establish different criteria for the subclass in different portions of the municipality.

The Regulation outlines land eligible for inclusion in the subclass as well as notable exclusions such as those in the parking lot or vacant land property class, vacant properties, and large industrial properties.

The Regulation also identifies the process specific to the small business subclass for a request for reconsideration or an appeal, including the appointment of a municipal employee as the “Appellate Authority.”

Administration of the subclass, including audits, and adjudication of any appeals is the responsibility of municipal staff.

As many small businesses are tenants in a portion of a large building, the regulation allows for municipalities to pass a by-law requiring that savings are passed on to the tenant as a condition of eligibility in the subclass. While it is not yet determined how this would be enforced, a complaint-driven process may be implemented.

The Province will consider matching municipal property tax reductions with education property tax reductions to provide further support for small businesses. To qualify for matching, municipalities would notify the Minister of Finance of the decision to adopt the subclass and submit the relevant municipal by-law, provide an estimate of total tax relief to small businesses, and provide confirmation of consultation with the business community. The Minister would then review each submission and determine whether to match municipal reductions on a case-by-case basis.

2.0 Discussion and Considerations

2.1 Small Business Subclass Implementation Considerations

Based on the details of Ontario Regulation 331/21, there are multiple factors which will require consideration and decisions on as follows:

- 2.1.1 Will the City of London implement the small business subclass for the commercial property class, the industrial property class, both classes, or not at all?
- The overall commercial property and industrial property classes make up approximately 23.3% of the overall amount of property taxes levied, with the commercial property class accounting for \$142.7 million and the industrial property class accounting for approximately \$14.1 million. The Ontario Regulation provides the municipality the ability to include all eligible commercial and/or industrial properties in the new small business property subclass.
 - The Ontario Regulation provides the municipality the ability to include all commercial and/or industrial properties (except for properties classified as large industrial, parking lot, or vacant/excess land) in the new small business property subclass.
 - Consistent with reports presented by other cities, given the significantly lower number of industrial properties, focusing exclusively a small business

subclass within the broader commercial class would have the most impact on small businesses.

2.1.2 How the Small Business Subclass will be defined?

- Small businesses are not formally defined by the Province in either the *Municipal Act, 2001* or the *Assessment Act* in relation to property taxation. Municipalities will be tasked with establishing the criteria used for identifying small businesses to be included in the optional small business subclass. Depending on which criteria is used, inclusion in the subclass will be application-based, which would be more complex and require significantly more administration work and related costs, or criteria-based, which would be data driven, automatic, and would result in less administration work and costs.

2.1.3 How would the tax reduction be funded?

- Consistent with other property subclasses, municipalities can fund the small business subclass either by absorbing the cost through a levy decrease or by funding it through a property tax shift to other classes. To which property tax classes will the property tax reduction for properties eligible for the Small Business Subclass shift? i.e. residential, multi-residential, farm, industrial, and/ or the remaining commercial properties not meeting the criteria?

2.1.4 Timing Updated Municipal Property Assessment Corporation (MPAC) data?

- At the time of this report, MPAC has not confirmed whether coding changes for properties eligible for the Small Business Subclass will be included on the year end tax roll for 2022 assessment purposes. Should the municipality want the eligible properties on the year end roll, it is suspected that these would need to be defined no later than mid September. The Ontario Municipal Tax and Revenue Association (OMTRA) has requested clarification from MPAC on several topics related to the implementation of the small business subclass. This includes the deadline date that a municipality must provide a list of eligible properties in order to have these properties returned with the small business subclass classification on the year end roll for 2022, and what the process will be for alternative means of reclassifying eligible properties.

2.1.5 Will the subclass apply to all properties in the municipality or be restricted to specific geographic areas such as Business Improvement Areas?

- The City may choose to specify that the subclass only applies to a portion of the municipality such as properties located in a Business Improvement Area (BIA). This approach would add administrative complexity and would not be equitable for all commercial properties in the City. Additionally, limiting eligibility to properties located in a BIA may result in applications for more BIAs within the City which would add an administrative burden to the Tax Office and other departments.

2.1.6 Administration costs

- Incremental costs associated with the implementation of the small business subclass include system programming, human resources, and additional processes. The City will need to appoint a “Program Administrator” and an “Appellate Authority” which means additional hiring may be required. If eligibility for the subclass includes information not available on the assessment roll, an application-based process would be necessary and would require additional resources. Creation of this subclass could necessitate major software changes depending on how the class is defined, monitored, and maintained. These costs would add to the Tax Office annual operational costs and to the overall tax levy.
- Appeal process development and administration – appeals are currently administered by the Assessment Review Board (ARB) and there is no existing internal capacity to review the types of appeals which will be

generated by the small business subclass. Establishing an internal appeal process will require time and financial resources.

- Audits will be needed to verify that the land continues to meet the criteria established for eligibility in the small business subclass. These costs would be much higher if application-based criteria were implemented.
- Education and Managing complaints – resources will be required to educate the public on the rules for the new subclass. It is probable that the addition of a small business subclass will result in an increased volume of complaints to be fielded by the Tax Office, including complaints from tenants not receiving the reduction.

2.1.7 Community Engagement

- Input from the public is a condition of the province matching the reduction through education property taxes and should be sought to ensure the intended benefit to small businesses is likely to be achieved through implementation of a small business subclass. Feedback should be obtained from property owners who would benefit from a small business subclass as well as those who would experience an increase in taxes due to a tax shift. The City may also wish to engage with stakeholders from the Chamber of Commerce and business improvement areas. As this is a new optional subclass for all of Ontario, it is important to also consult with other large municipalities to gain insight and develop a common approach.

2.1.8 Enforcement to Support Tenants

- Municipalities may choose to require in municipal by-law that landlords pass the tax reduction to tenants as a condition of eligibility in the subclass. Since tenant information is not included in the assessment roll, a process allowing tenants to file a complaint may be implemented. Any complaint claiming a landlord is not passing the tax reduction on to tenants would trigger an audit of the subject property. If the Program Administrator determines that an owner of land included in the small business subclass has not complied with eligibility requirements, including passing on tax reductions to tenants, the land shall cease to be included in the subclass retroactive to the beginning of the taxation year in which the determination was made.

2.2 Discount Rate for Small Business Subclass

- From a historical perspective, maintaining an assessment roll that accurately differentiates small businesses from other business properties is a complex administrative process. Prior to 1998, a Business Occupancy Tax (BOT) was used to attribute the business assessment to each property based on the type of business occupant. The BOT, which was administratively inefficient and questionable from an equity perspective, required a great deal of administrative work for MPAC and for local municipalities. The major tax reform implemented by the Province in 1998 eliminated the BOT by applying an average BOT percentage to all business properties and mitigating assessment change impacts by using a capping system. The effective rate of reduction deemed appropriate for the BOT was 5-8%, on average. As the small business subclass would also be implemented to tax properties based on the type of business occupant, it is recommended that a similar reduction rate be used for the optional small business subclass and that it be no greater than 10%.

2.3 Tax Office

- There are data points provided by MPAC that are readily available for use as criteria for the small business subclass. Property codes define the primary use of a property. Using these codes as criteria, it can be determined which property use definitions lend themselves to a small business definition.
- The Current Value Assessment (CVA) for each property is provided by MPAC and is used, in conjunction with the property class rates, to calculate the

- property taxes annually. Use of CVA to determine eligibility for the small business subclass would be objective and would be administratively efficient.
- This type of appeals process has not previously involved municipal staff. Currently, property owners may apply to the municipality or MPAC for a tax reduction. Once a decision is made, if the property owner wishes to appeal, the Assessment Review Board (ARB) acts as the independent adjudicative tribunal as established under the *Assessment Act*. Upon adoption of a small business subclass, municipalities are required to appoint an Appellate Authority to hear appeals about whether or not the property should be included in the subclass. As municipal staff has no experience adjudicating this type of appeal, a hiring or training process and related costs would be needed. Appeals related to assessed value would continue to be directed to the ARB.
 - The *Municipal Act, 2001* provides municipalities with enforcement powers related to collection of tax arrears including charging penalty and interest on overdue taxes and registering properties for tax sale if arrears exceed two years. Enforcement of property owners sharing tax reduction with tenants is not specifically mentioned. Civic Administration would need to work through how the enforcement of savings being passed through to tenants would be achieved.

3.0 Financial Impact/ Considerations

3.1 Budget Impacts

Creating a small business subclass with a lower tax rate will result in a reduction in tax revenue from eligible properties. Although, the Province has passed Regulation 331/21 to allow municipalities to adopt a small business subclass, there is no provincial funding provided which means the subclass must be revenue neutral. This can be achieved by reducing the overall tax levy, by shifting the cost to all other classes, including residential, or by shifting the cost within the broader commercial class using revenue neutral ratios. Since this would be a subclass of the broader commercial class, the recommendation is to shift any reduction within the commercial class.

The most recent communication from MPAC indicated that any coding changes related to a small business subclass would be captured using supplemental billings in 2022 which would result in tax write-offs. The changes will need to be implemented on the year-end roll to allow for a tax shift in 2022. Ongoing discussion with MPAC is required to verify whether this will be possible.

Additional budget impacts are the costs associated with implementing and maintaining the small business subclass. The extent of these costs will vary depending on the criteria and approach used to define the subclass.

4.0 Key Issues and Considerations

4.1 Small Business Subclass Options

4.1.1 Income Thresholds

- Using total annual sales revenue for identifying small businesses would require an application-based approach. The Tax Office does not collect information related to sales revenue by business nor is the current Property Tax System able to maintain the information for these data points. The purchase of new software or enhancements to existing software would be necessary. Obtaining this data would be cumbersome and the potential for appeals would be high as applicants attempt to demonstrate that their annual sales fall within the established criteria. Additionally, the sales data would need to be validated annually to ensure properties still qualify for inclusion in the subclass. The use of total annual sales as criteria for eligibility for the small business subclass is not recommended as it would be administratively

burdensome for potential applicants, difficult to operationalize, and costly to the City.

4.1.2 Number of Employees

- Another application-based approach for identifying small businesses is number of employees. While it may be possible to obtain data identifying the number of employees from the London Chamber of Commerce, data for non-members would be unavailable. The current Property Tax System is not setup to maintain the information for these data points. Obtaining this data would be cumbersome and the potential for appeals would be high as applicants attempt to demonstrate that their number of employees fall within the established criteria. Using number of employees as criteria would not be administratively efficient and, since data is not available for all businesses, not equitable for all commercial property owners. For these reasons, using number of employees as criteria for inclusion in the small business subclass is not recommended.

4.1.3 Small Business Type

- Small businesses may be defined by type of business using business licensing data available from the City Licensing Office. There are limitations to this data since only the types of business listed in By-law L.-131-16 require a license. It is also possible that some of the businesses issued a license would be large restaurant or retail chains and not small in nature. The Current Property Tax System is not setup to maintain this type of data so an application-based approach would be necessary. Using type of business as defined by business license is not recommended as it would not be equitable to all commercial properties and the process would be administratively inefficient.

4.1.4 MPAC Property Codes

- A criteria-based approach would utilize data points available to the City such as MPAC property codes which define the primary use of a property. Using these codes as criteria, it can be determined which property use definitions lend themselves to a small business definition. However, the use of a property does not necessarily identify whether the occupant is a small or large business. While this data is available through MPAC, it has not been confirmed how accurately the codes define use nor how current the codes are. Additionally, there is a potential for increased appeals if MPAC property codes are used to identify eligibility as inclusion or exclusion may be considered subjective in nature. For these reasons, the use of MPAC property codes as criteria is not recommended.

4.1.5 Current Value Assessment (CVA) Threshold

- Small businesses may be defined using a CVA data which is already supplied by MPAC. Using an amount of \$500,000 as a threshold, any commercial property with a CVA lower than that amount would be eligible for the small business subclass. Approximately 2,349 properties would be eligible using this threshold with an approximate total of \$2,869,000 shifted to the broader commercial class.
Using CVA as criteria is relevant to identify small businesses since the market value of a commercial property is determined based on the income approach. The income that the property generates is determined and then capitalized using an applicable multiple based on an appropriate interest rate. The value is determined based on income generating capabilities.
Use of a CVA threshold as criteria would be automatic and not subject to interpretation which should reduce the volume of appeals. As stated earlier, any appeals based on assessment will continue to be heard by the ARB which eases the administrative burden on City staff.

A potential concern with using these criteria would be that properties with a CVA of \$501,000 would not be eligible while properties with a CVA of \$499,000 would. This raises the question of whether this policy would be equitable for all property owners and could lead to an increase in assessment appeals in an attempt to meet the CVA threshold.

4.1.6 CVA with Graduated Tax Rate System

- Use of a graduated tax rate system could alleviate the concerns related to equity and help to mitigate the incentive for assessment appeals. Using the same threshold, the first \$500,000 of CVA would be eligible for the small business class while any CVA above \$500,000 would be taxed at the broader commercial class tax rate. Since all commercial properties are included, this approach is equitable.

Using a graduated tax rate system would result in approximately 4,163 properties being fully or partly eligible for the small business subclass with an approximate total of \$4,510,000 shifted to the broader commercial class. This CVA data is already available from MPAC and modelling is available through OPTA to help calculate the potential impact of the subclass while reducing the administrative burden.

There is currently an electronic tax roll available to the public which includes CVA data. The availability of this data allows for a high level of transparency. The use of CVA with a graduated tax rate system as criteria for the small business subclass is administratively efficient, equitable, and transparent. If the optional small business subclass is adopted, this is the recommended criteria for defining small businesses.

4.1.7 Geographical Areas

- Limiting eligibility for the small business subclass to properties in a geographical area would add a layer of intricacy that would result in adding another level of administrative complexity for both application-based and criteria-based approaches. Approving only a portion of the City for the small business subclass would not be equitable for all commercial properties in the City. Additionally, limiting eligibility to properties located in a BIA may result in applications for more BIAs within the City which would add an administrative responsibility to the Tax Office and other Service Areas. It is not recommended that eligibility for the small business subclass be limited to geographic areas such as Business Improvement Areas.

4.1.8 Keep Status Quo

- A Tax Policy objective has been to promote economic development by reducing the business class ratios since 2011. These lower ratios, along with the 2021 reduction in education rates, continue to provide property tax relief to all commercial properties. From an equity standpoint, to date all businesses have been treated equitably. By introducing a small business subclass, subject to the approach used, businesses would not be treated equitably as the discount realized by the small business subclass would be offset by an increase to the other businesses not categorized as a small business. Further, the most administratively efficient option is to maintain the status quo and choose not to adopt the optional small business subclass. Providing targeted support to small businesses may be achieved with a higher level of success through means other than a property tax subclass.

4.2 Other Municipalities

- Based on analysis and conversations to date, other major municipalities in Ontario are bringing forward a program in late fall.
- Ottawa has roughed out a program however it has not been finalized and more details will be available in the fall

- A report prepared for The Toronto Financial District Business Improvement Area, titled “Options for Toronto: Current & Best Practices in Canadian Small Business Property Tax Relief,” recommended an application-based model for small business aid while acknowledging administration and enforcement challenges. The fallback option recommended the use of graduated tax rates with enhanced thresholds over time.

Conclusion

Ontario Regulation 331/21 outlines the rules and requirements for implementation of the optional small business subclass. Municipalities must establish criteria for eligibility, provide a list of eligible properties to MPAC, appoint staff to administer the program and respond to appeals, and participate in public consultation.

It is advised that should the optional small business subclass be introduced, a criteria-based approach rather than an application-based approach be utilized. More specifically, a graduated tax rate system is the most viable option. Regardless of the chosen criteria, the decision to implement the small business subclass will result in additional implementation and operational costs, as well as a time commitment from software support, tax office staff, and partner organizations such as MPAC.

Should direction be provided to pursue the graduated tax rate system approach, a deeper analysis, identification of potential impacts, including number of eligible properties, positive and negative impacts on property owners, and associated costs will be provided along with an implementation plan in a future report.

“that staff BE DIRECTED to conduct further analysis and consultation based on the assumption that criteria for inclusion in a small business subclass, if adopted, will use a graduated tax rate system with a discount rate of ten percent.”

Prepared by: Joseph McMillan, Division Manager, Taxation and Revenue

Submitted by: Ian Collins, Director, Financial Services

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

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Anna Lisa Barbon
Deputy City Manager, Finance Supports
Subject: Corporate Asset Management Plan 2021 Review
Date: July 26, 2021

Recommendation

That on the recommendation of the Deputy City Manager, Finance Supports, this report with respect to the Corporate Asset Management Plan 2021 Review **BE RECEIVED** for information.

Executive Summary

This report details the Corporate Asset Management Plan (CAM Plan) 2021 review which provides state of infrastructure and infrastructure gap updates to all directly owned City assets. Summary report cards for seven (7) services are provided for Water, Wastewater, Stormwater, Wastewater Sanitary, Transportation, Parks, Recreation, and Corporate Facilities, which comprise of over 92% of the City's replacement value. This annual update follows the 2019 CAM Plan recommendation #4.

The City's 10-year infrastructure gap (2021-2030) approximates \$666.9 million. It is an increase of \$47.8 million from the 2020 gap calculation (2020-2029) of \$619.0 million. The key gap contributors include Transportation increasing \$80.3 million when compared to the 2020 gap calculation, while cumulatively Recreation, Sanitary, Parks, and Corporate Facilities have decreased \$29.6 million compared to the 2020 gap calculation. Transportation's gap increased as construction cost for roads have increased, while the other identified services decreased as they had additional projected reserve fund availability, in particular, Capital Infrastructure Gap reserve fund (RF118).

The Provincial Orders associated with COVID-19 and resulting municipal actions (such as deferring lifecycle management capital budgets), resulted in impacted levels of service for Parks, Recreation, Urban Forestry, Long Term Care and Corporate Security. Examples of COVID-19 impact include inability to provide services as a result of Provincial Orders (Parks Amenities, Recreation spray pads, etc.), City-directed deferral of capital budgets (Urban Forestry Downtown Street Tree planting budget), staff being reassigned to handle COVID-19 emergency (Corporate Security & Emergency Management), and Long-Term Care Homemakers Programs hours of service and occupancy rate decreasing in 2020.

Separate from the direct impacts of COVID-19, services that have a risk of not meeting service include Transportation (escalating road costs result in decreased reinvestment rates, and large number of existing streets without a sidewalk), Long Term Care (absence of allocated capital budget for equipment as recommended in 2019 CAM Plan), and Urban Forestry (industry standard of street tree trim cycle of 5 years compared to current cycle of 10 years).

The above observations will continue to be monitored by Civic Administration to determine future recommendations for Council consideration. Infrastructure condition assessments and other data refinements are also being advanced as a comprehensive review of City assets is conducted with the new 2023 Corporate Asset Management Plan.

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 Corporate Asset Management Plan 2021 Review Report 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 includes ‘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 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 the 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 Background

The City of London released its second Corporate Asset Management Plan (CAM Plan) in 2019. It describes current asset management practices and plans to secure the service of reliable infrastructure in the future. The Plan is consistent with federal and provincial funding requirements. The Plan also incorporates requirements subsequent to Ontario passing the *Infrastructure for Jobs and Prosperity Act, 2015*, which resulted in the Ontario Regulation (O.Reg 588/17): Asset Management Planning for Municipal Infrastructure, going into effect January 1, 2018. The 2019 CAM Plan complies with phase two of O.Reg 588/17, for directly owned City assets. This compliance is ahead of the phase two deadline of July 1, 2024 and incorporates some components of the phase three deadline of July 1, 2025.

This report implements recommendations in the City’s 2019 Corporate Asset Management Plan, mainly, recommendation #4 “Monitor the progress of the Corporate Asset Management Plan”. This is consistent with O. Reg 588/17 requiring that annual progress reviews be prepared by July 1, 2026 (or one year after Phase Three of O. Reg 588/17 is implemented). It also continues the practice of reporting and monitoring of Transportation’s infrastructure gap, which continues to be the largest gap since the City first quantified the infrastructure gap in its 2013 State of Infrastructure Report.

This 2021 CAM Plan review includes:

- A 2-page summary Report Card (Listed in Appendix A) that includes State of Infrastructure updates (i.e., Inventory, Replacement Value, and Condition), Infrastructure Gap, and Level of Service overview.
- The Report Card is mainly developed for the core municipal infrastructure as defined by O.Reg 588/17 and some additional services that have a large Infrastructure gap including:
 - a) Transportation (Roadways, Structures, and Traffic);
 - b) Wastewater (Stormwater and Sanitary);
 - c) Water;
 - d) Recreation;
 - e) Parks; and,
 - f) Corporate Facilities.

- Updates to the City’s infrastructure gap given the budget revisions during the Multi-Year Budget Process, along with 2020 and 2021 Assessment Growth funding allocations.
- Update on how City services are meeting the preliminary level of service targets, relative to metrics updated from the 2019 CAM Plan.
- Commentary and progress on the seven recommendations listed in the 2019 CAM Plan.

The information presented in this report is based on the best currently available data for asset inventory, condition, and degradation modelled data, along with funding approved in the 2021-2023 capital budget and 2024-2030 capital and 2024-2029 reserve fund forecast.

COVID-19 Impacts

The novel coronavirus (COVID-19) continues to cause unprecedented health, social and economic challenges locally, nationally, and globally. Next section of this report highlights COVID-19 Impacts on level of service targets and describe how Customer Value categories were impacted. The financial consequences of COVID-19 to the City of London continue to be experienced and are likely to continue into the foreseeable future.

In addition, as of March 15, 2021, the Ministry of Infrastructure extended O. Reg 588/17 deadlines (all three phases) because of the COVID-19 pandemic. As outlined earlier in the report, the phase one deadline is now July 1, 2022, phase two deadline is now July 1, 2024 and the phase three deadline is now July 1, 2025.

Future annual reviews and CAM Plan updates will have greater clarity on any additional financial impacts, and the development of the next full CAM Plan update.

2.0 Discussion and Considerations





2.1 2021 Corporate Asset Management Plan Review

The City’s assets have approximately \$22.2 billion in replacement value in 2021 which increased from the \$20.1 billion estimated in the 2019 CAM Plan and \$21.3 billion estimated in the 2020 CAM Plan update. While City assets are generally in “Good” condition, investment needs for infrastructure exist. An optimal amount of funding is required to manage current and future asset risks. The difference between the optimal amount and available budget is the infrastructure gap.

The City has a growing infrastructure gap as outlined in the latest CAM Plan 2019. This is resulting from lifecycle renewal budgets being less than the identified optimal expenditure required to maintain current levels of service for City services within the CAM scope. Mitigating the infrastructure gap and its projected growth, to achieve sustainability, requires either an increase in infrastructure investments or a reduction in the number of services or levels of services that the City provides. The recommendation from the 2019 CAM Plan was to increase funding to mitigate the growth of the City’s infrastructure gap over a 25-year timeframe. Despite the additional funding received during the Multi-Year Budget, the infrastructure gap is still expected to grow, but at a reduced rate.

The analysis concludes that over the next decade, the City of London projects spending that approximates \$1.8 billion to address its lifecycle assets in the scope of the CAM Plan. This level of expenditure will result in an infrastructure investment gap of roughly **\$666.9 million** over the cumulative 10-year period of 2021-2030, as seen in Table 1, which represents 3.01% of the \$22.1 billion asset base.

Table 1 – 2021 CAM Plan Review Key Findings

CAM Plan (Year)	Replacement Value	Current Condition	Cumulative 10 Year Infrastructure Gap	Gap as a % of Replacement Value
2021	\$22.1 billion	Good	\$666.9 million	3.01%
2020	\$21.3 billion	Good	\$619.0 million ⁱ	2.91%
2019	\$20.1 billion	Good	\$568.8 million	2.82%
Trend				

As listed in Figure 1, approximately 61.0% of the gap is from Transportation (\$407.0 million). Parks approximates 3.4% of the gap (\$22.5 million), Recreation approximates 14.7% of the gap (\$97.8 million), and Corporate Facilities approximates 3.8% (\$25.4 million). Further details on the gap for these services can be found in Appendix A.

When comparing the 2021 gap to the 2020 gap, the increase of \$47.8 million (\$619.0 to \$666.9 million) is attributable to Transportation’s \$80.3 million gap increase, and a decrease from Recreation (\$13.5 million), Parks (\$7.2 million), Sanitary (\$6.8 million) and Corporate Facilities (\$2.1 million). Transportation’s gap change resulted from 10-year needs (increased construction cost for roads) increasing by \$113 million, while budget and projected reserve fund availability increased by only \$33 million. The Recreation, Parks, and Corporate Facilities decreases are attributable to increasing projected reserve fund availability, primarily from Capital Infrastructure Gap reserve fund (RF118), as annual assessment growth funding cases mitigate the increase in needs. Similarly, Sanitary’s gap reduction is attributable to additional reserve fund availability, However detailed assessment of wastewater treatment plants requirements is currently underway and the sanitary Infrastructure gap will be recalculated based on accurate condition assessment information in the next Full CAM Plan in 2023.

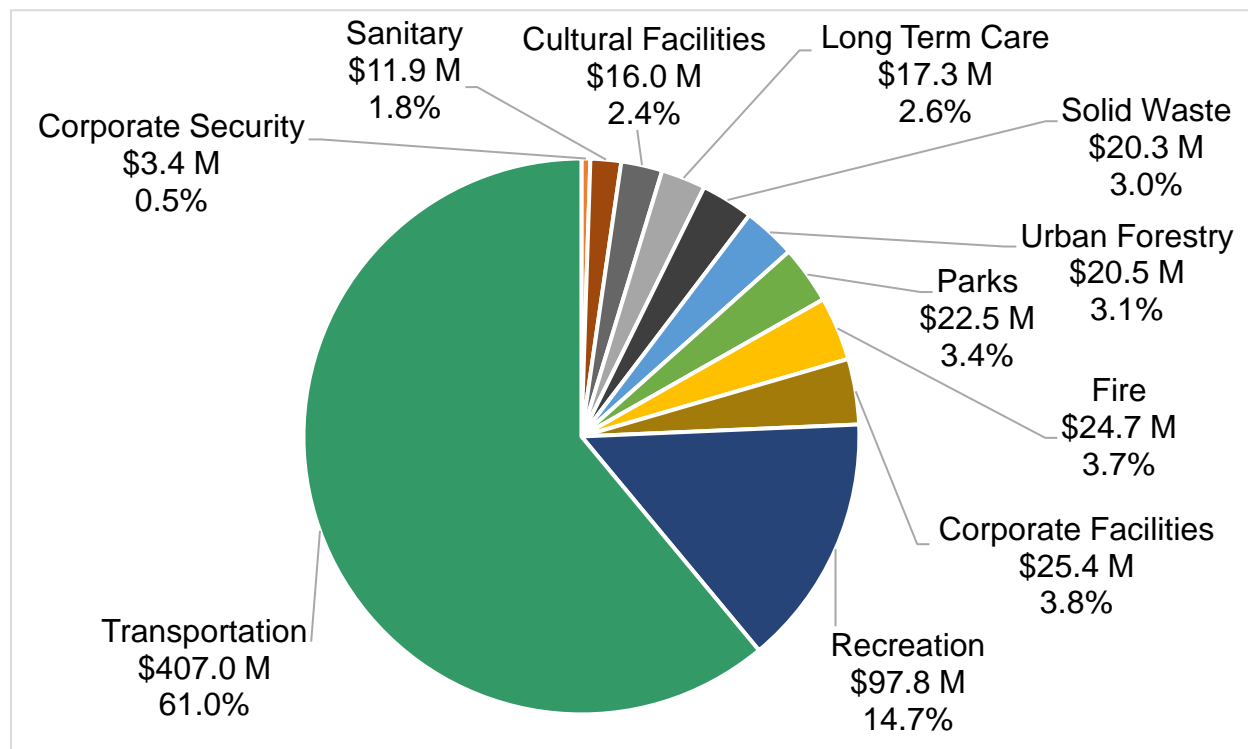


Figure 1–10 Year Infrastructure Gap Breakdown by Services

ⁱ The 2020 Cumulative 10-year gap has been adjusted due to an error occurred while retrieving information from Recreation and Corporate Facilities databases, which resulted in overestimating the 2020 10-year gap by \$16 Million.

2.2 Infrastructure Gap Comparison

Figure 2 illustrates the projected 2014 and 2019 CAM Plan infrastructure gap and the 2020 and 2021 infrastructure gap curves with the adopted infrastructure gap mitigation strategies. The strategies adopted through the 2020-2023 Multi-Year budget period to mitigate the 2019 projected infrastructure gap had contributed to the reduction of the actual assessed gap in 2021. The analysis shows that the forecasted cumulative 10-year infrastructure gap calculated in the 2019 CAM Plan, which was approximately \$568.8 million, is reduced by roughly \$16.6 million. The significance of the recommended mitigation strategies is reduced due to the continued increase in the Transportation infrastructure gap. Most of the reduction is happening between the years of 2020-2023 in the Multi-Year budget period, and continuously adopting similar mitigation strategies will contribute to future reduction in the City's infrastructure gap. However, COVID-19 pressures resulted in yet to be fully quantified price increases in materials and services for most assets lifecycle renewal projects. Fewer asset inspections due to COVID-19 may also be understating requirements and the infrastructure gap.

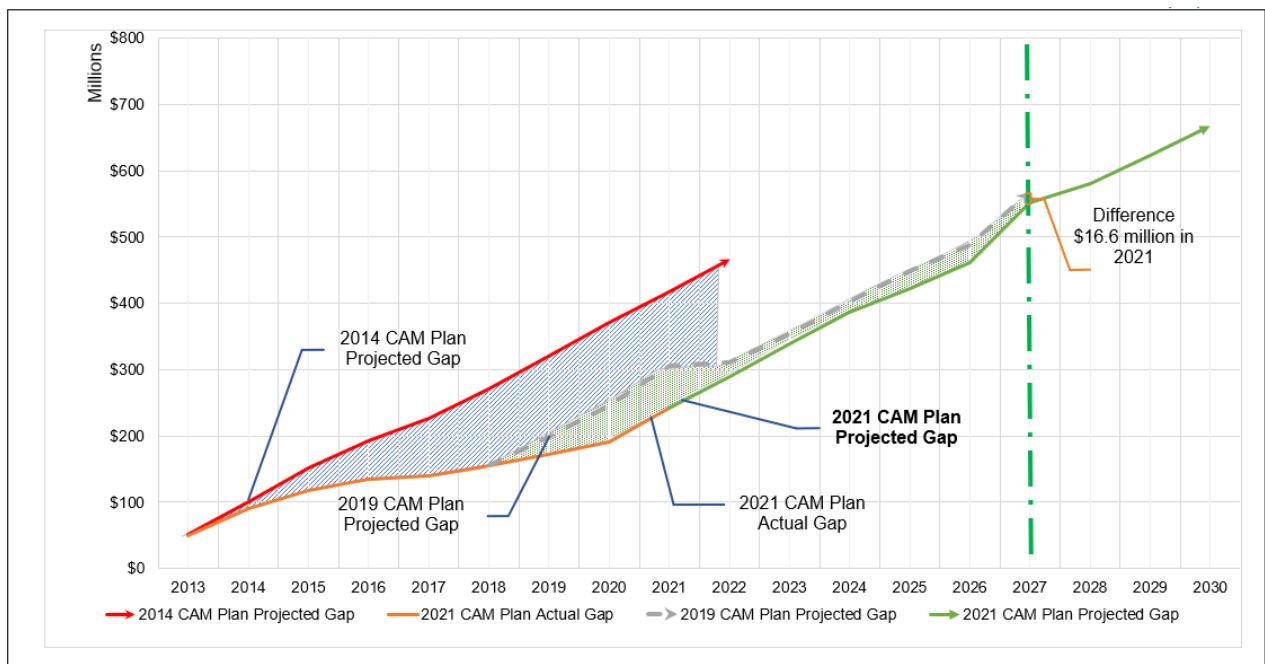


Figure 2 – Infrastructure Gap Comparisons

This annual review has not been comprehensively updated for the needs for all services within the Corporate Asset Management Scope. However, this update represents more than 92% of the assets included in the 2019 CAM Plan, based on their replacement values. In instances where the updated needs information could not be readily obtained, a projection of needs based on the 2019 CAM Plan was used.

2.3 Preliminary Level of Service (LOS) Metrics

The City of London defines its Level of Service (LOS) by understanding and quantifying the value that customers place on services and making customer requirements central to our planning processes. The LOS framework development process follows three main stages summarized below:

- a) Stage one: Establish LOS baseline (2019 CAM Plan)
 - i. Start-up
 - ii. Develop metrics and performances
- b) Stage two: Conduct periodic review (2021 CAM Plan update)
- c) Stage three: Future implementation
 - i. Identify financial relationships
 - ii. Seek public engagement
 - iii. Monitor and review

The 2021 CAM Plan Review process included a Level of Service metric update for 2019 data. Each service area provided an update to their level of service metrics (in the customer value category). Customer Values measure the perception of what the service is worth to the public versus any possible alternatives. Appendix B outlines the description and scope of each Customer Value category:

Each Customer Value category is assigned a status indicator to help define progress towards implementation. The four status indicators are:

- **'Meeting Targets'**, action is ongoing or completed annually; action is in progress and is on target to be complete by the target end date.
- **'Not Meeting Targets'**, LOS target is not achieved or expected to be significantly delayed.
- **'Risk of Not Meeting Targets'** LOS metric has been flagged as possibility of not being achieved by the target end date.
- **'Not Assessed' / 'Not in Scope'** has been added for those instances where the service area was unable to provide an update during this reporting period or the customer value has no metric for the specific services.

The listings in Table 2 and Table 3 are still considered preliminary – at this time not every service has metrics related to each customer value, or there is insufficient data available to perform a comprehensive update. These metrics will be expanded upon in future years with the intent to refine and report in the next full CAM Plan update in 2023. A high-level overview is provided below for “Customer Values” that are not meeting targets or are at risk of not meeting targets.

Table 2 – Level of Service Targets Summary Results

Targets Assessment	Customer Service	Cost Efficient	Accessible	Legislative/ Safety	Reliability/ Availability	Quality	Environmental Stewardship/ Sustainability	Total
Meeting Targets	5 (55.5%)	11 (73.3%)	4 (66.6%)	8 (88.9%)	9 (75.0%)	5 (50.0%)	12 (100.0%)	54 (73.9%)
Risk of Not Meeting Targets	0 (0%)	2 (13.3%)	1 (16.7%)	1 (11.1%)	0 (0%)	3 (30%)	0 (0%)	7 (9.6%)
Not Meeting Targets	2 (22.2%)	2 (13.3%)	0 (0%)	0 (0%)	3 (25.0%)	0 (0%)	0 (0%)	7 (9.6%)
Not Assessed	2 (22.2%)	0 (0%)	1 (16.7%)	0 (0%)	0 (0%)	2 (20.0%)	0 (0%)	5 (6.9%)
Total	9 (100%)	15 (100%)	6 (100%)	9 (100%)	12 (100%)	10 (100%)	12 (100.0%)	73 (100%)

2.3.1 Not Meeting Targets Assessment

Transportation’s ‘Reliability/Availability’ metric is not meeting targets as a large percentage of freeways, arterials, primary collectors, secondary collectors, and local road segments, and Structures (such as bridges and culverts), are not meeting desired condition targets and showing signs of further deterioration.

Urban Forestry is not meeting the cost-efficient target as the Woodlands and Street Trees current reinvestment rates have decreased. It suggests the Woodlands and Street Trees infrastructure gap will increase at current levels of funding.

- Not Meeting Targets Assessment Resulting from COVID-19

Urban Forestry is not meeting ‘Customer Service’ metrics due to COVID impact, as street plantings budget (specifically downtown street tree plantings) was deferred to nil (\$225,000 deferred) to mitigate COVID financial impacts, and thus fewer street trees were planted (approximately 4,000 where targets approximate 6,000).

Parking’s ‘Cost Efficient’ value is not being met as gross parking revenue (off-street and on-street spaces) and revenue per parking spaces have plummeted because of COVID-19 impacts and recovery initiatives (these 2020 revenue sources are approximately 20% of a typical annual revenue of the past several years).

Corporate Security & Emergency Management is not meeting the target for ‘Customer Service’ as the number of days spent training or educating decreased in 2020 as Security staff needed to be re-assigned to COVID-19 management tasks (approximately 17 days compared to a typical 46 to 49 days per year).

Parks and Recreation ‘Reliability/Availability’ was severely impacted by COVID-19. This includes no access to Parks amenities from March to late May 2020, with reopening beginning May 21, 2020. The reopening occurred under the context of health measures and safety precautions, such as social distancing and limiting the number of individuals to a gathering. Additionally, Oakridge arena (serving as a COVID-19 Assessment Centre) and Farquharson arena were not in operation as rinks due to the pandemic in 2020.

Certain Park facilities (washrooms) became available on June 19, 2020 and sports fields, cricket pitches, and baseball diamonds could issue permits starting July 15, 2020. However, Parks pathways were open with signs about social distancing.

Resulting from provincial orders, Recreation services have fluctuations from no availability to partial availability of services since March 2020. For example, Golf was not available from late March to mid-May. Most City spray pads opened June 12, 2020, and certain Aquatics facilities began opening in July 2020.

Recreation Community Centres events were cancelled for the months of July and August. However, modified programming was delivered while meeting all provincial and health unit health and safety guidelines and orders. Specifically, Carling Heights Optimist Community Centre was utilized as a Community Assessment Centre. While no formal surveys were conducted, positive anecdotal customer responses were received by staff.

2.3.2 Risk of Not Meeting Targets Assessment

Transportation's 'Accessible' customer values are at risk of not meeting the target due to the large number of existing streets without sidewalks on the list of warranted sidewalks and as a result of the London Plan policies generally requiring sidewalks on all streets.

Transportation's 'Cost Efficient' customer values are at risk of not meeting targets because roadway and structures annual average investment rates decreased in 2020, after several years of static reinvestment rates. Given the increased funding gap with roadways and structures over the past several years, it suggests an increasing roadways and structures gap at current levels of funding due to escalating of construction cost over the past few years.

Long Term Care's 'Cost Efficient' value is at risk of not meeting as Facilities' reinvestment rate is showing slight decreases as well as insufficient capital funding for equipment assets as recommended by the CAM Plan 2019. The 'Quality' value is also at risk of not meeting targets as the Homemakers Program hours of service and occupancy rate decreased in 2020 due to lockdown restriction imposed by the province.

Urban Forestry is at risk of not meeting 'Legislative/Safety' category targets because the biologically optimal frequency for tree trimming or planned urban forest maintenance target is five years, while the current cycle is at 10 years.

- Risk of Not Meeting as a Result of COVID-19

Corporate Security & Emergency Management is at risk of not meeting the target for 'Quality' as 95% of requests were completed in a 24-hour time frame and 5% were cancelled due to Emergency Operations Centre (EOC) operations reprioritized to address COVID issues, as opposed to a 100% target.

Corporate Facilities is at a risk of not meeting 'Quality' targets as facilities are showing condition deterioration and there is a risk of not meeting targets in the future. COVID-19 caused unplanned but prioritized work while postponing other lifecycle renewal projects. Facility assessments audits and annual inspections were also delayed. The pandemic has also resulted in an increase of construction materials and service provision costs.

Table 3 – 2021 Level of Service Targets

Service	Customer Service/ Public Education	Cost Efficient	Accessible	Legislative/Safety	Reliability/ Availability	Quality	Environmental Stewardship/ Sustainability
Water	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Sanitary	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Stormwater	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Transportation	Meeting Targets	Risk of Not Meeting Targets	Risk of Not Meeting Targets	Meeting Targets	Not Meeting Targets	Meeting Targets	Meeting Targets
Parking	Meeting Targets	Not Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Solid Waste	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Parks	Not Assessed	Meeting Targets	Meeting Targets	Meeting Targets	Not Meeting Targets	Not Assessed	Meeting Targets
Recreation	Not Assessed	Meeting Targets	Not Assessed	Meeting Targets	Not Meeting Targets	Not Assessed	Meeting Targets
Urban Forestry	Not Meeting Targets	Not Meeting Targets	Meeting Targets	Risk of Not Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Fire	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Long Term Care	Meeting Targets	Risk of Not Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Risk of Not Meeting Targets	Meeting Targets
Corporate & Cultural Facilities	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Risk of Not Meeting Targets	Meeting Targets
Fleet	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
IT	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets
Corporate Security & Emergency Management	Not Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Meeting Targets	Risk of Not Meeting Targets	Meeting Targets

Legend
Meeting Targets
Risk of Not Meeting Targets
Not Meeting Targets
Not Assessed
Not in Scope/ TBD

3.0 Key Issues and Considerations

3.1. Review of *Corporate Asset Management Plan 2019* Recommendations

The Corporate Asset Management Plan 2019 contained seven recommendations resolved by Council to strongly support the development of standardized asset management practices in the City of London. The progress and status of these recommendations are described below.

Recommendation 1: Continue to align the Plan with 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. These areas 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 the City's finances are transparent and well planned to keep costs as low as possible with the intention to limit the burden on current and future rate payers. This 2021 Corporate Asset Management Plan review continues to align with the Corporate Strategic Plan.

Recommendation 2: Continue to advance the Corporate Asset Management Program.

- The Corporate Asset Management program has completed four of its seven units and continues to develop templates and procedures to fully implement the CAM program for all service areas.
- COVID-19 has delayed some of the CAM program implementation timelines due to maintaining minimal operations and delivering essential services across the City. This requirement delayed some tasks and moved all meeting and workshops to online platforms, including:
 - Delaying the Go Live date of the Corporate Asset Management software for Transportation Assets.
 - Delaying the implementation of the Risk module of Unit 6 “pilot trials” to start in Summer 2021.

Recommendation 3: Enhance the Corporate Asset Management Program.

- CAM Program enhancement continues to form the basis of the approach while exercising flexibility to achieve effective results.
- CAM Section is working with City services to ensure asset databases are comprehensive and to identify where improvements can occur.(e.g. Issuing RFP to conduct wastewater treatment Plant Condition assessment, Similarly developing RFP to inventory and assess condition for small diameter Culverts, and Improving Data collection approach for bridges and structures)
- Introduction of the CAM Plan Report Card for core services and services that have a large infrastructure gap.
- Embarking on updating various level of service metrics using predefined customer values which will ensure compliance with Phase 3 of O.Reg. 588/17.

Recommendation 4: Monitor the Progress of the Corporate Asset Management Plan.

- The 2021 CAM Plan Review assists in monitoring the CAM Plan progress.
- Since the CAM Plan, the City has progressed with its financial strategies, although COVID-19 has impeded the expected advancements.

Recommendation 5: Explore opportunities to incorporate the corporate asset management practices to the Boards & Agencies of the City as appropriate.

- In spring 2021, CAM Section completed its Asset Management Maturity Assessment of Agencies, Boards, and Commissions.
- The CAM Section has been working closely with London Middlesex Community Housing (LMCH) to develop their Asset Management Plan, providing various tools, templates, and regular advice to help transfer Asset Management best practices and expertise to their staff. The LMCH Asset Management Plan was completed August 2020.

Recommendation 6: Engage the Public and Community Partners in the Asset Management Process.

- The CAM Section has begun the process of working with stakeholders from internal agencies, boards, and commissions to expand the coordination of asset management across the City.
- CAM Section is also working with Canadian Network of Asset Managers (CNAM) and Asset Management Ontario (AMONTARIO) to produce resources to help educate the public and raise awareness on Asset Management processes.

Recommendation 7: Continue to explore opportunities to address the infrastructure gap through various financial strategies.

- With Council's prioritization, the City has made significant strides towards increasing the amount of funding available for lifecycle renewal since 2016, when the Capital Infrastructure Gap Reserve Fund was first established. In 2019, CAM Section submitted an additional investment business case during the Multi-Year Budget (Business Case #4 - City of London Infrastructure Gap). The amount approved resulted in approximately a 0.16% tax increase.
- The Capital Infrastructure Gap Reserve Fund is anticipated to receive \$48.6 million in tax supported contributions during the 2021-2023 period. This reserve fund is a significant source of financing for numerous lifecycle renewal capital projects over the course of the City's 10-year capital plan. As illustrated in Figure 2, when comparing the 2019 CAM Plan projected infrastructure gap to the 2021 updated gap, it indicates the infrastructure gap would have been approximately \$16.6 million greater if not for the Multi-Year budgets approved during winter 2020.
- CAM submitted a 2020 assessment growth business case (2020 Assessment Growth Business Case #24) and 2021 assessment growth business case (2021 Assessment Growth Business Case #21) to ensure adequate on-going lifecycle renewal activities for increased tax-supported infrastructure. Annual assessment growth funding allocations for new infrastructure are based on recommended annual reinvestment rates for applicable infrastructure, as listed in the 2019 CAM Plan.

3.2. Corporate Asset Management Key Initiatives

The basis for CAM Program implementation across various City services is to adopt key initiatives and align with City changes that occur outside the CAM Program. The key CAM Program improvement initiatives include:

3.2.1 Aligning with the New Organization Structure

Effective May 4, 2021, the City's organizational restructuring was formally introduced. It resulted in new teams and new service areas being formed. Restructuring will affect different components of the CAM Program. The CAM program will align with the organizational restructuring by amending the existing CAM steering committee members, modifying the next CAM Plan structure, and formally coordinating with Climate Change Planning.

a) Amending CAM Steering Committee

CAM steering committee generally includes Directors and Division Managers representing the major functional areas included in the CAM Program. They provide guidance and direction for asset management development and implementation. Following the restructuring, the steering committee will incorporate the new organization structure changes. An additional separate Steering Committee may be formed to include representatives from the Agencies, Boards, and Commissioners (ABCs) as the CAM Plan's scope will expand and align with O.Reg. 588/17 requirements. CAM section will identify key stakeholders and prepare an introductory package for the new committee members to introduce the CAM program, scope of work, and the next four (4) years' schedule.

b) Amending the CAM Plan Structure

The City restructure results in the next CAM Plan sections (and associated infrastructure gap distribution) to be adjusted for each service area. Given the restructuring is expected to rearrange how certain Division's infrastructure needs and budgets, the associated infrastructure gap distribution is also expected to be rearranged.

c) CAM Coordination with Climate Change Planning

Asset management helps evaluating trade-offs between service levels, cost, and risk for the City natural and built infrastructures. The coordination between the Corporate Asset Management and Climate Change Planning at City of London will provide an effective and cost-efficient way to implement climate change mitigation and adaptation responses. It makes use of existing processes and helps the City balance investments, working toward the goal of sustainable service delivery.

3.2.2 Full CAM Plan Development- 2023

The CAM Plan is a living document that will continue to reflect the evolution of asset management practices within the City. Early 2022, the CAM section will embark on developing the next full CAM Plan update to be published by Summer 2023 to inform the next Multi Year Budget. This process will require engaging internal and external expertise to support and conduct various analysis to enable the development of the next CAM Plan. In preparation for the next 2023 CAM Plan Update, CAM section will omit next year's (2022) annual monitoring and review of the 2019 CAM Plan to focus on development of the 2023 CAM Plan. The new CAM Plan will incorporate requirements of Phase Three of Ontario Regulation (O.Reg 588/17): Asset Management Planning for Municipal Infrastructure, ahead of the phase three deadline of July 1, 2025.

3.2.3 Community Engagement

Over the coming two years CAM section will initiate community engagement in the Asset Management processes. The project begins internally by working with the City communication department to select the best method to engage the public and community partners. External support is expected to plan and implement the project phases including public education and public consultation.

3.2.4 Agencies, Boards, and Commissioners (ABCs) CAM Support

The City of London's CAM Program needs to expand its scope to include Agencies, Boards, and Commissions (ABCs), as listed on the City's consolidated financial statements, to fully implement O.Reg. 588/17. The completed ABC asset management maturity assessment was the first step to integrate ABCs into the CAM Program. 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 and continue with ongoing asset management best practices. Pending Council approval of additional resources in 2022, the CAM section will work with the various ABCs stakeholders to collect and prepare data to help each of the ABCs in creating their Asset Management Plans. The process will require developing knowledge databases, lifecycle needs (both current and proposed levels of services) forms, and templates to support ABCs and ensure compliance with O.Reg. 588/17 regulation.

Conclusion

The City of London's Corporate Asset Management Plan continues to meet provincial and federal requirements while enabling the City to move continually towards best practices in asset management, with two out of three phases for O.Reg. 588/17 met for directly owned assets. 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 leveraging 'current' asset management technologies. This will result in Council having enhanced information on which to base strong and effective decisions.

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Deputy City Manager, Finance Supports

Attached Appendix (A) Service Area Report Cards, Appendix (B) Customer Value Definitions

CC:

Senior Leadership Team

Kyle Murray – Director, Financial Planning & Business Support

Ian Collins – Director, Financial Services








Doug MacRae - Director, Roads and Transportation

Scott Mathers - Director, Water and Wastewater

Tim Wellhauser - Director, Fleet and Facilities

Jon-Paul McGonigle - Director, Recreation and Sport

Scott Stafford - Director, Parks and Forestry

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Roadways 	\$2,914,498	 Good	\$360,988	1.0%	2.0% to 3.0%**
Structures 	\$458,039	 Good	\$23,459	1.4%	1.0% to 1.7%**
Traffic 	\$274,061	 Fair	\$22,551	3.0%	3.5% to 4.5%
Transportation	\$3,646,598	 Good	\$406,998*	1.2%	1.8% to 2.7%

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

** Canadian Report Card Recommended Annual Reinvestment Rate.

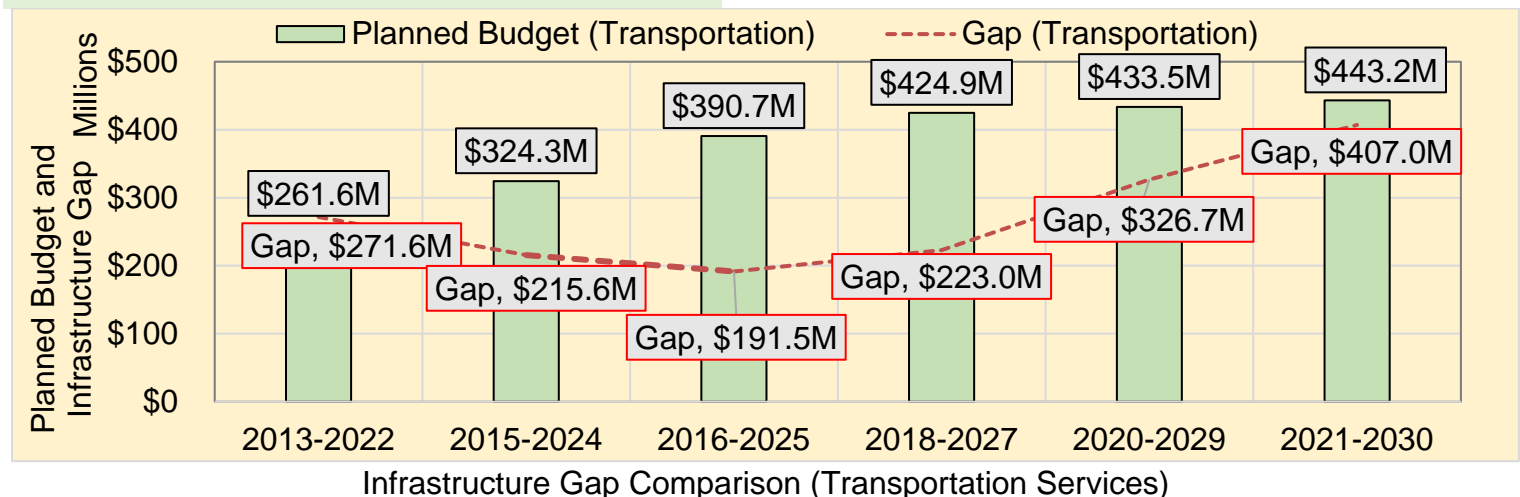
State of Infrastructure overview

The updated replacement value of the City's transportation assets is \$3.65 Billion. The Replacement values of roadways and structures assets have been updated based on the latest consultant reports (Roadmatrix & Bridge Management System) using 2020 data where applicable. Traffic assets inventory is updated, and replacement values are calculated using 2020-unit costs.

Transportation assets condition is overall good. Condition information has been updated for roads, structures, sidewalks, traffic signals and street light assets.

Infrastructure Gap Overview

Transportation's 10-year infrastructure gap is estimated at approximately \$407M. The table above provides information on the updated Transportation infrastructure funding gap, with detail for Roadways, Structures, and Traffic. A \$227M in growth-focused federal and provincial funding was recently approved in June 2020. Although most of the funding is growth-focused, it may help reduce the infrastructure gap. However, analyzing the impact of this additional funding will be performed in the future years. Rapid Transit is not part of the budget and analysis.



2021 Corporate Asset Management Plan Update

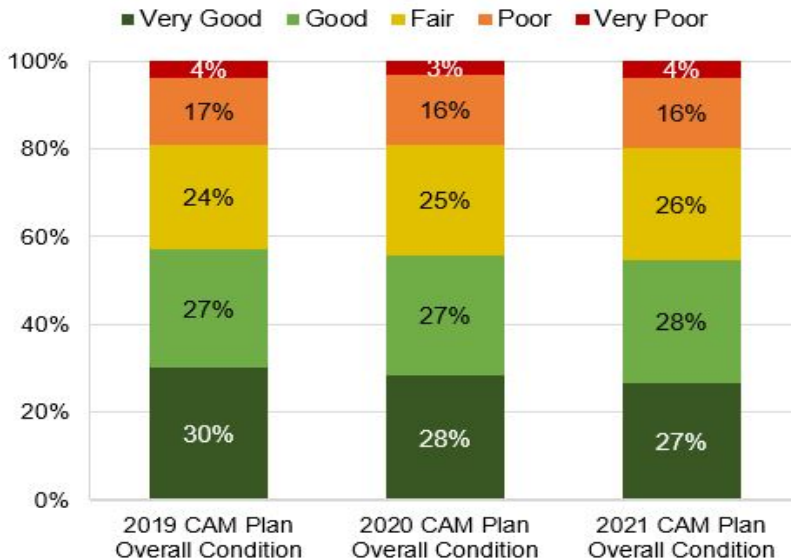
Transportation Services



Report Card

Asset Type	Planned Budget (000's)			Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)	Change (000's)	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Roadways	\$295,144	\$296,106	\$(962)	\$360,988	\$159,627	\$201,361	
Structures	\$65,889	\$54,111	\$11,778	\$23,459	\$38,488	\$(15,029)	
Traffic	\$82,203	\$74,716	\$7,487	\$22,551	\$24,934	\$(2,383)	
Transportation	\$443,236	\$424,933	\$18,303	\$406,998	\$223,049	\$184,949	

The figure and table above illustrate the infrastructure gap increasing since the 2019 CAM Plan which covered the 10-year period of 2018-2027. The 2021 update indicates that the Transportation infrastructure gap has increased to approximately \$407M. The \$185M increase from the 2019 CAM Plan resulted mainly from Roadway assets. Roadway budgets has decreased around \$1.0M over the 10-year period, and requirements have increased by \$245M due to increased replacement value (construction costs) combined with a recent reduction in roadways condition. Structures' gap has decreased by \$15M as the budget has increased by nearly \$12M while requirements have decreased by approximately \$3M. Traffic gap has decreased by approximately \$2M as budgeting has increased.



2019 CAM Plan vs. 2020, 2021 CAM Plan Update Conditions

The 2021 CAM Plan update lists the overall condition of the Transportation assets in Good condition. Compared to the CAM Plan 2019 and 2020 update, there are few overall condition changes. Asset replacement values and the 10-year requirements have increased because of the rise in construction and restoration costs of infrastructure. The infrastructure gap is expected to increase in the next 10 years, causing an anticipated deterioration in the overall condition of Transportation Assets. More budget is required to maintain the current level of service.

Customer Value	Level of Service Overall Assessment
Accessible	Risk of Not Meeting Targets
Cost Efficient	Risk of Not Meeting Targets
Environmental Stewardship	Meeting Targets
Reliable	Not Meeting Targets
Customer Service	Meeting Targets

Preliminary Level of Service Update

Accessible: Risk of not meeting target due to the large number of existing streets without sidewalks in contrast to London Plan policies requiring sidewalks on all streets and requests received from the public. Cycling facility implementation progress, identified in the Cycling Master Plan, is also desired to be quicker.

Cost Efficient: Combined annual average investment rate of Roadways and Structures has decreased with no trend towards the target.

Reliable: Many metrics related to condition of assets are showing deterioration and not meeting targets.

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Conveyance	\$4,106,813	Good	No Gap Identified*	0.4%	1.0% to 1.3%**
Management	\$577,306	Very Good	\$6,676*	1.3%	1.7 to 2.0%**
Wastewater Stormwater	\$4,684,119	Good	No Gap Identified*	0.5%	1.0% to 1.4%**

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

** Canadian Report Card Recommended Annual Reinvestment Rate.

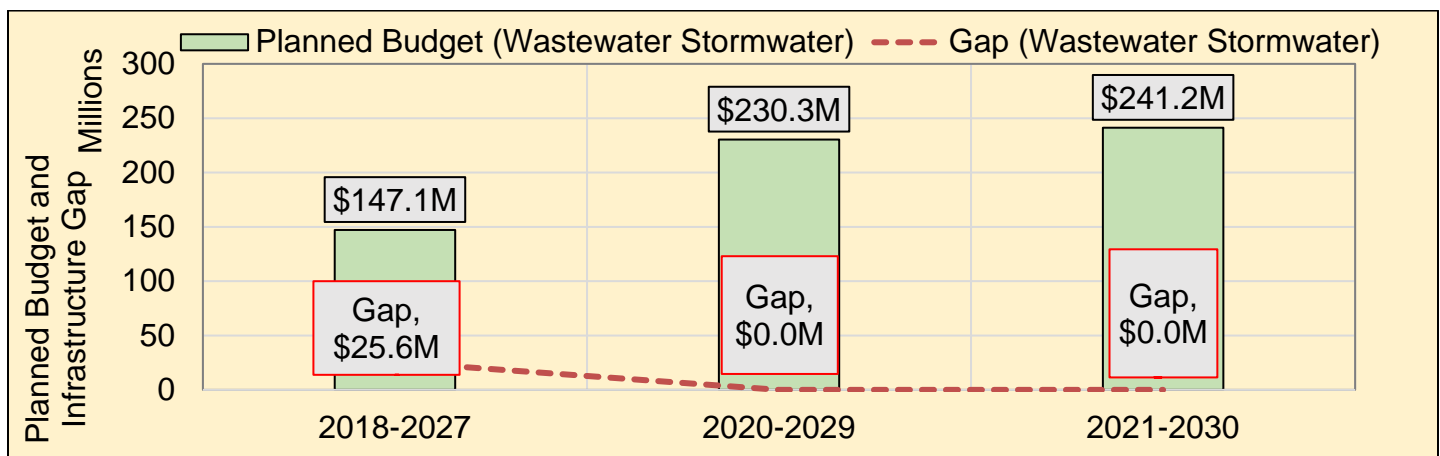
State of Infrastructure overview

The updated replacement value of the City's Stormwater assets is \$4.68 Billion. Replacement value has been updated for Conveyance (storm sewer main). Most Stormwater Management assets have been updated for condition and replacement value except dykes, municipal drains and waterways.

Stormwater service area continues progress with improving their data quality by updating Management assets in the City GIS database.

Infrastructure Gap Overview

As a result of budget approved during the 2020-2023 multiyear budget process, Stormwater overall gap is eliminated. A further gap breakdown shows that the Stormwater Conveyance gap has been eliminated while there is an increase in the projected Stormwater management assets gap to approximately \$6.7 million. This Stormwater management gap is expected to be mitigated by drawing down from existing reserve funds and transferring excess funding from the conveyance network budgets. While current reinvestment rate is still below the recommended optimal reinvestment targets, the overall planned budget has increased which is considered a positive sign.



Infrastructure Gap Comparison (Wastewater – Stormwater Service)

2021 Corporate Asset Management Plan Update

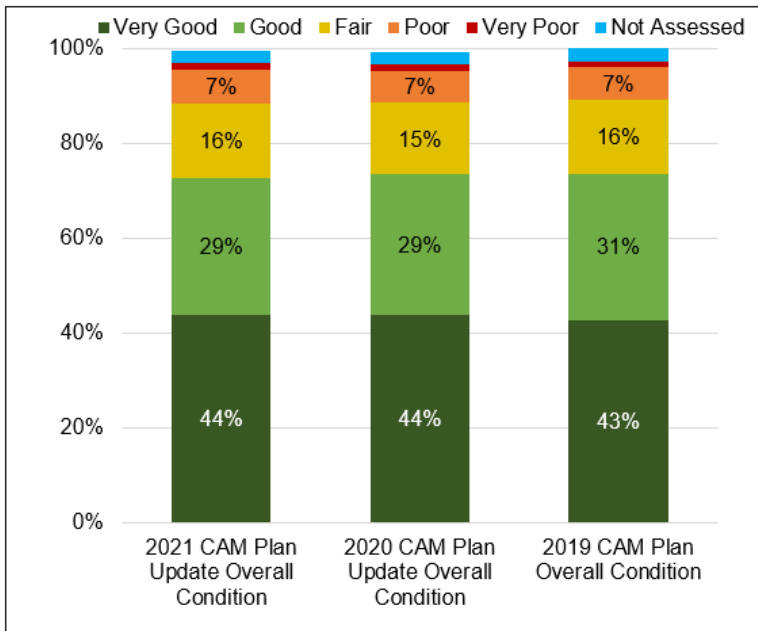
Wastewater - Stormwater Service

Report Card



Asset Type	Planned Budget (000's)		Change (000's)	Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Conveyance	\$166,238	\$90,252	\$75,986	-	\$592	(\$592)	
Management	\$74,935	\$56,892	\$18,043	\$6,676	\$3,160	\$3,516	
Wastewater Stormwater	\$241,173	\$147,144	\$94,029	-	\$3,752	(\$3,752)	

The figure and table above illustrate the change in infrastructure gap projection since the 2019 CAM Plan which covered the 10-year period of 2018-2027. This 2021 update indicates that the Stormwater infrastructure gap is forecasted to be eliminated, which is driven by the increase in planned investments (budget) for Stormwater infrastructure.








2019 CAM Plan vs. 2020/2021 CAM Plan Updates Condition

According to the 2020 and 2021 CAM Plan updates, the overall condition profile is generally 'Good' condition. Compared to the CAM Plan 2019, the condition has generally stayed the same. Given the extensive stormwater main network, it is difficult to materially change the condition profile within a year or two. The overall Stormwater infrastructure gap is expected to be eliminated in the next 10 years.

Customer Value	Level of Service Overall
Cost Efficient	Meeting Targets
Environmental Stewardship	Meeting Targets
Reliable	Meeting Targets
Customer Service	Meeting Targets

Preliminary Level of Service Update
The current performance of the updated Level of service metrics have shown that they meet targets.

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Collection 	\$4,179,809	 Good	No Gap Identified	0.6%	2.0% to 3.0%**
Treatment 	\$1,024,550	 Fair	\$78,523*	0.4%	1.8% to 2.0%**
Wastewater Sanitary	\$5,204,360	 Good	\$11,898	0.6%	1.0% to 1.4%**

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

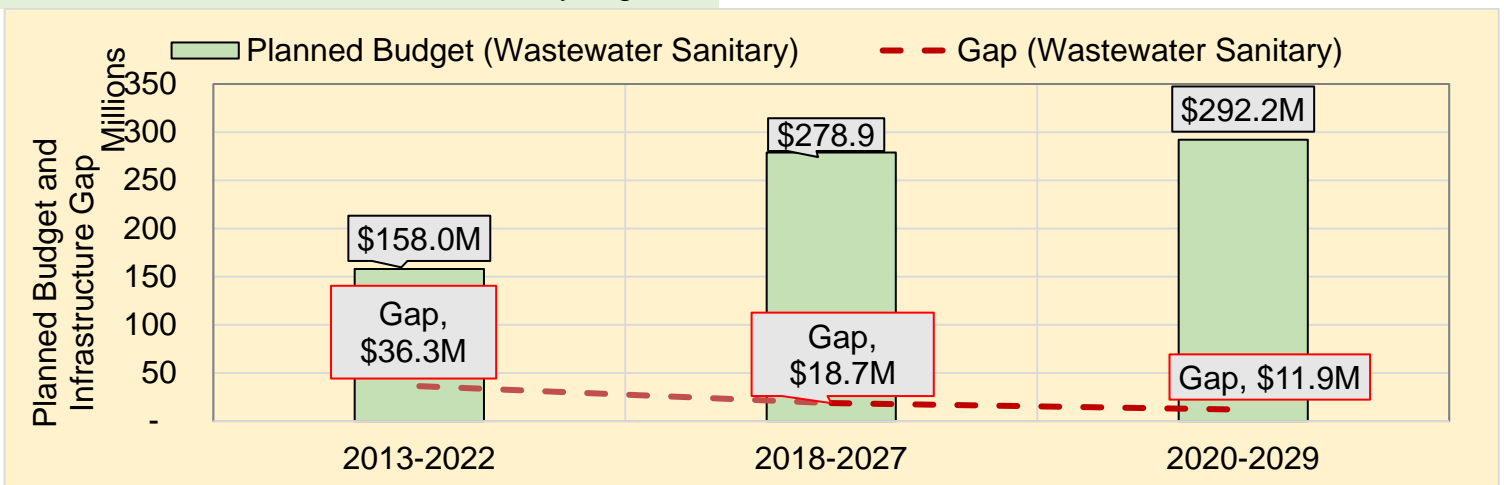
** Canadian Report Card Recommended Annual Reinvestment Rate.

State of Infrastructure overview

The updated replacement value of the City's Wastewater Sanitary assets is \$5.2 Billion. Replacement Values and Condition information are updated for the 'Collection' asset type (sanitary sewer pipes). Sewer pipes represent the bulk of the value of the sanitary asset base and are rated in Good condition based on information collected from the City's sewer inspection program. Wastewater Treatment Plants and Pump Stations condition were not updated since the 2019 CAM Plan and remains in Fair to poor conditions. The overall condition of Wastewater Sanitary is good.

Infrastructure Gap Overview

Overall Wastewater Sanitary 10-year infrastructure gap is calculated at approximately \$11.9M. A further breakdown of this gap shows that the Sanitary Collection gap is calculated at \$nil while Wastewater Treatment gap still exists at approximately \$78.5 million. This Wastewater Treatment gap is expected to be reduced by drawing down from existing reserve funds and transferring excess funding from the Sanitary Collection network budgets.



Infrastructure Gap Comparison (Wastewater – Sanitary Service)

2021 Corporate Asset Management Plan Update

Wastewater - Sanitary Service

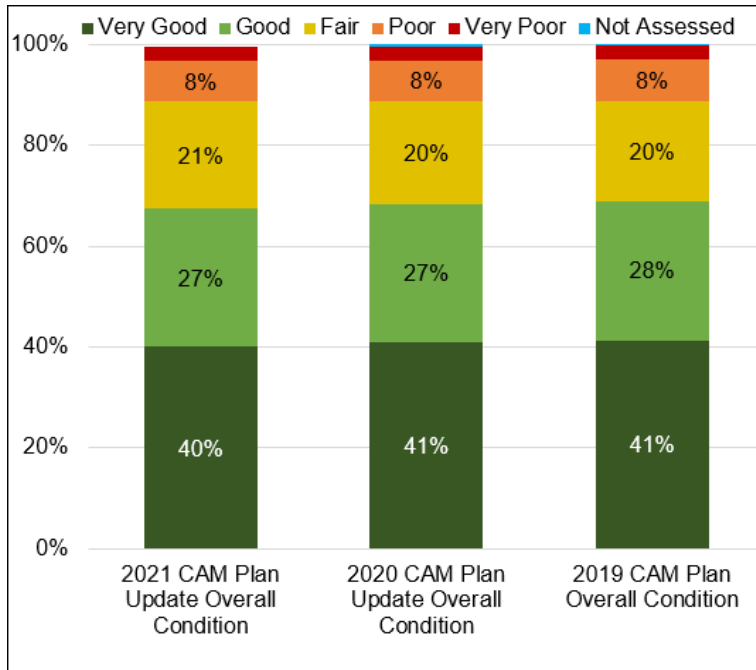


London
CANADA

Report Card

Asset Type	Planned Budget (000's)			Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)	Change (000's)	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Collection	\$254,143	\$128,053	\$126,090	-	-	-	
Treatment	\$38,020	\$29,907	\$8,113	\$78,523	\$82,931	\$(4,408)	
Wastewater Sanitary	\$292,163	\$157,960	\$134,203	\$11,898	\$36,280	\$(24,382)	

The figure and table above illustrate the change in infrastructure gap projection since the 2019 CAM Plan which covered the 10-year period of 2018-2027. This 2021 update indicates that the Wastewater Sanitary gap is forecasted to decrease to \$11.9 million, which is driven by the increase in projected reserve fund availability for Wastewater infrastructure.



2019 CAM Plan vs. 2020 and 2021 CAM Plan Update Conditions

According to the 2020 CAM Plan update, the overall condition profile is generally 'Good' condition. Compared to the CAM Plan 2019, the condition has generally stayed the same. Given the extensive Wastewater Sanitary collection network, it is difficult to materially change the condition profile within a year or two. The overall Wastewater Sanitary infrastructure gap is reduced to \$11.9 million over the next 10 years. Continued and increased investment in Wastewater Sanitary infrastructure is needed in order maintain accepted levels of service and to ensure public safety.

Customer Value

Level of Service Overall Assessment

Cost Efficient	Meeting Targets
Environmental Stewardship	Meeting Targets
Reliable	Meeting Targets
Customer Service	Meeting Targets

Preliminary Level of Service Update

The current performance of the updated Level of service metrics have shown that they meet targets.

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Linear	\$5,764,878		No Gap Identified	0.5%	1.0% to 1.5%*
Water Meters	\$35,919		No Gap Identified	6.1%	5.0%
Water Facilities	\$166,294		No Gap Identified	2.9%	1.7% to 2.5%*
Water Assets	\$5,967,091		No Gap Identified	0.6%	1.0% to 1.5%*

* Canadian Report Card Recommended Annual Reinvestment Rate.

State of Infrastructure overview

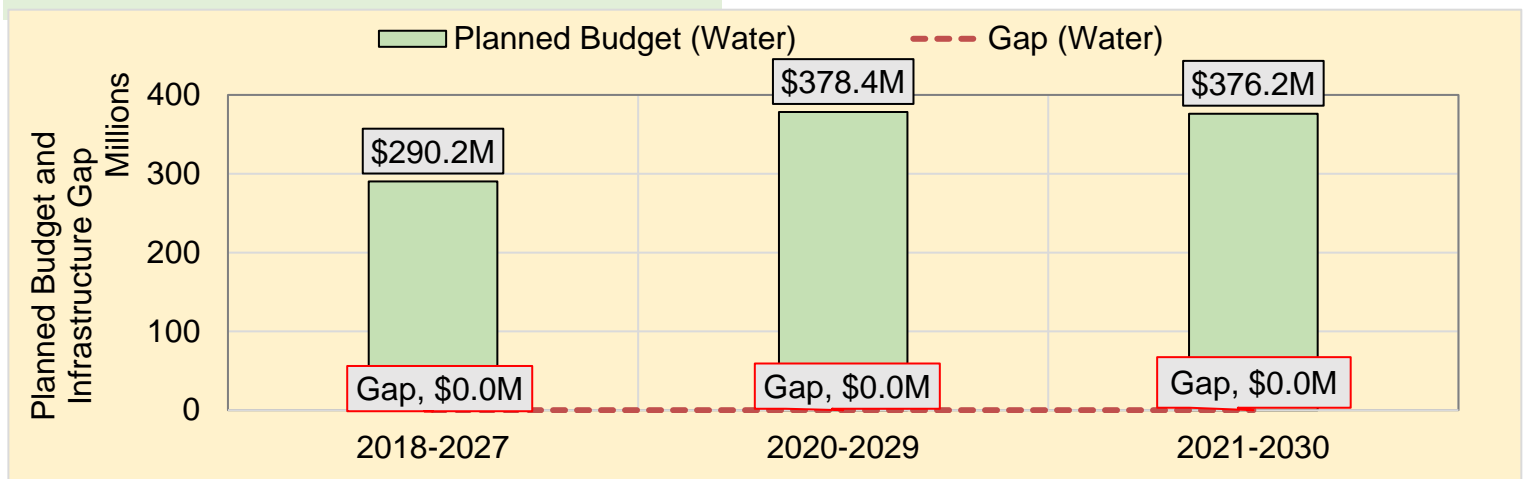
The water infrastructure is grouped into Water Linear (pipes and appurtenances), Water meters and Water Facilities (pumping stations, bulkwater stations, storage reservoirs, and wells). The updated replacement value of the City's water assets is \$5.97 Billion. This replacement value has been updated for water meters and linear infrastructure.

Water linear condition is based on 2019 CAM Plan information, water meter condition value has been updated, but there are no new condition reports for Water facilities. The overall water assets condition is "Good".








Infrastructure Gap Overview

There is no identified 10-year infrastructure gap for the Water assets. The table above provides information on updated Water infrastructure funding, the current and optimum reinvestment rates, with detail for linear, water meters, and water facilities assets.

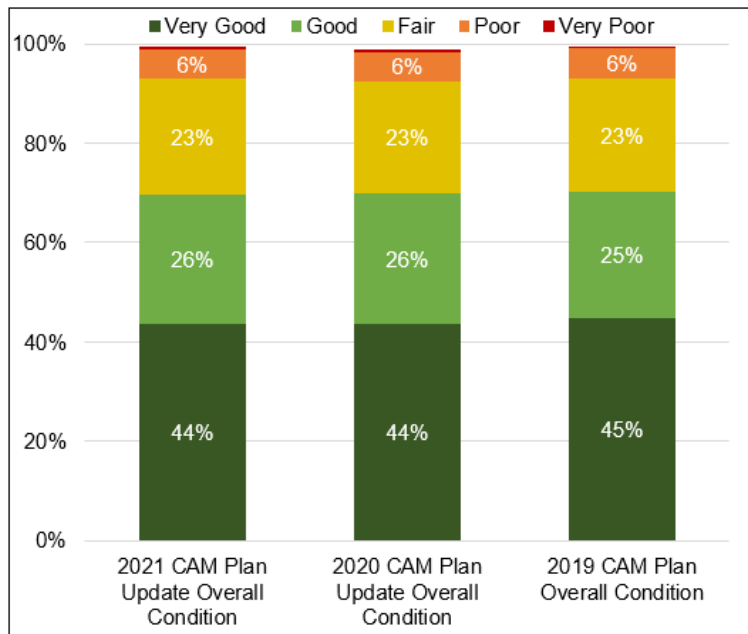
Current linear reinvestment rates have increased but they are still below targeted optimal reinvestment rates recommended by the Canadian Infrastructure Report Card for water infrastructure. However, the water System is in good shape which allows it to continue providing a plentiful, high quality, and reliable water supply to Londoners.



Infrastructure Gap Comparison (Water Service)

Asset Type	Planned Budget (000's)			Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)	Change (000's)	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Linear 	\$306,497	\$254,273	\$52,224	-	-	-	
Water Meters 	\$21,986	\$15,600	\$6,386	-	-	-	
Water Facilities 	\$47,709	\$20,278	\$27,431	-	-	-	
Water Assets	\$376,192	\$290,151	\$86,041	-	-	-	

The City is addressing its water infrastructure needs by continuing proactive management techniques like targeted renewal, regular inspection, condition assessment and the use of trenchless technologies. Further use of these technologies will help manage the water network over the long term. Water projected 10-year budget has increased during the 2020-2023 multiyear budget process compared to the projections included in the latest 2019 CAM Plan.



2019 CAM Plan vs. 2020 and 2021 CAM Plan Updates Condition

Water assets are overall in Good condition, indicating that they meet current needs, but are aging. The condition profile is virtually the same between 2019 CAM Plan and 2020 CAM Plan update. Given the extensive water network and the long-life spans of the pipes, it is difficult to materially change the condition profile within a year or two. Over the past decades, there has been consistent investment in renewing water infrastructure and expanding our system in a sustainable way.








Preliminary Level of Service Update

The current performance of the updated Level of service metrics have shown that they meet targets.

Customer Value	Level of Service Overall Assessment
Cost Efficient	Meeting Targets
Environmental Stewardship	Meeting Targets
Reliable	Meeting Targets
Safety	Meeting Targets
Quality	Meeting Targets
Customer Service	Meeting Targets

2021 Corporate Asset Management Plan Update

Recreation Services

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Recreation Assets 	\$379,964	 Fair	\$88,828	1.1%	1.7% to 2.5%**
Golf Assets 	\$21,323	 Poor	\$5,396	0.8%	1.7 to 2.5%**
Senior Centre 	\$11,550	 Poor	\$3,531	1.4%	1.7% to 2.5%**
Overall Recreation	\$412,837	 Poor	\$97,755*	1.1%	1.7% to 2.5%**

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

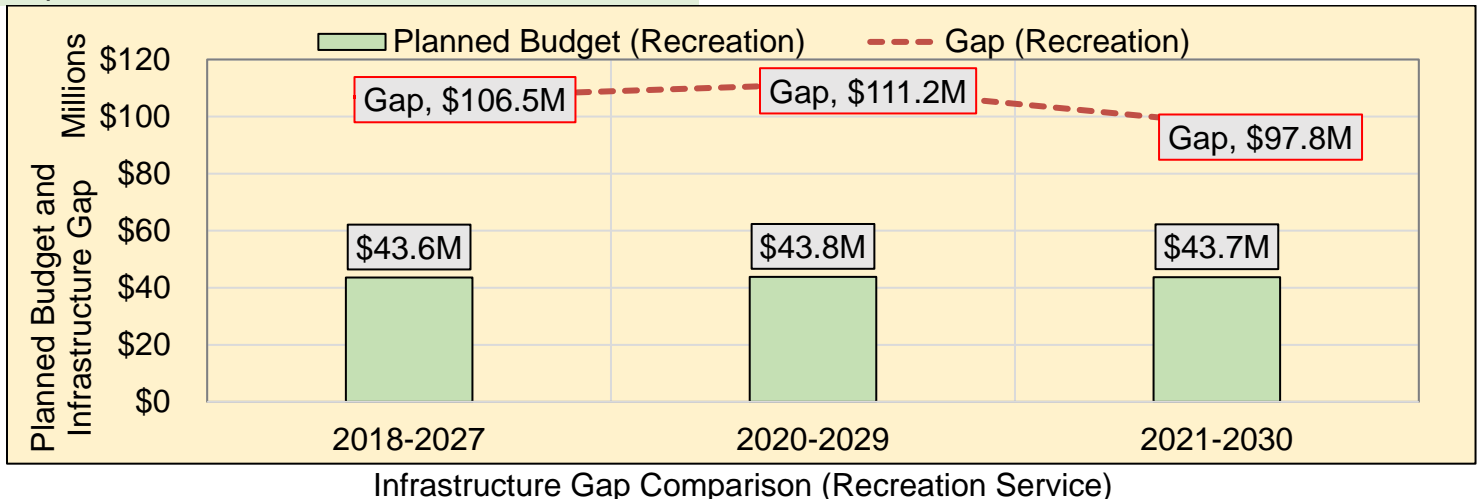
** Canadian Report Card Recommended Annual Reinvestment Rate.

State of Infrastructure overview

The updated replacement value of the City's Recreation Facilities assets is \$413 Million. Replacement values and Condition information have been updated for all asset types including arenas, aquatic centers, community centers, golf, attractions, and senior centers and all facilities site work condition and replacement value. The condition is regularly evaluated through comprehensive condition assessments, which establish and update an industry-standard Facility Condition Index (FCI) that reflects the overall condition of the facilities and their sub-components. Recreation overall condition is 'Poor'.

Infrastructure Gap Overview

Recreation Facilities 10-year infrastructure calculated at approximately \$98 million. Despite the planned capital budget has increased, requirements for arenas and community centres account for most of the infrastructure gap increase. The current reinvestment rate is still below the recommended optimal reinvestment rates. This forecast represents the costs to renew and maintain the serviceability of existing assets, and do not account for growth and the expansion of service to new areas.



2021 Corporate Asset Management Plan Update

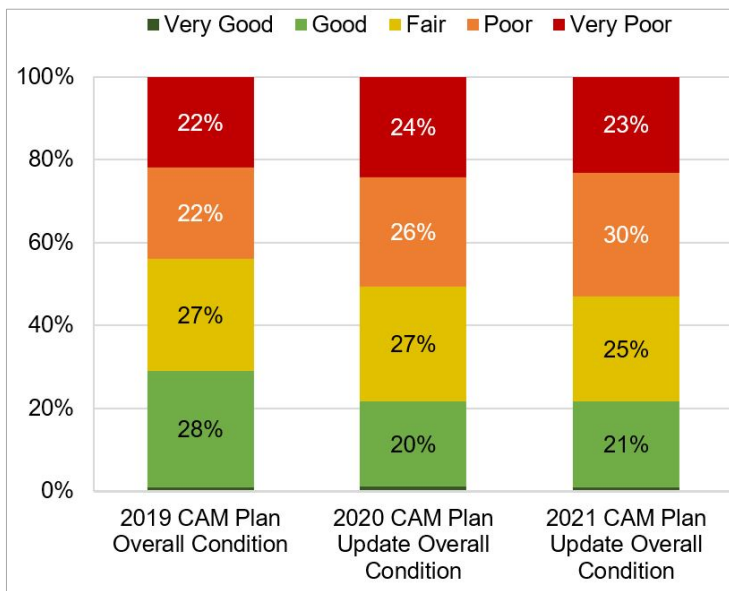
Recreation Service



Report Card

Asset Type	Planned Budget (000's)			Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)	Change (000's)	2020 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Recreation Assets	\$40,558	\$39,983	\$575	\$88,828	\$97,776	(\$8,948)	
Golf Assets	\$1,500	\$2,000	(\$500)	\$5,396	\$6,148	(\$752)	
Senior Centres	\$1,664	\$1,630	\$34	\$3,531	\$2,555	\$976	
Overall Recreation	\$43,838	\$43,613	\$109	\$97,755	\$106,479	(\$8,724)	

The figure and table above illustrate the infrastructure gap increasing since the 2019 CAM Plan which covered the 10-year period of 2018-2027. This 2021 update indicates that the Recreation infrastructure gap has decreased by \$8.7 million when compared to the projected gap in the 2019 CAM Plan to approximately \$97.8M.



2019 CAM Plan vs. 2021 CAM Plan Update Condition

According to the 2021 CAM Plan update, the overall condition profile is revised to a generally 'Poor' condition.

Compared to the CAM Plan 2019, the condition has deteriorated from 'Fair' to 'Poor' condition, this is due to the identified infrastructure gap. Additionally, the condition distribution shows more assets in the 'Poor' and 'Very Poor' conditions. The infrastructure gap is expected to decrease in the next 10 years, but still expected to approximate \$98 million, causing an anticipated deterioration Recreation Facilities overall condition. More investments are required to maintain the current level of service.

Customer Value	Level of Service Overall Assessment
Customer Service	Not Assessed
Cost Efficiency	Meeting Targets
Accessible	Not Assessed
Reliability/Availability	Not Meeting Targets
Safety	Meeting Targets
Quality	Not Assessed
Environmental Stewardship	Meeting Targets

Preliminary Level of Service Update

While there are many metrics that have been updated, there are also some that could not be completed given timing of the report and COVID-19 impact. The overall categories were marked as "Not Assessed" until most of these metrics are updated.

Reliable: Recreation assets' use was restricted because of provincial orders to combat COVID-19.

Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Parks Linear	\$97,217		\$12,157	1.6%	5.1%
Parks Amenity	\$53,854		\$2,340	5.4%	6.2%
Parks Facility	\$47,265		\$7,766	1.9%	1.7% to 2.5%**
Other Parks Assets	\$1,569	Not Available	\$256	2.9%	5.0%
Overall Parks	\$199,905		\$22,519*	2.7%	3.4% to 4.1%

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

** Canadian Report Card Recommended Annual Reinvestment Rate.

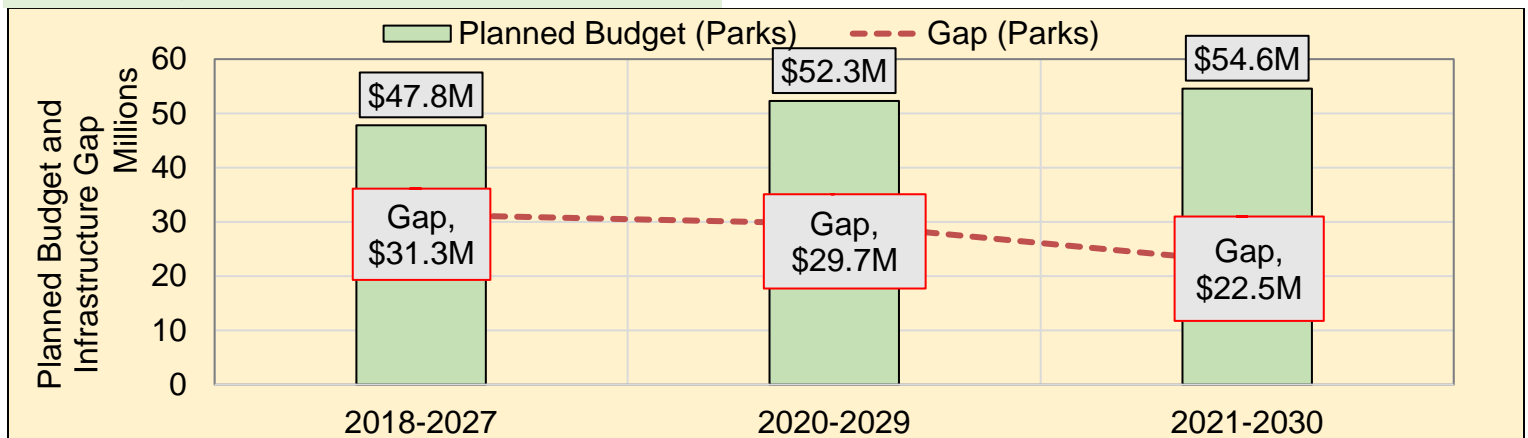
State of Infrastructure overview

The updated replacement value of the City's Parks assets is \$200 Million. Replacement values have been updated for linear, amenity, and facility asset types. Condition information has been updated for Parks Facilities and site work. Parks overall condition is 'Good'. Parks is in process of completing pathway condition assessment using drone technology. This detailed analysis will assist in refining and having more objective condition assessment of the Parks infrastructure in future asset management plan reviews and updates.

Infrastructure Gap Overview

Parks 10-year infrastructure gap is calculated at approximately \$22.5 million largely driven by the needs of the Thames Valley Parkway, multi-use pathway systems and park amenities. Current Reinvestment rates are based on latest multiyear budgets. These current reinvestment rates are still below the recommended optimal reinvestment rates.

This forecast does not account for any costs to improve service, accommodate growth, or expand service to new areas or customers



Infrastructure Gap Comparison (Parks Service)

2021 Corporate Asset Management Plan Update

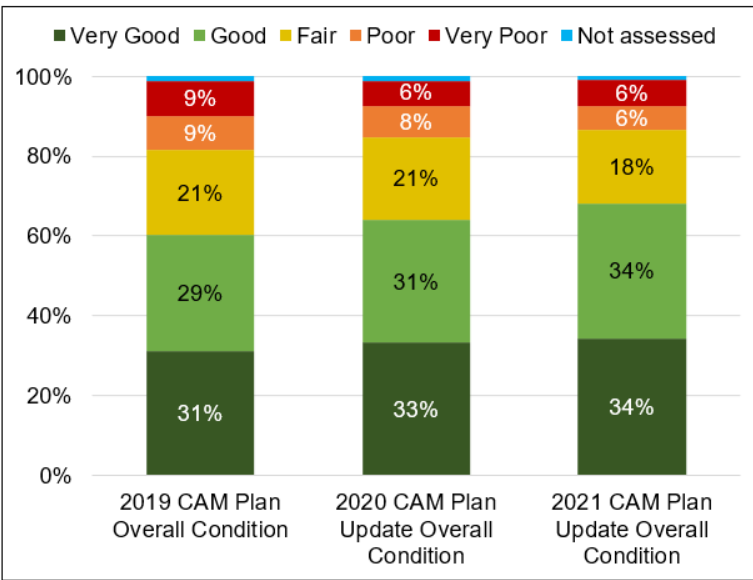
Parks Service



Report Card

Asset Type	Planned Budget (000's)		Change (000's)	Projected 10-year infrastructure gap (000's)		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Parks Linear	\$16,040	\$6,375	\$9,665	\$12,157	\$20,821	(\$8,664)	
Parks Amenity	\$29,208	\$27,844	\$1,364	\$2,340	\$7,063	(\$4,724)	
Parks Facility	\$8,856	\$12,960	(\$4,104)	\$7,766	\$3,287	\$4,479	
Other Parks Assets	\$462	\$625	(\$163)	\$256	\$159	\$97	
Overall Parks	\$54,566	\$47,804	\$6,762	\$22,519	\$31,330	(\$8,811)	

The figure and table above illustrate the change in infrastructure gap projection since the 2019 CAM Plan which covered the 10-year period of 2018-2027. This 2021 update indicates that the Parks infrastructure gap is forecasted to reach approximately \$22.5 million with a decrease of \$8.8 million less than the projected gap in the 2019 CAM Plan, which is driven by the increase in planned investments (budget) for parks infrastructure.



2019 CAM Plan vs. 2021 CAM Plan Update Condition

According to the 2021 CAM Plan update, the overall condition profile is revised to a generally 'Good' condition.

Compared to the CAM Plan 2019 and 2020 update, the condition has generally stayed the same, with a greater percentage of assets in fair to very good condition. The infrastructure gap is expected to decrease in the next 10 years but is still nearing \$23 million. Continued and increased investment in park infrastructure is needed in order maintain accepted levels of service and to ensure public safety and accessibility.

Customer Value	Level of Service Overall Assessment
Customer Service	Not Assessed
Cost Efficiency	Meeting Targets
Accessible	Meeting Targets
Safety	Meeting Targets
Quality	Not Assessed
Reliable	Not Meeting Targets
Environmental Stewardship	Meeting Targets

Preliminary Level of Service Update

Quality and Customer Service: Customer surveys and the condition assessment (Quality Rating System) for parks amenities and pathway could not be completed given timing of the report and COVID-19 impact.



Reliable: Park Amenities and Facilities use was restricted because of provincial orders to combat COVID-19.

Other Customer Values metrics are meeting targets.

2021 Corporate Asset Management Plan Update

Corporate Facilities Service



Asset Type	Replacement Value (000's)	Current Condition	10 Year Infrastructure Gap (000's)	Current Reinvestment Rate	Optimal Reinvestment Rate
Corporate Facilities 	\$260,202	 Poor	\$25,432*	5.1%	1.7% to 2.5%**

* This projected infrastructure gap is reduced by the forecasted reserve fund drawdown availability over the next decade.

** Canadian Report Card Recommended Annual Reinvestment Rate.

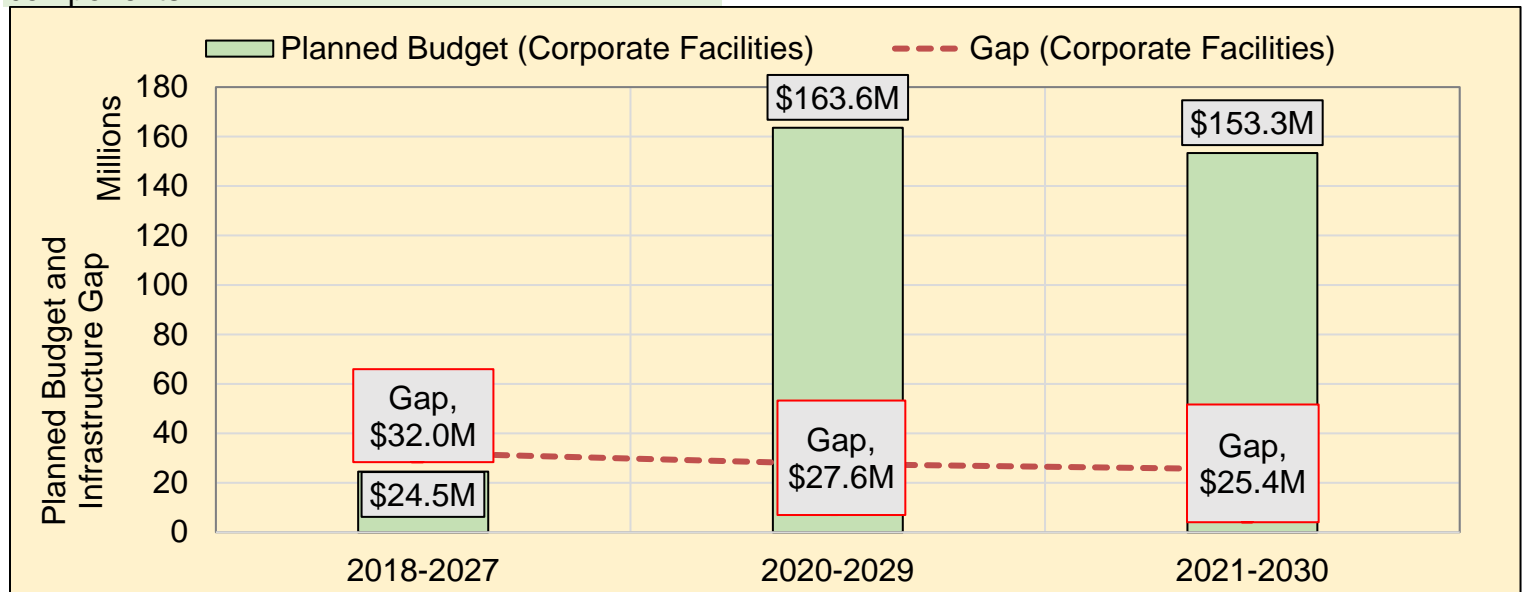
State of Infrastructure overview

The updated replacement value of the City's Corporate Facilities assets is \$260M. Replacement value has been updated for Corporate Facilities and site work as well as condition values. The assets replacement values have increased due to the rise in construction and restoration costs of infrastructure.

Corporate Facilities overall condition is 'Poor'. Condition information has been updated for office, administrative, storage and operation centers. The condition is regularly evaluated through comprehensive condition assessments, which establish and update an industry-standard Facility Condition Index (FCI) that reflects the overall condition of the facilities and their sub-components.

Infrastructure Gap Overview

Corporate Facilities 10-year infrastructure gap is calculated at approximately \$25.4M. During 2020-2023 Multiyear Budget Council approved service improvement budget of the City's Master Accommodation Plan (\$138.5M over 10 years), this funding will address City Hall requirements. This budget is substantial and results in current reinvestment rate being greater than optimal reinvestment rate ranges, however, it is directed to City Hall only and thus infrastructure gaps for other Corporate Facilities still exist. Overall, the gap is approximately \$6.6M less than the 2019 CAM Plan.



Infrastructure Gap Comparison (Corporate Facilities Service)

2021 Corporate Asset Management Plan Update



Corporate Facilities Service

• Stores Shipping and Receiving
• Small Engine Shop

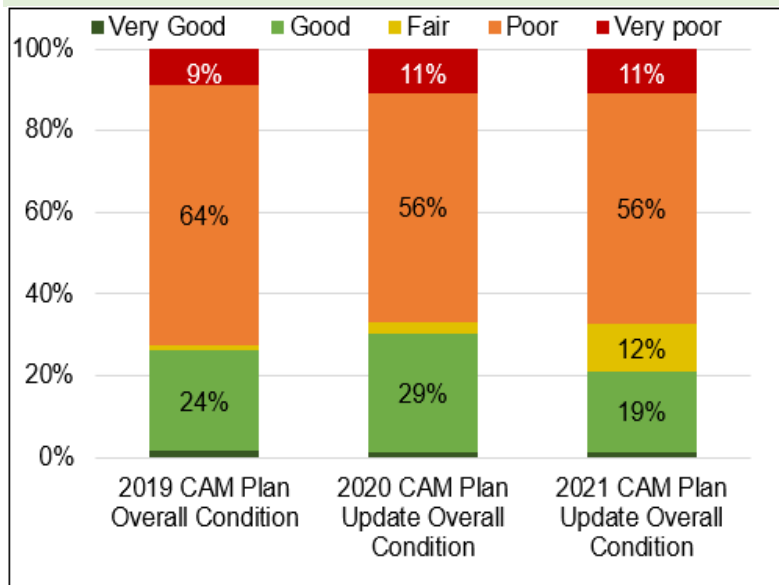
Report Card



London
CANADA

Asset Type	Planned Budget (000's)			Projected 10-year infrastructure gap		Change (000's)	Gap Assessment
	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)	Change (000's)	2021 CAM Plan Update (2021-2030)	2019 CAM Plan (2018-2027)		
Corporate Facilities 	\$153,318	\$24,530	\$128,788	\$25,432	\$32,036	\$(6,604)	

The figure and table above illustrate the change in infrastructure gap projection since the 2019 CAM Plan which covered the 10-year period of 2018-2027. This 2021 update covering the period of 2021-2030 indicates that the Corporate Facilities infrastructure gap has decreased by roughly \$6.6M to approximately \$25.4M.



2019 CAM Plan vs. 2021 CAM Plan Update Condition

According to the 2021 CAM Plan update, the overall condition of the Corporate Facilities assets is in 'Poor' condition.

Compared to the 2019 CAM Plan, the condition distribution shows fewer assets in the 'Good' and 'Very Good' condition due to the normal depreciation of Operation Centres.

The infrastructure gap is expected to decrease in the next 10 years but is still nearing \$30 million. Having infrastructure gap will cause an anticipated deterioration in the overall condition of Corporate Facilities Assets. Continued and increased investment in corporate facilities is required to maintain the current level of service.

Customer Value	Level of Service Overall Assessment
Cost Efficient	Meeting Targets
Environmental Stewardship	Meeting Targets
Quality	Risk of Not Meeting Targets
Safety	Meeting Targets

Preliminary Level of Service Update

Quality: metrics related to condition of corporate facilities are showing condition deterioration and there is a risk of not meeting the target in the future. COVID-19 caused unplanned but prioritized work while postponing other lifecycle renewal projects. The pandemic has also increased material and service prices.

Other Customer Values metrics are meeting targets.

Appendix B – Customer Value Descriptions

Customer Value Category	Description
Customer Service/ Public Education	A diversity of metrics that cover the performance assessment of the service provision. Metrics consist of descriptions for customer surveys, scope, and magnitude of services using maps, values/numbers, percentages and/or images. Examples include number of lane-kilometers of roads versus square kilometers of land area, or % of properties where fire flow is available.
Cost Efficient	Assess the service performance in terms providing the maximum feasible outcomes out of the available operating and capital budgets. Examples include annual cost to provide the service, asset lifecycle budget as a % of current replacement value, etc.
Accessibility	Include metrics related to accessibility and whether the service is provided to the greatest extent possible of all people, regardless of their age and ability. Examples include FADS and/or AODA compliancy, % of sidewalks with tree cover, % of population less than 800m walk to a park, etc.
Legislative/ Safety	Covers performance assessment of the service related to safety and compliancy with acts and/or codes. Also includes metrics regulated and legislated by a legislature related to the specific service. Examples include % of legislated MTO safety inspections met, % of facility components annually inspected, etc.
Reliability/ Availability	Includes metrics related to the availability of service such as percent of the time when an asset is available and operating properly. It could also be related to reliability such as condition of assets or number of unplanned amenity closures/use restrictions per year.
Quality	Includes metrics related to the assessment of the quality of the services provided, such as the condition of the assets, quality rating systems, or measuring the quality of the service on a technical basis using a multi-criteria quality rating system.
Environmental Stewardship/ Sustainability	Includes metrics related to the assessment of service provision in a sustainable and environmental stewardship practices. The aim is to minimize the impact of infrastructure on the environment. Examples include % of streetlights with LED or low energy fixtures, Annual natural gas consumption per square foot, number, or type of Low Impact Development (LID) technologies implemented (rain gardens and bioswales), etc.

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

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

Subject: 2020 Annual Parkland Reserve Fund Report

Date: July 26, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports:

- a) the 2020 Annual Parkland Reserve Fund Report **BE RECEIVED** for information in accordance with section 7 of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*, as well as section 42 (17) of the *Planning Act, 1990*, which require Municipal Council to provide an annual financial statement on special accounts for the conveyance of land for park purposes;
- b) the Deputy City Manager, Finance Supports **BE DIRECTED** to make the 2020 Annual Parkland Reserve Fund Report available to the public on the City of London website to fulfill Municipal Council's obligation under section 7 of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*.

Linkage to the Corporate Strategic Plan

Council's 2019-2023 Strategic Plan for the City of London (the "City") identifies "Leading in Public Service" as one of four strategic areas of focus. The 2020 Annual Parkland Reserve Fund Report supports this strategic area of focus by contributing towards the following strategic outcome: "The City of London is trusted, open, and accountable, in service of our community".

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee, March 7, 2017, Agenda Item #9, Reserve Fund Housekeeping – Parkland Acquisition Reserve Fund
<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=30049>

1.2 Legislative Requirements

As of September 18, 2020, Section 7 of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*, in connection with section 42 (17) of the *Planning Act, 1990*, require that Municipal Council provide an annual financial statement to the public relating to the special account established for the conveyance of land for park purposes. The City's special account for such purposes, established by by-law A.-7527-94, is the Parkland Reserve Fund (hereinafter the "Fund").

Applicable excerpts of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*, are as follows:

Special account, report

7. For the purposes of subsections 37 (48) and 42 (17) of the Act, the following information shall be provided to the public each year in respect of the preceding year:

1. Statements of the opening and closing balances of the special account and of the transactions relating to the account.
2. In respect of the special account referred to in subsection 37 (45) of the Act, statements identifying,
 - i. facilities, services and matters acquired during the year with funds from the special account,
 - ii. details of the amounts spent, and
 - iii. for each facility, service or matter mentioned in subparagraph i, the manner in which any capital cost not funded from the special account was or will be funded.
3. In respect of the special account referred to in subsection 42 (15) of the Act, statements identifying,
 - i. land and machinery acquired during the year with funds from the special account,
 - ii. buildings erected, improved or repaired during the year with funds from the special account,
 - iii. details of the amounts spent, and
 - iv. for each asset mentioned in subparagraphs i and ii, the manner in which any capital cost not funded from the special account was or will be funded.
4. The amount of money borrowed from the special account and the purpose for which it was borrowed.
5. The amount of interest accrued on any money borrowed from the special account.

The applicable excerpt of section 42 (17) of the *Planning Act, 1990*, is as follows:

Reports and information

(17) A council of a municipality that passes a by-law under this section shall provide the prescribed reports and information to the prescribed persons or classes of persons at such times, in such manner and in accordance with such other requirements as may be prescribed. 2019, c. 9, Sched. 12, s. 12 (9).

1.3 Parkland Reserve Fund Annual Financial Statement

Appendix A of this report meets the financial statement requirements as prescribed under section 7 of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*, as well as section 42 (17) of the *Planning Act, 1990*, and subject to Municipal Council direction will be made available to the public on the City of London website.

Appendix A provides a brief description of the Fund. Table 1 of Appendix A presents a summary of revenues, expenses, and balances for the year ending December 31, 2020. Table 2 of Appendix A provides the following details concerning each capital project financed by the Fund:

- The cumulative approved budget including both total financing from the Fund as well as total financing from all other sources;
- The amount of the 2020 draws from the Fund (if any) for each capital project that has a commitment; and
- A description of each the capital projects financed by the Fund.

Conclusion

In accordance with section 7 of the *O. Reg. 509/20: Community Benefits Charges and Parkland, 2020*, as well as section 42 (17) of the *Planning Act, 1990*, it is recommended that this report be received for information and be made available to the public on the City of London website.

Prepared by: David Bordin, CPA, CGA, Manager II, Financial Planning and Policy and Lauren Pasma, Capital Budget Officer, Financial Planning and Policy

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

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

Cc:

Jason Davies – Manager III, Financial Planning and Policy

John Millson – Senior Financial Business Administrator

Meng Liu – Senior Financial Business Administrator

Andrew Macpherson – Division Manager, Parks Planning and Operations

Appendix A - Statement of Parkland Reserve Fund Activity for the year ending December 31, 2020

Reserve Fund Purpose:

The Fund shall be expended, pledged or applied only to acquire lands to be used for park or other public recreational purposes or for the development or improvement of lands used or to be used for park or other public recreational purposes.

Table 1: Summary of Reserve Fund Activity

Opening Balance: January 1, 2020	\$3,698,794
Parkland Levies/Revenues	1,629,251
Interest Earned	100,878
Total Contributions	\$1,730,130
Amount Transferred to (from) Capital Fund (Note 1)	677,201
Total Disbursements	\$677,201
Closing Balance: December 31, 2020	\$4,751,723
Future drawdowns as of December 31, 2020	\$2,106,957

Notes:

(1) "Amount Transferred to (from) Capital Fund" reflects 2020 progress draws against approved capital budgets. Details of these draws appear on the following page.

Appendix A - Statement of Parkland Reserve Fund Activity for the year ending December 31, 2020

Table 2: Summary of Approved Projects Funded From Parkland Levies/Revenues

Capital Project Number	Capital Project Title	Total Project Life to date Budget	Tax/Rate Supported plus Other Sources of Financing	Parkland Reserve Fund Financing	Parkland Amount Transferred to (from) Capital Fund in 2020	Project Description
PD1070	Victoria Park Upgrades	650,000	0	650,000	74,646	To maintain and upgrade the basic infrastructure of Victoria Park and deal with increasing/changing use of the park.
PD1147	Vimy Ridge Park	155,000	105,000	50,000	0	Creation of a permanent Vimy Ridge Park.
PK1201	One River EA - River Management	250,000	0	250,000	0	The implementation of the "River Management" component of the One River EA. This covers the 8 kilometer stretch of river corridor between the Forks and Springbank Dam (the other two components of the One River EA).
PD117316	Springbank Park Upgrades	24,843	20,000	4,843	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park. This project is now closed.
PD117318	Springbank Park Upgrades	416,426	101,269	315,157	315,158	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park.
PD117319	Springbank Park Upgrades	400,000	385,000	15,000	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park.
PK117320	Springbank Park Upgrades	440,000	385,000	55,000	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park.
PD273518	2018 Misc. Parkland Acquisition	130,634	0	130,634	11,117	To acquire miscellaneous property to be used for parkland (Western Lands). This project is now closed.
PK273519	2019 Misc. Parkland Acquisition	278,526	0	278,526	194,864	To acquire miscellaneous property to be used for parkland (2700 Kains Road).
PK273520	2020 Misc. Parkland Acquisition	1,648,844	0	1,648,844	95,731	To acquire miscellaneous property to be used for parkland (181 Grey Street, 189 Grey Street, 1985 Gore Road, 21 Gunn Street, 2201 Kains Road, 2 Saunby Street).
PD2253MEDWAY	Medway Valley Trail	327,591	252,591	75,000	-14,315	To purchase property north of Fanshawe Park Road for the Medway Valley Trail. This project is now closed.
Totals		\$4,721,864	\$1,248,860	\$3,473,004	\$677,201	

*Amounts Subject to Rounding

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

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

Subject: Declare Surplus - City Owned Property
2 Saunby Street

Date: July 26, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City owned property, located at 2 Saunby Street, further described as Part 1, Plan 33R-20979, the following actions be taken:

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

Executive Summary

This report recommends that the City owned two-unit dwelling (Duplex) located at 2 Saunby St, London be declared surplus and sold by way of tender, in accordance with the City's Sale and Other Disposition of Land Policy.

The subject property was purchased in support of the West London Dyke Project and Parks Pathway Improvements along the Thames Valley Corridor.

Upon acquisition of the subject property a portion of the property was identified for retention which has been detailed on a deposited reference plan.

The subject property is the remaining land and improvements no longer required for a municipal purpose. The subject property is net of the lands to be retained.

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 property surplus as the first step in ultimately transferring ownership to a successful proponent, recovering previous acquisition expenditures in support of identified municipal needs, and by eliminating the maintenance costs and liability risks associated with the City owning a two unit dwelling residential that is no longer required by the City in accordance with the City's Sale of Other Disposition of Land Policy.

The original acquisition provides key multi-use pathway connections in the area, provides for Natural Heritage Conservation and added flood control measures as supported by Parks and the Upper Thames River Conservation Authority (UTRCA).

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee November 16, 2020 Property Acquisition 2 Saunby Street for Natural Heritage Open Space

1.2 Summary

2 Saunby Street is legally described as Part 1, Plan 33R-20979, Being the part of PIN 082470126 (LT) in the City of London, County of Middlesex.

The subject property is located in the southeast quadrant of Saunby Street and Gunn Street, west of Thames River. The subject property is irregular shaped interior lot, approximately 9,905.54 square feet and is improved with a building and two self contained dwellings. The improvements were built in 1956 as a single-family dwelling which was later converted to a duplex with approximately 2,540 square feet of livable space. The land is zoned as R2-3(2).

The subject property maintains two actively managed tenancies, one on the main floor unit, and one in the basement unit.

The subject property was acquired by the city in January 2021 with the intention to sever a portion of the subject's land zoned as open space (OS4), approximately 0.395 acres, west of Thames River to be used for pedestrian trail which is part of Phase 7 of West London Dyke project. The City has now completed the severance needed for the trail and park development and the remainder parcel along with the improvement can be sold to a successful proponent by the way of tender, in accordance with the City's Sale and Other Disposition of Land Policy.

The proposed method of sale is via tender but should this method of sale not be successful other methods of sale may be considered in accordance with the City's Sale and Other Disposition of Land Policy

2.0 Discussion

The West Long Dyke Project

The City is currently in the process of completing construction for Phase 7 of the West London Dyke project (the "Project") which is located along the western bank on the Thames River and in the vicinity of Oxford Street West and the railway bridge which is owned and operated by CP Rail. The project will enhance flood protection and provide the added benefit of new multi-use pathway connections along the Thames River under Oxford Street West.

The previous landowner of the 2 Saunby Street was unwilling to sell required portion of the land. As a result, the subject parcel along with the improvement was acquired by the city in January 2021 as a total buy-out. After the severance of the required portion of the property, the city no longer needs the remainder land portion and the improved 2-unit dwelling.

The City Sale and Other Disposition of Land policy under Section 4.14 Methods of Sale allows for the disposition of lands by public tender.

The area of the lands to be declared surplus approximates 920.26 square meters or 9,905.54 square feet. The improved building has approximately 235.97 square meters or 2,540 square feet of liveable area.

3.0 Benefits to the City

As part of the future sale of the lands to a successful proponent, some of the previous acquisition expenditures are expected to be recovered in accordance with fair market value principles. Selling the lands will also eliminate potential liability and property management activities associated with the current tenancies and ongoing maintenance of the lands.

4.0 Financial Impact

There are no significant cost implications to the City to declare this property surplus and sell to a successful proponent. Participants in the tender process will be responsible for their own costs in terms of due diligence, legal and conveyancing costs.

Conclusion

The entire subject property with land and improvement was acquired by city as a total buy-out in January 2021. As the severance of the property has been completed to meet requirements for the West London Dyke project, the remainder land and improved property can be declared surplus. The subject property is currently partially tenanted and requires regular maintenance and upkeep.

The benefits in declaring the remainder land and building surplus include releasing the City from liability and maintenance and generating some revenue as part of the transfer.

It is therefore recommended that the subject property be declared surplus and transferred to successful tenderer in accordance with the City's Sale of Other Disposition of Land Policy.

A Location Map of the subject property is shown as Appendix A.

A Reference Plan detailing the subject property and the part to be declared surplus is shown as Appendix B.

Photos of the subject property is shown as Appendix C.

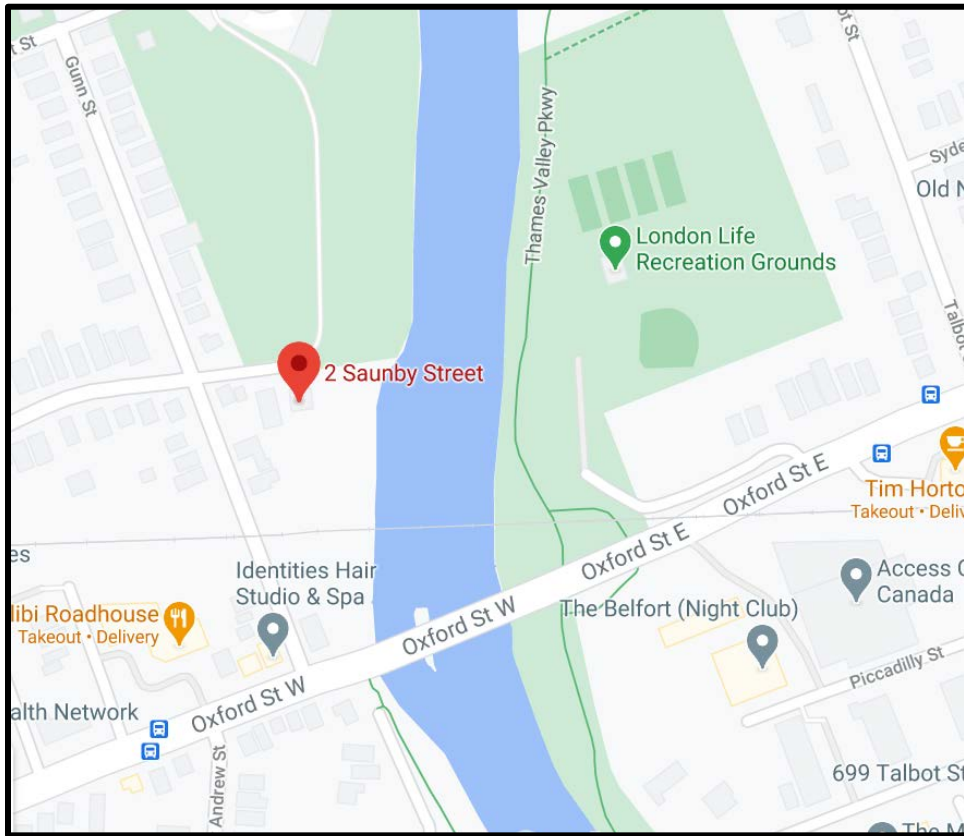
Prepared by: Bryan Baar, Manager II, Realty Services

Submitted by: Bill Warner, Director, Realty Services

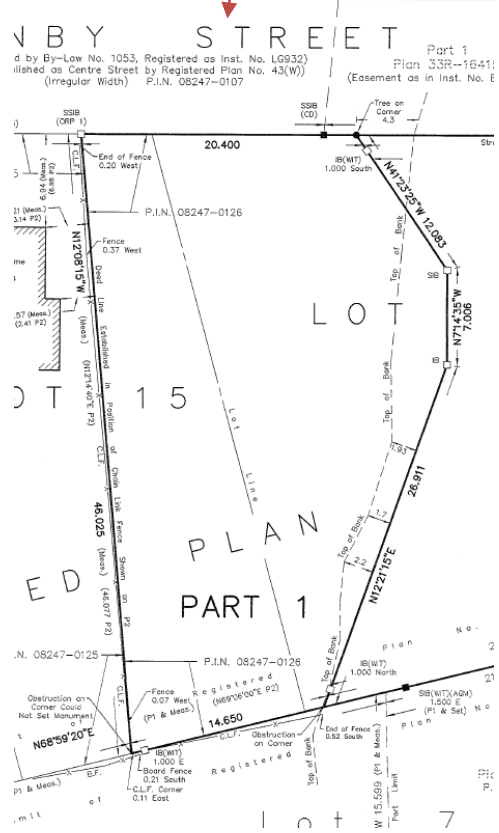
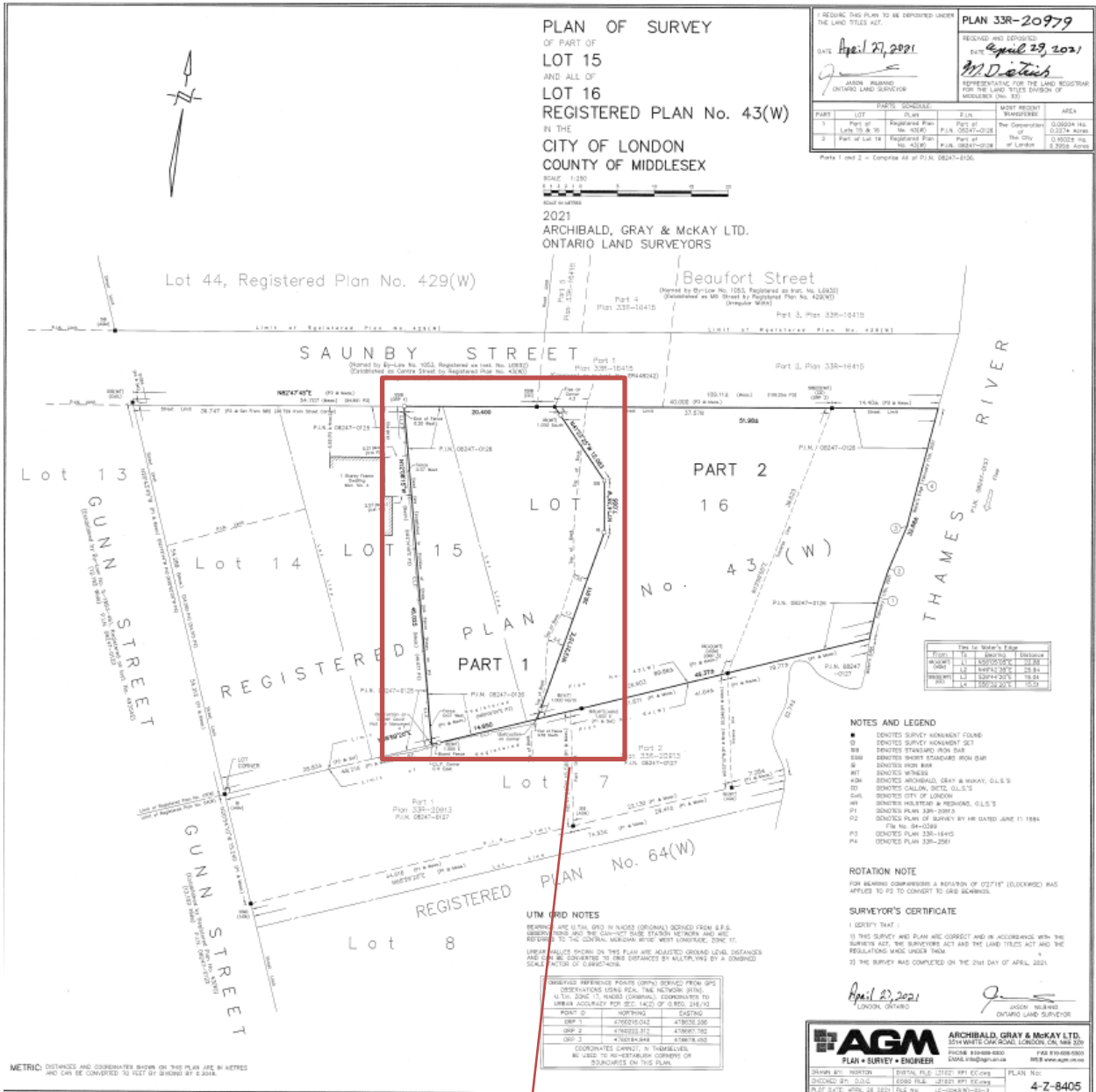
Recommended by: Anna Lisa Barbon, Deputy City Manager, Finance Supports

cc: Gary Irwin, Division Manager and Chief Surveyor, Geomatics
Sachit Tatavarti, Solicitor
Andrew Macpherson, Division Manager, Park Planning and Operations

Appendix A Location Map



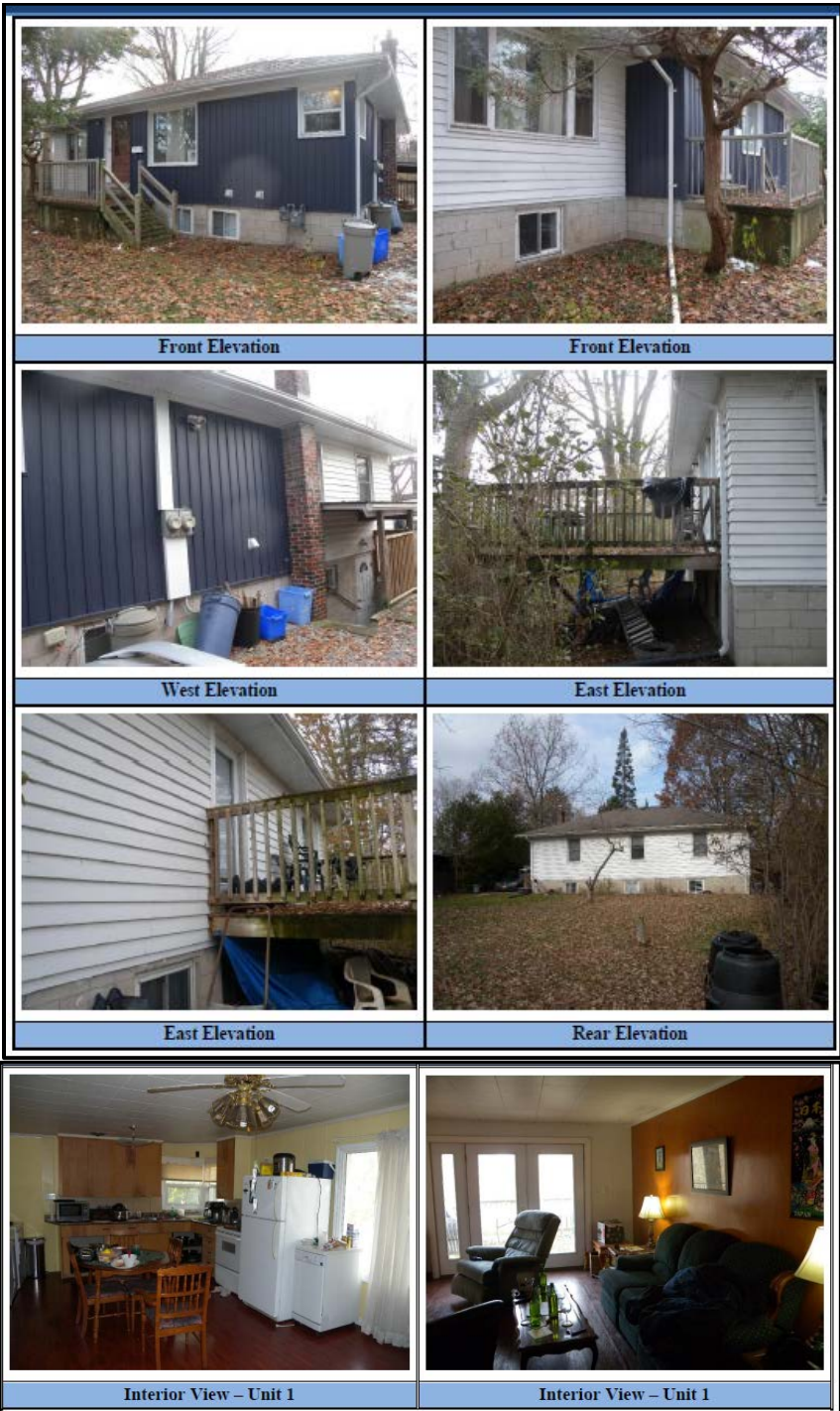
Appendix B Reference Plan – Part 1, Plan 33R-20979



Appendix C Photos of Property



Front of Property



Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

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

Subject: 2020 Investment Report

Date: July 26, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports:

- a) The 2020 Investment Report, providing a summary of the performance of the City of London's investment portfolio, **BE RECEIVED** for information.
- b) The attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting on August 10, 2021, to amend By-law CPOL.-39(a)-371 entitled "Investment Policy" to remove the investment term targets, provide for separate identification and investment type limitations for different asset groups, revise parameters for fixed income investments and revise the maximum equity holdings.

Executive Summary

This report provides a summary of the performance of the City of London's investment portfolio in 2020 along with a summary of the prevailing market conditions and how it impacted the investment assets held by the City. This report satisfies the legislative requirement for an annual investment report.

In 2020, the City earned total income of approximately \$27.3 million from investments, of which \$23.9 million was earned from reserve fund investments and \$3.4 million was earned from general fund investments.

There was an unexpected decline in interest rates from March 2020 as the Bank of Canada, alongside many other central banks worldwide, cut the overnight rate in response to the COVID-19 pandemic; this impacted the performance of the City's investment portfolio with its heavy emphasis on fixed income securities (e.g. bonds, guaranteed investment certificates).

Civic Administration is also recommending several Investment Policy updates to provide flexibility with the aim of optimizing the City's portfolio while still adhering to long-standing objectives. Changes include removal of term targets; separate identification and investment type limitations for different asset groups to further align liquidity and return needs for each group; expansion of fixed income investments to provide greater investing opportunities for Civic Administration and the City's external investment managers; and an increase in the maximum equity holdings from 5 percent to 15 percent. These changes are being made towards achieving a rate of return sufficient to maintain the purchasing power of invested funds, while still maintaining compliance with eligible investments per regulations.

Linkage to the Corporate Strategic Plan

Council's 2019-2023 Strategic Plan for the City of London identifies 'Leading in Public Service' as a strategic area of focus. Management of the City of London's investment portfolio in line with its stated objectives supports this area of focus and links to the strategy of maximizing investment returns while adhering to the City's Investment Policy.

1.0 Background Information

As outlined in Ontario Regulation 438/97, the City Treasurer is required to provide an annual investment report to Municipal Council. The report, at a minimum, shall contain the following;

- a) a statement about the performance of the portfolio of investments during the period covered by the report;
- b) a description of the estimated proportion of the total investments that are invested in its own long-term and short-term securities to the total investments of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;
- c) a statement by the treasurer as to whether or not, in their opinion, all investments are consistent with the investment policies and goals adopted by the municipality;
- d) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security;
- e) such other information that Municipal Council may require or that, in the opinion of the treasurer, should be included;
- f) a statement by the treasurer as to whether any of the investments fall below the standard required for that investment during the period covered by the report; and,
- g) the details of the proposed use of funds realized in the disposition of an investment for which the City sold as a result of a decline in rating below the standard required by Ontario Regulation 438/97.

This report meets the above requirements.

2.0 Discussion and Considerations

Investments and Performance:

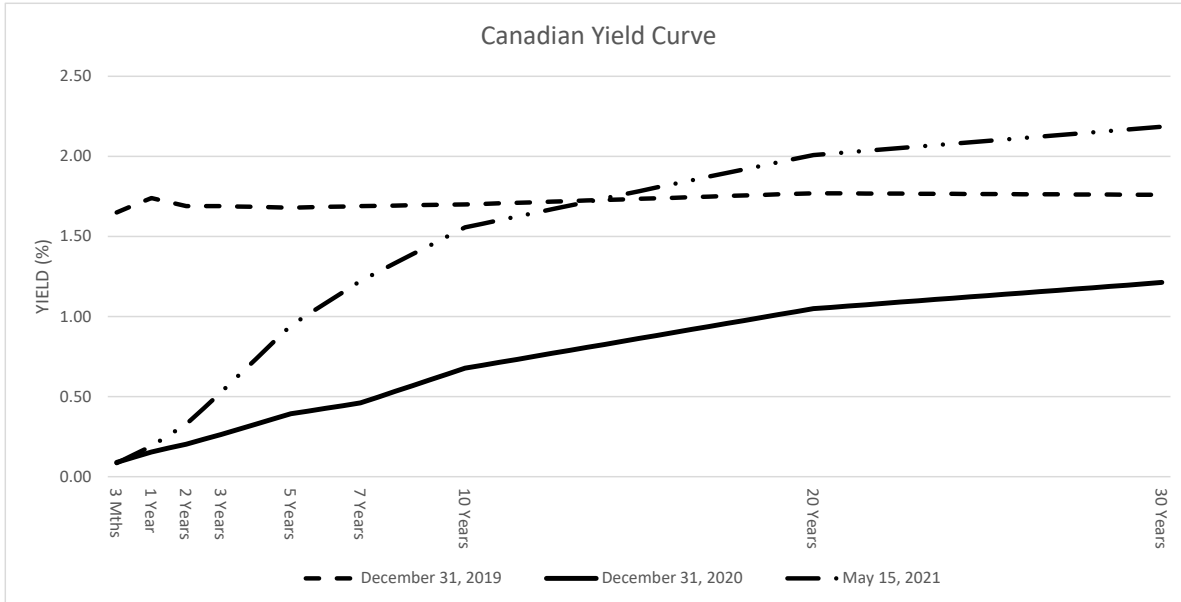
Portfolio Balance:

In 2020, the City of London (the "City") maintained a monthly average investment portfolio balance of \$1.319 million (2019, \$1.189 million), consisting of cash and investments in securities prescribed under Ontario Regulation 438/97. As at December 31, 2020, the City's investment portfolio included government bonds, corporate bonds, ONE Canadian equity fund and guaranteed investment certificates (GICs). A summary of the City's investment portfolio at year-end is attached as Appendix "A". The City's investment portfolio contains over 500 securities.

Market Summary for 2020:

At the beginning of 2020, prior to the onset of COVID-19 in Canada, the Bank of Canada overnight target rate was 1.75% and the yield curve was exceptionally flat (see Figure 1 below). The Bank of Canada then reduced its overnight target rate three times in 2020 to 0.25%. The rate cuts were in response to the proliferation of the COVID-19 pandemic and associated economic shock. The rate environment remained low throughout the balance of 2020; bond yields increased modestly at the end of the year on the back of economic recovery buoyed by positive vaccine developments and the strong support of the Bank of Canada as various bond purchase programs ensured that the fixed income markets remained liquid. The yield curve steepened modestly during the course of 2020 and continued the steepening bias in early 2021 (see Figure 1).

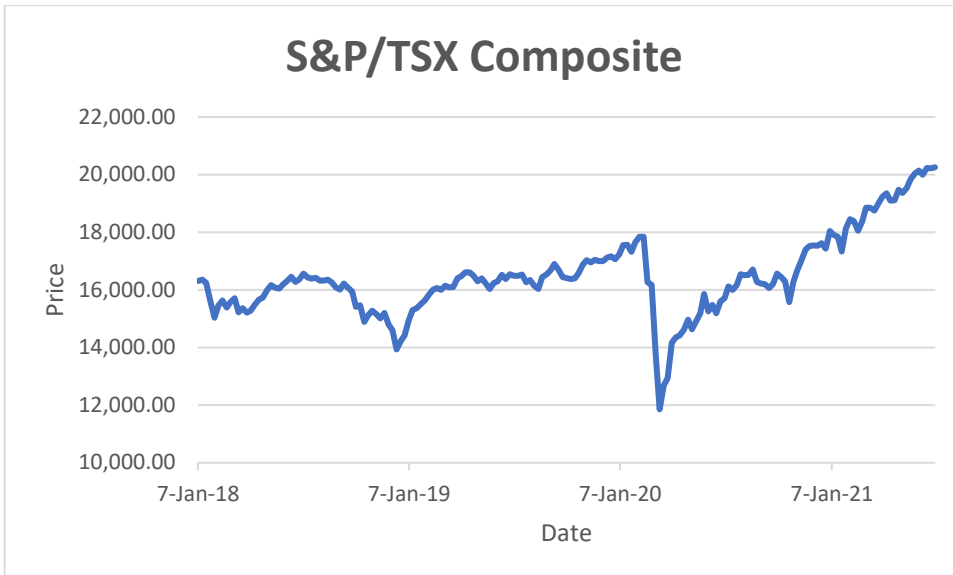
Figure 1 - Government of Canada Yield Curve



Source: RBC PH&N

Global equity markets suffered significant declines in February and March as the economic impacts of the pandemic became apparent. The S&P TSX Composite index, the primary gauge of the Canadian equity market, was no exception (see Figure 2). However, due to positive vaccine developments, significant fiscal stimulus from governments and central banks around the world and optimism around future economic growth, most global equity markets (including the S&P TSX Composite Index) rebounded from their March 2020 lows and closed the year at or above their pre-pandemic highs.

Figure 2 - S&P TSX Composite 3 Year Performance Chart



Source: S&P Global

2020 was a challenging year in global financial markets, however the City’s investment portfolio remained resilient to this adversity. Economic and market conditions are continually monitored by the City and its team of professional portfolio managers to ensure the City’s investment portfolio is adjusted to reflect changing conditions.

Investment Strategy:

As directed by the City’s Investment Policy, the City’s overall investment strategy is to invest public funds in a manner that prioritizes security and liquidity of principal over attaining higher investment returns. The City’s strategy includes building a liquid and diversified portfolio while being mindful of the limitations of the portfolio.

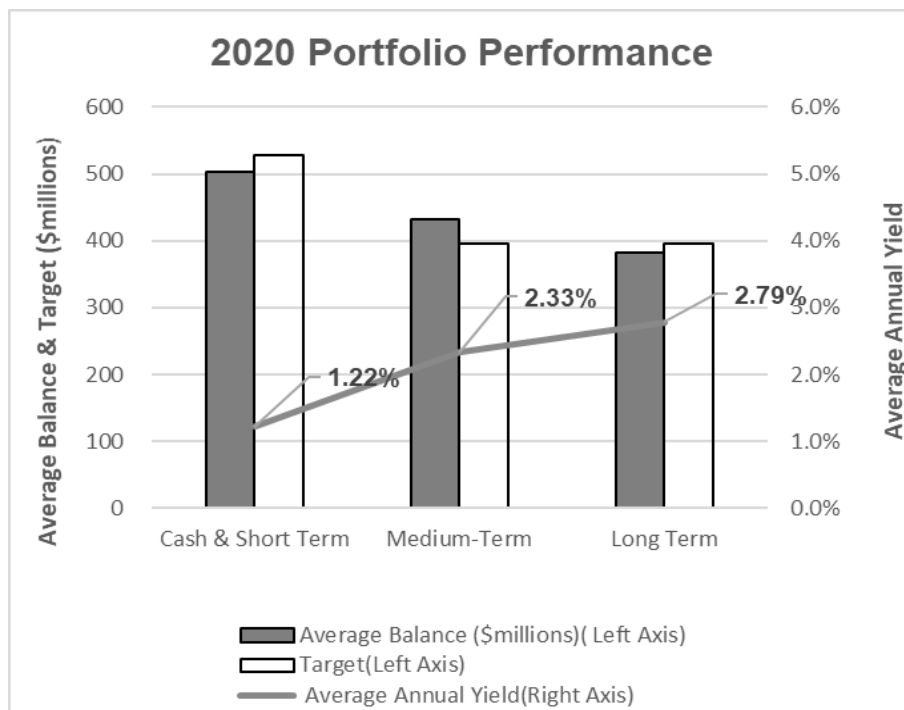
Below is a comparison of the City’s portfolio to the portfolio targets for 2020.

Classification	Maturing in	Average for 2020	Dec. 31, 2020	Target
Cash & Short-term	Less than one year	38%	50%	40%
Medium-term	One to five years	33%	22%	30%
Long-term	More than five years	29%	28%	30%

With the COVID-19 pandemic, given the low rates available in the market and fewer attractive products, the position in Cash and Short-term investments rose in comparison to the target in 2020 as Civic Administration prioritized liquidity considering the limited additional return potential for taking on additional term risk.

Performance of Investments:

The chart below shows a breakdown of the average annual yields for 2020, as well as the investment portfolio balance in comparison to policy targets. For the purposes of this report, yield includes interest income and realized gains and losses. Yield does not include unrealized gains and losses (i.e. market value appreciation).



The City’s portfolio performance is closely tied to the Bank of Canada’s overnight rate given the type of securities and assets it holds. The City’s cash and short-term portfolio as well as the medium-term portfolio had a lower yield in comparison with 2019. This is largely due to the lower rate environment in 2020 as a result of the pandemic. The long-term portfolio performance was higher as the yield environment improved slightly in the fourth quarter of the year. The ONE Canadian equity fund also contributed to the uptake in the long-term portfolio with dividend and capital gains distribution received from the fund. Overall, existing investments in the portfolio that were purchased when rates were higher (2018-2019) served as a buffer to minimize the reduction in income resulting from investments purchased in the declining rate environment.

Investment Income:

For the purposes of this report, investment income includes interest income and realized gains and losses. In 2020, the City earned total income of approximately \$27.3 million (\$28.9 million in 2019) from investments, of which \$23.9 million (\$22.3 million in 2019) was earned from reserve fund investments and \$3.4 million (\$6.6 million in 2019) was earned from general fund investments.

The decrease in investment income in 2020 compared to 2019 is related to the low rate environment and prevailing market conditions as a result of the pandemic (the Bank of Canada overnight rate was 1.75% at the beginning of 2020 vs. 0.25% at the end of 2020 with an average interest rate of 0.56% in 2020 in comparison to 1.75% throughout 2019).

In accordance with the Municipal Act, 2001 (the “Act”), interest and capital gains earned on reserve fund investments are allocated to all reserve funds on a prorated basis and are used for the purpose for which the reserve fund was created.

Investment income earned from the general fund is allocated to general revenues, which is included in the approved 2020-2023 Multi-Year Operating Budget and contributes to offsetting the amount of taxes levied. For 2020, investment income realized (\$3.5 million) was unfavourable when compared to budgeted income (\$5.5 million). General fund investment income, given the shorter-term nature of these investments, tends to be significantly impacted by changes in the Bank of Canada overnight rate. These impacts were included in the City of London’s operating results as reported in the 2020 Year-end Operating Budget Monitoring report. Subject to the duration of the current lower rate environment, it is anticipated future investment income may be somewhat lower, particularly on shorter-term investment holdings.

Eligible Investments (Statement of Compliance):

The Act stipulates that a municipality may invest in securities prescribed under Ontario Regulation 438/97. All investments meet the eligibility requirements as prescribed by Ontario Regulation 438/97 and were made in accordance with the investment policies and goals adopted by the City.

Investment in Own-Securities:

Ontario Regulation 438/97 requires that the City report the estimated proportion of total investments that are invested in its own long-term and short-term securities to the total investments held by the municipality. In 2020, the City did not hold or purchase any of its own securities, reflecting no change in proportion of own securities to total investments from the previous year’s report.

3.0 Key Issues and Considerations

3.1. Forthcoming Accounting and Reporting Changes related to Investments

New Public Sector Accounting Standards impacting investment reporting are forthcoming and required for adoption for fiscal years beginning on or after April 1, 2022. For the City this will be fiscal 2023 beginning January 1, 2023. Specifically, the main standard impacting investments is PS 3450 Financial Instruments. The standard outlines various requirements for recognition, measurement, presentation and disclosure of financial instruments, which includes investments. The changes are anticipated to include (among others) the requirement to recognize unrealized gains and losses (“mark to market”) for certain securities. As a result, adoption of these new standards may impact future investment reports.

Civic Administration is currently in the process of reviewing and evaluating requirements of the standard in preparation for implementation in accordance with the required timeline.

3.2. Prudent Investor Update

On March 1, 2018, amendments were made to the Municipal Act, 2001 and Ontario Regulation 438/97, granting eligible municipalities access to invest in any security in accordance with the prudent investor standard and other requirements set out in the regulation.

Amendments were also made to the prescribed list of eligible investment securities for municipalities that do not wish to invest or are not eligible to invest under the new prudent investor standard. The prescribed list of eligible securities consists primarily of government bonds, bank-issued debt, and corporate bonds. The regulation also permits investment in Canadian corporate shares if the investment is made through the One Investment Program. Effective January 1, 2019, eligible municipalities have the option to continue under the updated prescribed list or move to the prudent investor standard.

Civic Administration has continued to perform due diligence and evaluation of implications and requirements of this standard. As reported in the 2019 investment report, Civic Administration participates in a treasury and investments working group with other Ontario municipalities, exploring other potential future investment options for municipalities. The group continues to work towards a meeting with representatives from the Municipal Finance Branch of the Ministry of Municipal Affairs and the Ontario Financing Authority to discuss potential changes to the Act. Two specific changes, amongst others, are consideration of an Outsourced Chief Investment Officer option in the prudent investment standard and also the expansion of the prescribed list of eligible investments within the current Act. The work and suggestions from the working group to date have been acknowledged by Ministry representatives, but neither a formal response nor any changes have yet been communicated. The most recent update is that this topic may be discussed further as part of a formal Provincial Debt and Investment group.

Adoption of the prudent investor standard as currently written is irrevocable. As a result, Civic Administration continues to recommend not adopting the prudent investor standard at this time, pending the ongoing possibility of other investment options in consultation with the aforementioned working group.

In the interim, to focus on optimizing the investment portfolio under the current framework (the prescribed list framework), Civic Administration is proposing updates to the current investment policy as outlined in the following section.

3.3. Investment Policy Updates

The objective of the proposed changes to the Investment Policy is to provide further flexibility with the aim of optimizing the City's portfolio while adhering to long-standing investment objectives that have served the City well. The following is a summary of the key changes proposed to the Policy, included as Appendix B.

Objectives:

As with the previous policy, the first three priority objectives remain as: adherence to statutory requirements, preservation of capital and maintenance of liquidity. The fourth objective has been updated and further defined. Previously stated as obtaining a competitive return, the Policy has now defined the goal of achieving a rate of return sufficient to maintain the purchasing power of invested funds. To do so, the objective would be to earn a rate of return equal to or greater than the expected rate of inflation based on the eventual intended use of the invested funds. The City's investment strategy will continue to be to maximize total returns within the boundaries of the three preceding objectives, but the Investment Policy provides further clarity of the desired returns on invested funds.

Removal of Term Targets:

Civic Administration recommends the removal of portfolio term targets from the Investment Policy. Liquidity continues to be a cornerstone of the policy, remaining a priority objective, and also a key element in the "Diversification and Liquidity" section of the Policy (4.3.1). Sufficient cash and short-term investment products will be maintained at all times to provide for the day-to-day cash flow needs of the Corporation. However, as experienced with the volatility of the yield curve in recent years, removal of the stated targets will provide greater flexibility both to external managers and Civic Administration to properly manage term to maturity and duration of the portfolio in response to prevailing conditions in capital markets. This change avoids the requirement to invest funds for a specific duration in order to satisfy

term targets when available returns do not justify such an approach.

Segregation of Specified Assets:

The proposed Policy suggests separate identification and investment type limitations for operating funds, reserves, reserve funds and trust funds.

These changes better align the liquidity requirements and return needs of each asset group. Furthermore, this change begins the initial stages of formally identifying 'cash not immediately needed' for potential future adoption of the prudent investor standard or in the event of further potential changes to the current regulations.

Expansion and Definition of Fixed Income Investments:

For the asset groups where fixed income products are applicable (particularly Reserve Fund investments), the Policy has been updated to allow for more fixed income investment options. It should be noted that the fixed income options identified in the proposed Policy include only those products currently allowed under the prescribed list framework in Ontario Regulation 438/97.

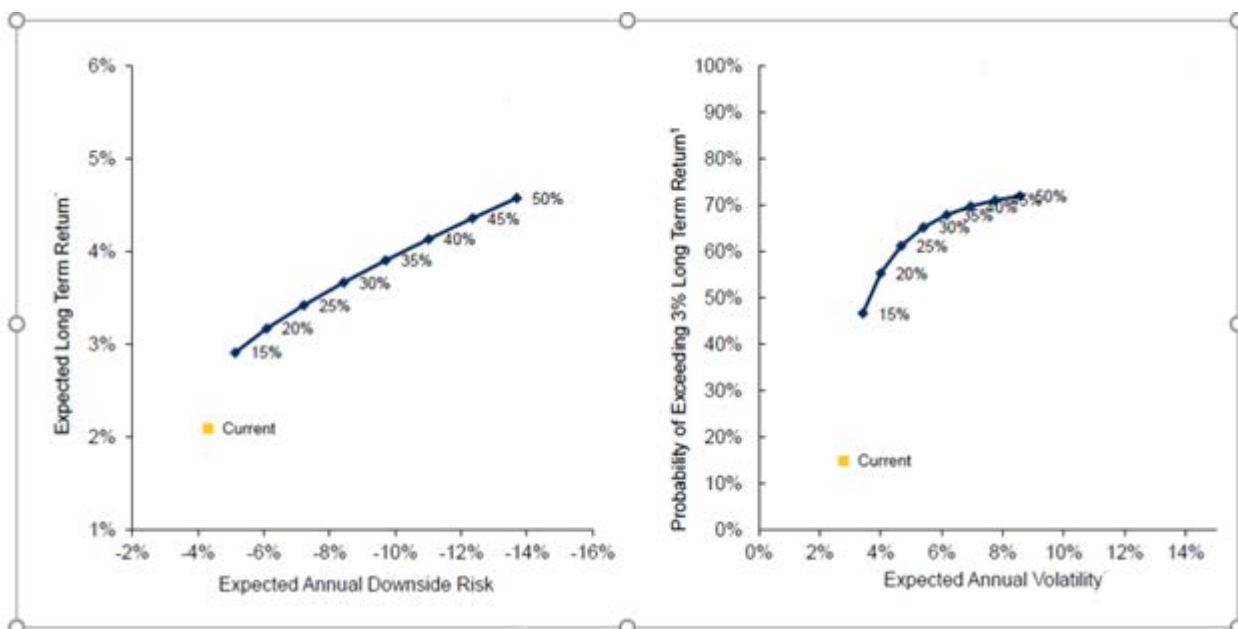
A matrix has been added where applicable to also outline the minimum credit ratings required for each category, the maximum proportion of invested funds to be held within that specific category and a maximum term to maturity for securities under each category. The objective of these changes is to provide greater opportunities for our external investment managers and Civic Administration to maximize investment returns from our fixed income portfolio within the allowable suite of investment products in O. Reg. 438/97. While the options of investments have been expanded, setting the above noted parameters provides a framework to limit risk.

Increase in Allowable Equity Holdings:

Specific to the Reserve Fund investment portfolio, the allowable maximum equity position is proposed to increase to 15% of Reserve Fund invested assets. The previous Policy allowed for a maximum of 5% of invested assets across the entire portfolio.

The increase in the maximum equity position is suggested to aid in diversification but also aims for greater returns to achieve the objective of maintaining the purchasing power of invested assets. Working with the City's external managers, modeling has shown that meaningful additional expected returns can be achieved with only minimal additional annual volatility and downside risk by increasing the maximum equity position from 5% to 15%.

The following is a model result from RBC PH&N, one of the City's investment managers:



The graph on the left shows that by increasing equity holdings from the current 5% maximum to 15%, the long-term expected return on the portfolio increases with a minimal increase in

expected annual downside risk. Continuing to increase the equity holdings beyond 15% would increase expected returns, but would also increase the annual downside risk, with diminishing incremental expected returns for doing so. The graph on the right shows that by increasing the equity exposure from the current 5% maximum to 15%, the probability of exceeding an annual expected return of 3% (the City's current target for maintaining the purchasing power of invested funds) increases with minimal additional expected annual volatility. However, there is increasing expected volatility as equity holdings are increased further beyond 15%, with diminishing incremental probability of achieving a 3% long-term annual return.

An allowable allocation of equity of up to 15% within the Investment Policy is consistent with other peer Ontario municipalities with some providing for an even greater allocation.

Civic Administration believes the increase to equity holdings will be necessary in working towards the objective of achieving a rate of return sufficient to maintain the purchasing power of invested funds, while continuing to maintain limits on holdings to ensure preservation of capital and adequate liquidity. As per Ontario Regulation 438/97, equity holdings would be through the ONE Canadian Equity Portfolio under the One Investment Program.

Working with External Managers:

These policy changes will allow Civic Administration to work closer with the City's current external managers in determining appropriate strategic asset allocations and holdings. With the expansion of products and greater clarity provided by the revised Policy, Civic Administration will be able to update our relevant Investment Policy Statements with our managers. Civic Administration intends to focus on short-term cash needs and managing short-term investments while relying more on our external managers to invest and manage the medium- and long-term investments, notably the Reserve Funds.

Conclusion

This report provides an overview of the City of London's investment portfolio in the context of the markets during COVID-19. While investment income decreased in 2020, the City was able to maintain adequate liquidity and preserve its capital. Furthermore, this report satisfies the various reporting requirements as outlined in the Municipal Act, confirming investments remained compliant with legislative requirements and the applicable Investment Policy. Lastly, Civic Administration is recommending changes to the Investment Policy to provide additional flexibility and work towards optimization of the investment portfolio within the provisions of the Municipal Act.

Prepared by: **Folakemi Ajibola, CTP, Manager, Financial Modelling, Forecasting and Systems Control (Treasury) and Martin Galczynski, CPA, CA, Manager, Financial Planning and Policy**

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

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

Attachment: Appendix A and B

Appendix “A” - Investment Portfolio

Product	Avg. Term to Maturity (Years)	Total Book Value (General + Reserve Fund)	General Fund Book Value	Reserve Fund Book Value	% of Portfolio
Cash (Note A)	0.0	516,342,544	299,188,683	217,153,861	37%
SCOTIA - High Interest Savings Account	0.1	0	0	0	0
Internally Managed GICs	0.5	181,811,320	6,500,000	175,311,320	13%
Total Cash and Short-Term	0.2	698,153,864	305,688,683	392,465,181	50%
Internally Managed GICs and Bonds	3.1	220,650,000	0	220,650,000	16%
RBC Dominion Securities	1.1	80,084,310	0	80,084,310	6%
Total Medium-Term	2.1	300,734,310	0	300,734,310	22%
Internally Managed Bonds	4.9	3,209,359	0	3,209,359	0%
RBC PH&N - Combined	5.1	59,603,621	0	59,603,621	4%
RBC PHN - PUC Funds	5.1	78,292,198	0	78,292,198	6%
Scotia Institutional Asset Mgmt.	4.9	218,092,957	0	218,092,957	16%
ONE Canadian Equity Portfolio	0	35,966,325	0	35,966,325	2%
Total Long-Term	0	395,164,460	0	395,164,460	28%
Total Portfolio	0	1,394,052,634	305,688,683	1,088,363,951	100%
Total Internally Managed	0	922,013,222	305,688,683	616,324,540	66%
Total Externally Managed	0	472,039,411	0	472,039,411	44%
Total Portfolio	0	1,394,052,634	305,688,683	1,088,363,951	100%

Note A: Cash balances as per bank accounts as at December 31, 2020. Excludes Trust Fund cash.

Note B: In general, externally managed portfolios are deemed to be long-term investments, as they generally represent invested funds that are not required in the short- to medium-term (typically > 5 years).

Appendix “B”

Bill No.
2021

By-law No. CPOL.-

A by-law to amend By-law CPOL.-39(a)-371 being
“Investment Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS section 7 of Ontario Regulation 438/97, as amended, enacted under section 418(6) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, provides that The Corporation of the City of London shall adopt a statement of its investment policies and goals;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law CPOL.-39(a)-371 being “Investment Policy” to remove the investment term targets, provide for separate identification and investment type limitations for different asset groups, revise parameters for fixed income investments and revise the maximum equity holdings;

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

1. By-law CPOL.-39(a)-371 being “Investment Policy” is hereby amended by deleting Appendix “C” to By-Law No. CPOL.- 39(a)-371 in its entirety and by replacing it with the attached new Appendix “C”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix “C” – Investment Policy



Investment Policy

Policy Name: Investment Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-39-235); Amended July 24, 2018 (By-law No. CPOL.-39(a)-371)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or designate)

1. Policy Statement

This policy establishes the objectives, standard of care, eligible investments, reporting requirements and responsibilities of the prudent management of investments held by Corporation of the City of London (the City).

2. Definitions

- 2.1. **Active Investment Management:** an investment strategy that uses expectations about individual securities and the overall investment environment to build a portfolio aligned with those expectations. Focus is on buying and selling specific securities based on current expectations.
- 2.2. **Asset Backed Securities:** fixed income securities (other than a government security) issued by a special purpose entity, comprised of a pool of underlying assets.
- 2.3. **City Treasurer:** the individual appointed by the municipality as treasurer.
- 2.4. **Diversification:** a process of investing assets among a range of security types by sector/category, maturity, and quality rating.
- 2.5. **Liquidity:** a measure of an asset's convertibility to cash.
- 2.6. **Market Value:** the market price of a security.
- 2.7. **Maturity:** the date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder.
- 2.8. **One Investment:** a professionally managed group of investment funds composed of pooled investments that meet the eligibility criteria defined by O.Reg 438/97. The program is operated by LAS (Local Authority Services Ltd. a subsidiary of the Association of Municipalities of Ontario) and the CHUMS Financing Corporation (a subsidiary of the Municipal Finance Officers' Association of Ontario).
- 2.9. **Passive Investment Strategy:** an investment strategy that does not lead to individual or specific security changes when expectations change. Focus is on indexed investing or utilization of a buy and hold strategy of securities.
- 2.10. **Purchasing Power:** the level of goods and services that can be purchased at current prices.
- 2.11. **Real Return Bonds:** a debt security with coupon payments and principal indexed to inflation

- 2.12. **Schedule I Banks:** domestic banks that are authorized under the Bank Act to accept deposits, which may be eligible for deposit insurance provided by the Canadian Deposit Insurance Corporation.
- 2.13. **Schedule II Banks:** foreign bank subsidiaries authorized under the Bank Act to accept deposits, which may be eligible for deposit insurance provided by the Canada Deposit and Insurance Corporation. Foreign bank subsidiaries are controlled by eligible foreign institutions.
- 2.14. **Schedule III Banks:** foreign bank branches of foreign institutions that have been authorized under the Bank Act to do banking business in Canada. These branches have certain restrictions.
- 2.15. **Supranational Bonds:** bonds issued by entities formed by two or more central governments.

3. Applicability

This investment policy shall govern the City's investment activities and portfolio which consists of:

- i) Operating Funds;
- ii) Reserves;
- iii) Reserve Funds; and
- iv) Trust Funds.

4. The Policy

4.1 Objectives

The primary objectives of this investment policy, in priority order, are as follows:

4.1.1 Adherence to statutory requirements

All investment activities shall be governed by the Ontario Municipal Act, 2001 as amended. Investments, unless further limited by Council, shall be those eligible under Ontario Regulation 438/97 or as authorized by subsequent provincial regulations.

4.1.2 Preservation of capital

Meeting this objective requires preserving the value of the invested principal. As such, this shall be achieved by investing in properly rated financial instruments in accordance with applicable legislation, by limiting the types of investments to a maximum percentage of the total portfolio, being mindful of the amount invested within individual institutions and utilizing a strategic asset allocation.

4.1.3 Maintenance of liquidity

The investment portfolio shall remain sufficiently liquid to meet daily operating cash flow requirements and limit temporary borrowing. The portfolio shall be structured to hold investments that, through marketability, a high level of price stability and the timing of maturities, can maintain adequate liquidity to meet the City's needs.

4.1.4 Achieving a rate of return sufficient to maintain the purchasing power of invested funds.

Within the boundaries set by the three preceding objectives, the investment portfolio shall strive to maximize total returns with the aim of maintaining the purchasing power of invested funds. The City and any Investment Manager(s) must consider current and future economic conditions, the role that each investment or course of action plays within the overall portfolio, the expected total return from income and the appreciation

of capital and the need for liquidity, regularity of income and preservation or appreciation of capital.

4.2 Standard of Care

Investments shall:

- i) be made with judgment and care;
- ii) not be for speculation, but for investment;
- iii) be made with the best interests of the City.

Delegation of Authority and Authorization:

The City Treasurer shall have overall responsibility for the prudent investment of the City's investment portfolio. The City Treasurer shall have the authority to implement the investment program and establish procedures consistent with this policy. Such procedures shall include the explicit delegation of the authority needed to complete investment transactions; however, the City Treasurer shall remain responsible for ensuring that the investments are compliant with regulations and this policy. No person may engage in an investment transaction except as provided under the terms of this policy.

The City Treasurer shall be authorized to enter into arrangements with banks, investment dealers/managers and brokers, and other financial institutions for the purchase, sale, redemption, issuance, transfer and safekeeping of securities in a manner that conforms to the Municipal Act, 2001 and the City's policy manual. Investment transactions shall be authorized by two of the individuals listed below, one of whom must be City Treasurer or Deputy City Treasurer.

- i) City Treasurer
- ii) Director, Financial Planning & Business Support
- iii) Director, Financial Services
- iv) Manager, Financial Planning & Policy
- v) Division Manager, Taxation & Revenue

4.3 Investment Strategy

4.3.1. Diversification & Liquidity

To minimize portfolio risk and to maintain liquidity of the investment portfolio, investment diversification shall be guided by the following:

- i) Limiting investments to avoid over-concentration in securities from a specific issuer or sector/category where possible;
- ii) Investing in securities with varying maturities;
- iii) Investing in securities which have an active secondary market; and
- iv) Investing in various asset classes and sectors/categories.

4.3.2. Investment Type Limitations

Portfolio limitations shall apply at the time an investment is made and shall be evaluated based on market value. Cost shall be considered where either market value is not readily available or represents an approximation of market value.

All investments shall be expressed and payable in Canadian dollars.

i) Operating Funds:

Operating funds shall be maintained to support the daily working capital needs of the City. Any funds invested shall be limited to the following fixed income investments:

Category	Minimum Credit Rating ^a	Category Maximum	Security Term Maximum (Maturity or Redeemability)
Federal & Crown Corporations	N/A	100%	2 years
Provincial	N/A	100%	2 years
Municipal	N/A	100%	2 years
Banks – Schedule I	A-	100%	2 years
Banks – Schedule II, III	A-	10%	2 years

ii) Reserves:

Reserves, given the contingent nature of funds held, shall normally be maintained as cash and not invested. Reserves balances can be temporarily utilized for working capital needs for operating cash flow. Should any balances be invested, the strategy shall follow this policy, specifically the provisions and limitations as outlined under Operating Funds.

iii) Reserve Funds:

Sufficient Reserve Fund cash balances shall be maintained to support the daily working capital needs of the City's Reserve Funds.

Reserve Funds that are invested shall be limited by the following:

Asset Class	Minimum Credit Rating ^a	Asset Class Maximum	Security Term Maximum (Maturity or Redeemability)
Fixed Income	See below for further breakdown	100%	See below for further breakdown
Equity	N/A	15%	N/A

^a Rating as issued by Standard and Poor's (S&P). An equivalent or alternative rating from another Credit Rating Agency is permissible as listed in the Municipal Act.

Further limits on the fixed income asset class are:

Category	Minimum Credit Rating ^a	Category Maximum	Security Term Maximum (Maturity or Redeemability)
Federal & Crown Corporations	N/A	100%	10 years
Federal - Real Return Bonds	N/A	10%	10 years
Provincial	N/A	100%	10 years
Municipal	N/A	80%	10 years
Banks – Schedule I	A-	75%	10 years
Banks – Schedule II, III	A-	10%	10 years
Other Canadian Corporations	A-	50%	5 years
Asset Backed Securities	AAA	10%	10 years
Supranationals, International Bank of Reconstruction and Development	AAA	10%	10 years
Universities, Colleges, School Boards, Hospitals	AA-	10%	10 years
One Investment – High Interest Savings Account	N/A	100%	N/A
One Investment – Money Market Portfolio	N/A	100%	N/A
One Investment – Canadian Government Bond Portfolio	N/A	100%	N/A
One Investment – Canadian Corporate Bond Portfolio	N/A	50%	N/A

As per O.Reg 438/97, Equity holdings are limited to the ONE Investment Program and shall be held in the ONE Canadian Equity Portfolio.

iv) Trust Funds:

Trust funds by nature must be maintained in a separate account and invested separately. The investment strategy will be dictated by the terms of the trust agreement. In the absence of specific direction, the strategy shall follow this policy, specifically the provisions and limitations as outlined under Operating Funds.

4.3.3. Active and Passive Management

To achieve the primary objectives of this investment policy, internally managed funds shall, for the most part, follow a passive management strategy. Externally managed funds may utilize either an active or passive strategy while weighing the risk and return

of employing one strategy over the other, in consultation with external investment managers and subject to confirmation of the City Treasurer or designate.

4.3.4. Performance Standards

The performance of investments shall be measured using applicable benchmarks and performance indicators. Performance shall be reviewed at least quarterly.

4.3.5. Internal Borrowing

In developing the cash requirements for the year, sufficient cash shall be available to fund capital expenditures. Capital spending is supported (temporarily financed) by operating funds and reserves prior to securing long-term financing (primarily long-term debentures).

If operating funds or reserves do not have sufficient cash to support capital expenditures and operating expenditures during the year, the best option is to borrow from the Reserve Funds on a short-term basis in accordance with the Reserve and Reserve Fund Policy, rather than obtaining external financing. For this to occur, the Reserve Funds must have sufficient cash available. A fair rate of interest shall be applied on amounts borrowed.

4.4 Reporting

The City Treasurer shall provide an annual investment report to Council which includes, at a minimum, the requirements set forth in O. Reg. 438/97. Under the current regulations the investment report shall contain the following:

- i) a statement about the performance or the portfolio of investments of the municipality during the period covered by the report;
- ii) a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investments of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;
- iii) a statement by the treasurer as to whether or not, in their opinion, all investments are consistent with the investment policies and goals adopted by the municipality;
- iv) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security;
- v) such other information that the council may require or that in the opinion of the treasurer, should be included;
- vi) a statement by the treasurer as to whether any of the investments fall below the standard required for that investment during the period covered by the report; and
- vii) the details of the proposed use of funds realized in the disposition of an investment for which the City sold as a result of a decline in rating below the standard required by O.Reg. 438/97.

In addition to the annual report, the City Treasurer shall report to Council any investment that is made that is not, in their opinion, consistent with the investment policy adopted by the City within thirty days after becoming aware of it.

4.5 Environmental, Social and Governance Considerations

As a Canadian municipality, the City has a duty to act responsibly and in the best interests of the City's constituents by ensuring the sustainability of the investment portfolio. As such, proactively considering Environmental, Social and Governance (ESG) risks and opportunities should be part of the City's investment strategy.

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Cathy Saunders, City Clerk
Subject: Council Policy Manual Review 2021
Meeting on: July 26, 2021

Recommendation

That, on the recommendation of the City Clerk, the following actions be taken with respect to the “Policy for the Establishment and Maintenance of Council Polices”:

a) the attached proposed by-laws (Appendices B1 to B34) BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to amend the following Council Policies:

1. “Access and Privacy Policy” to be amended to:
 - apply grammatical corrections and gender-neutral language;
 - remove references to “Managing Director” and replace with “Deputy City Manager”
 - add the definition of “Privacy Impact Assessment”, and “Project” as it relates to a privacy impact assessment in section 2;
 - add “reporting and investigating privacy breaches” to the responsibilities of the City Clerk in section 4.2;
 - add paragraph related to the Transmitting of Personal Information to External Parties in section 4.8;
 - provide clarity related to the City Clerk’s role and responsibilities related to privacy breaches in section 4.9; and
 - add a new section 4.10 outlining the requirement for staff to conduct a Privacy Impact Assessment if a project or initiative if, in the City Clerk’s opinion, one is required.
2. “Accountability and Transparency to the Public Policy” to be amended to reflect Council’s current Values.
3. “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy” to be amended to redefine the Council Year to reflect changes to section 6 of the MEA.
4. “Assessment Growth Policy” to be amended to provide for strengthened eligibility criteria and for the prioritization of requests.
5. “Capital Budgets and Financing Policy” to be amended to update the definitions and policy sections.
6. “City of London Community Suite Policy” be amended to clarify wording in liability section.
7. “Code of Conduct for Members of Council” to be amended to:
 - apply grammatical corrections;
 - delete section 3.5 as it is duplicated in section 9;
 - reference current Respectful Workplace Policy in section 7; and
 - delete duplicate wording in section 6.1 as it is reflected in section 6.5.

8. "Debt Management Policy" to be amended to update objectives for the addition of intergenerational equity and maintaining a strong credit rating, and to update the policy section for clarity.
9. "Dedication of Fire Stations" policy be amended to update applicable Fire Stations and service area title.
10. "Discretionary Benefits" to be amended to address the intent of Discretionary Benefits and the new Provincial model towards life stabilization.
11. "Financial Assistance for Program Activity Fees" to be amended to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistance from the province, and to renumber the sections accordingly.
12. "Flags at City Hall Policy" to be amended to clarify that flags at the back entrance of City Hall are to be removed over the winter.
13. "Gender Equity in Recreation Services" policy be amended to modernize language in three definitions (2.2 to 2.4), to add a section 4.iii under Policy to address removing barriers, and to update position and service area titles.
14. "Grants to Centennial Hall" to be amended to remove outdated language.
15. "Hiring of Employees Policy" to be amended to update references and numbering, and to add the phrase "or harassment" to updated section 4.2.
16. "Identification of Operating Surpluses – Boards and Commissions" to be amended to align wording in applicability and policy sections with the budget monitoring process.
17. "Leasing and Licensing of City Owned Land" to be amended to incorporate wording from repealed policy, "Leasing Parkland"
18. "Legal Services and Accounts" to be amended to change the claim amount to align with thresholds in the Procurement Policy.
19. "Lessee Protection and Non-Competitive Clauses" to be amended to change the title to "Lessee Protection and Non-Competitive Clauses – Centennial Hall" to reflect the scope of the policy.
20. "London Community Grants Policy" to be amended to delete reference to Housing Development Corporation, London (HDC) in section 4.3(b)(v).
21. "Mayor – Contracted Staff" to be amended to add clarifying language about benefits.
22. "Mayor's New Year's Honour List Policy" to be amended to clarify eligibility criteria for nomination.
23. "Multi-Year Budget Policy" to be amended to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets.
24. "Notices of OPA and ZBA Received From Other Municipalities" to be amended to clarify 4(a) that where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required.
25. "Objectives of Centennial Hall" to be amended to add clarifying language in section 4(b).
26. "Policy for waiving or reducing fees for use of city owned community centres and recreation facilities" be amended to change the policy title to "Request to Waive or Reduce Facility Rental Fees" and to update position and service area titles.
27. "Promotion of Corporate Products to City Staff" to be amended to add clarifying language.

28. “Public Notice Policy” to be amended to:
- reflect Council’s current Values and apply minor grammatical corrections;
 - remove references to the “Committee of the Whole” and “Board of Control”;
 - delete references to the “annual” budget and replace with “multi-year”; and
 - remove the reference to “shall” and replace with “may” with regards to notice being published in the newspaper advising of a new or amended procedure by-law; and
 - add a requirement to provide notice of intent to implement a new municipally managed private commercial parking lot. Notice of intent shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.
29. “Real Property Acquisition Policy” to be amended to incorporate changes to legislation.
30. “Reduced Rental Rates for Non-Profit Groups” to be amended to update staff titles and reference to the Fees and Charges By-law.
31. “Reserve and Reserve Fund Policy” to be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans.
32. “Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)” to be amended to add clarifying language.
33. “Surplus Deficit Policy” to be amended to clean up the policy section.
34. “Urban Design Award” to be amended to include the use of virtual methods for nominating and evaluating nominees, and to clarify the process for selecting the winner of the People’s Choice Award.

b) the attached proposed by-laws (Appendices C1 to C4) BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to repeal the following Council Policies:

1. “Leasing Parkland” to be repealed because language is being incorporated into the Council policy “Leasing and Licencing of City Owned Land”
2. “Parkland Accounts” to be repealed because the policy is redundant and no longer required.
3. “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” to be repealed because London Plan Policies 1099A-1099F are now in force.
4. “Value of Parkland Dedication” to be repealed because the information it contains is currently duplicated in the Council Policy titled “Parkland Dedication Cash in Lieu”.

Executive Summary

In accordance with Council’s “Policy for the Establishment and Maintenance of Council Policies”, the Civic Administration has undertaken a review of the current Council Policies to ensure that the Policies are updated to reflect legislative or organizational changes. This Report provides the results of the review of the 193 Council Policies that comprise the Council Policy Manual. No new policies are being recommended; however, amendments to 34 Policies are proposed and four Policies are proposed to be repealed. Attached as Appendix “A” is a list of all Policies that were reviewed in this process and the status of the review. Forty-two Policies are still under review and will come forward to Municipal Council later this year. A total of 113 Policies were reviewed with no recommended changes or with only administrative changes to update job titles

and service areas in response to the corporate restructuring.

Linkage to the Corporate Strategic Plan

A review of all Council Policies is undertaken every two years to support the City of London being trusted, open, and accountable in service of our community, and contributes to the result of Leading in Public Service.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Corporate Services Committee, May 28, 2019, Item 2.2, Council Policy Manual
- Governance Working Group, June 25, 2018, Item 3.1, Council Policy Manual Modernization
- Governance Working Group, June 11, 2018, Item 3, Council Policy Manual Modernization
- Governance Working Group, May 25, 2018, Item 3, Council Policy Manual Modernization
- Governance Working Group, April 23, 2018, Item 3, Council Policy Manual Modernization
- Governance Working Group, March 5, 2018, Item 3, Council Policy Manual Modernization
- Governance Working Group, November 13, 2017, Item 4, Council Policy Manual Modernization Framework
- Governance Working Group, September 7, 2017, Item 2, Council Policy Review
- Governance Working Group, August 21, 2017, Item 5, Council Policy Manual Review
- Governance Working Group, July 19, 2017, Item 3, Council Policy Manual Review
- Strategic Priorities and Policy Committee, June 12, 2017, Item 7, 2nd Report of the Governance Working Group
- Governance Working Group, May 25, 2017, Item 4, Council Policy Manual Review
- Strategic Priorities and Policy Committee, March 1, 2017, Item 5, Council Policy Manual Review

1.2 Background

This Report presents the results of the third biannual review of Council policies in accordance with Municipal Council direction.

In the first Council Policies review, which took place throughout 2017 and 2018, the Civic Administration undertook a comprehensive review of all Council Policies to standardize the nature, scope, and wording of the policies, and to provide for sustainability and to ensure consistency of Council Policies. This review, completed in June of 2018, resulted in the creation of a new Council Policy Manual, with all Policies contained in the manual being adopted by Municipal Council. The Council Policy Manual is posted on the City of London's website.

The second review of all Council Policies took place in 2019, and resulted in two new policies, nine amended policies, and three repealed policies. In addition, new and amended Council policies have been brought forward as needed or required outside the review period. Examples include Electronic Participation of Council Members at Council and Standing Committee Meetings, adopted in August 2020, and Appointments Requiring Council Approval and or Consultation, amended in February 2021.

1.3 Corporate Restructuring and Corporate Values

Municipal Council approved a new Corporate structure, which came into effect on May 4, 2021. The resulting changes to service areas and job titles have been incorporated

into all the reviewed policies as administrative amendments. Some Council Policies in the areas of Planning and Economic Development (formerly Development and Compliance Services) and Environment and Infrastructure (formerly Environment and Engineering Services) are currently under review pending additional changes that may result from the restructuring, with reports expected later this year, as additional time is required for the Civic Administration to finalize all functions within these restructured service areas.

Other Policies require further review as they are related to a more comprehensive review of the subject matter and further consideration is required or a separate process may be undertaken due to the nature of the Policy.

Since the last overall review of Council Policies, the Municipal Council adopted a new Strategic Plan, including the following values of the Corporation: good governance; driven by community; acting with compassion; moving forward through innovation. Recommended amendments reflect these values.

2.0 Discussion and Considerations

2.1 Council Policy for Establishing and Maintaining Council Policies

This Report is being submitted in accordance with the “Policy for the Establishment and Maintenance of Council Policies” which requires the following to be undertaken:

4.24 Maintaining the Currency of Council Policies

It is the responsibility of Service Area Leads to maintain the currency of the Council policies that fall within their service area’s jurisdiction.

The City Clerk shall by January 31 of each calendar year ending in an odd number, send a written notice to each Service Area Lead, with a copy to the relevant Service Area Head, reminding them to ensure completion of their annual review of Council policies for which they have been designated responsibility, to ensure they continue to properly meet Council, corporate and other legislative requirements.

Service Area Leads shall:

- a) Review all Council policies within their service area’s jurisdiction by no later than April 30 of each calendar year ending in an odd number to ensure they continue to properly meet Council, corporate and other legislative requirements and advise their Service Area Head of the findings from their review. This does not preclude any Service Area from being responsible for updating a policy prior to the bi-annual review of all policies, should it become evident that a change in policy is required on a more immediate basis.

Service Area Heads shall:

- a) Advise the City Clerk’s staff person specified in the City Clerk’s notice letter, of the date the review of the Council policies within their Service Area was completed, for those policies not requiring any change, so that review date can be reflected in the relevant policy.
- b) Bring forward any recommendations for revisions to existing Council policies arising from the Service Area’s review by May 31 of each calendar year ending in an odd number, for consideration by the appropriate Standing Committee of Council. The review date for any policies recommended for change will be the date those changes are adopted or denied by the Municipal Council.

This review, although commenced early in 2021, has been delayed in response to the recently approved organizational structure so that the resulting changes could be incorporated into this process. As noted previously in this report, additional time is required in some of the service areas to finalize the operations of the new service area structure, while other Policies are part of a separate review and more detailed process.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

Attached as Appendix “A” to this Report is a summary of the actions being recommended by the Civic Administration in response to the process set out in the “Policy for the Establishment and Maintenance of Council Policies”.

In accordance with the above-noted Council Policy, it is recommended that the following actions be taken:

4.1. New Council Policies Recommended for Adoption

There are no new Council Policies being recommended at this time.

4.2. Council Policies Recommended for Amendment

“Access and Privacy Policy” to be amended to:

- apply grammatical corrections and gender-neutral language;
- remove references to “Managing Director” and replace with “Deputy City Manager”
- add the definition of “Privacy Impact Assessment”, and “Project” as it relates to a privacy impact assessment in section 2;
- add “reporting and investigating privacy breaches” to the responsibilities of the City Clerk in section 4.2;
- add paragraph related to the Transmitting of Personal Information to External Parties in section 4.8;
- provide clarity related to the City Clerk’s role and responsibilities related to privacy breaches in section 4.9; and
- add a new section 4.10 outlining the requirement for staff to conduct a Privacy Impact Assessment if a project or initiative if, in the City Clerk’s opinion, one is required.

“Accountability and Transparency to the Public Policy” to be amended to reflect Council’s current Values.

“Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy” to be amended to redefine the Council Year to reflect changes to section 6 of the MEA.

“Assessment Growth Policy” to be amended to provide for strengthened eligibility criteria and for the prioritization of requests.

“Capital Budgets and Financing Policy” to be amended to update the definitions and policy sections.

“City of London Community Suite Policy” be amended to clarify wording in liability section.

“Code of Conduct for Members of Council” to be amended to:

- apply grammatical corrections;
- delete section 3.5 as it is duplicated in section 9;
- reference current Respectful Workplace Policy in section 7; and
- delete duplicate wording in section 6.1 as it is reflected in section 6.5.

“Debt Management Policy” to be amended to update objectives for the addition of intergenerational equity and maintaining a strong credit rating, and to update the policy section for clarity.

“Dedication of Fire Stations” policy be amended to update applicable Fire Stations and service area title.

“Discretionary Benefits” to be amended to address the intent of Discretionary Benefits and the new Provincial model towards life stabilization.

“Financial Assistance for Program Activity Fees” to be amended to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistance from the province, and to renumber the sections accordingly.

“Flags at City Hall Policy” to be amended to clarify that flags at the back entrance of City Hall are to be removed over the winter.

“Gender Equity in Recreation Services” policy be amended to modernize language in three definitions (2.2 to 2.4), to add a section 4.iii under Policy to address removing barriers, and to update position and service area titles.

“Grants to Centennial Hall” to be amended to remove outdated language.

“Hiring of Employees Policy” to be amended to update references and numbering, and to add the phrase “or harassment” to updated section 4.2.

“Identification of Operating Surpluses – Boards and Commissions” to be amended to align wording in applicability and policy sections with the budget monitoring process.

“Leasing and Licensing of City Owned Land” to be amended to incorporate wording from repealed policy, “Leasing Parkland”

“Legal Services and Accounts” to be amended to change the claim amount to align with thresholds in the Procurement Policy.

“Lessee Protection and Non-Competitive Clauses” to be amended to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy.

“London Community Grants Policy” to be amended to delete reference to Housing Development Corporation, London (HDC) in section 4.3(b)(v).

“Mayor – Contracted Staff” to be amended to add clarifying language about benefits.

“Mayor’s New Year’s Honour List Policy” to be amended to clarify eligibility criteria for nomination.

“Multi-Year Budget Policy” to be amended to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets.

“Notices of OPA and ZBA Received From Other Municipalities” to be amended to clarify 4(a) that where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required.

“Objectives of Centennial Hall” to be amended to add clarifying language in section 4(b).

“Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees” and to update position and service area titles.

“Promotion of Corporate Products to City Staff” to be amended to add clarifying language.

“Public Notice Policy” to be amended to:

- reflect Council’s current Values and apply minor grammatical corrections;
- remove references to the “Committee of the Whole” and “Board of Control”;
- delete references to the “annual” budget and replace with “multi-year”; and
- remove the reference to “shall” and replace with “may” with regards to notice being published in the newspaper advising of a new or amended procedure by-law; and
- add a requirement to provide notice of intent to implement a new municipally managed private commercial parking lot. Notice of intent shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.

“Real Property Acquisition Policy” to be amended to incorporate changes to legislation.

“Reduced Rental Rates for Non-Profit Groups” to be amended to update staff titles and reference to the Fees and Charges By-law.

“Reserve and Reserve Fund Policy” to be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans.

“Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)” to be amended to add clarifying language.

“Surplus Deficit Policy” to be amended to clean up the policy section.

“Urban Design Award” to be amended to include the use of virtual methods for nominating and evaluating nominees, and to clarify the process for selecting the winner of the People’s Choice Award.

The above-noted policies are attached as Appendix “B” to this Report.

4.3 Council Policies Recommended for Repeal

“Leasing Parkland” to be repealed because language is being incorporated into the Council Policy “Leasing and Licencing of City Owned Land” and is therefore no longer required.

“Parkland Accounts” to be repealed because the Policy is redundant and no longer required.

“Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London” to be repealed because London Plan Policies 1099A-1099F are now in force and effect.

“Value of Parkland Dedication” to be repealed because the information it contains is currently duplicated in the Council Policy titled “Parkland Dedication Cash in Lieu”.

The by-laws introducing these recommendations are attached as Appendix “C” to this Report, while the above-noted policies are attached as Appendix “D” to this Report.

4.4 Council Policies Under Review

The following Council Policies are still under review, with reports regarding the results of this review, expected later this year:

1. Accounts Receivable and Collections Policy
2. Asset Transfers To Municipal Services Corporations Policy
3. Assumption of Works and Services
4. Athletic Travel Grants
5. City of London Race Relations Anti Racism Policy
6. Commemorative Street Naming Policy

7. Contracting for Legal Services
8. Development Charge Interest Rate Policy
9. Diversity and Inclusion Policy for the City of London
10. Donations Policy
11. Drawing Review Fees
12. Elsie Perrin Williams Estate
13. Enforcement of City Personnel Policy
14. Free of Fear Services for All Policy
15. Gateway Structures, Fences and Walls - Ownership and Maintenance
16. Government Agencies to Pay Fees
17. Investment Policy
18. Issuance of Technology Equipment to Council Members Policy
19. Minutes of Settlement for Assessment Appeals
20. Monumenting Program
21. Municipal Service and Financing Agreements Policy
22. Naturalized Areas and Wildflower Meadows
23. Part-Lot Control Exemption Policy
24. Perfecting Property Titles for which Consents were not Obtained
25. Refunding of Application Fees
26. Requiring Building Permits for Buildings Constructed More Than One Year Prior
27. Residential Front Yard and Boulevard Parking
28. Royal Canadian Legion Branch Property Tax Relief Program Funding
29. Rzone Policy
30. Sale and Other Disposition of Land Policy
31. Security Policy Regarding Letters of Credit
32. Special Events Policies and Procedures Manual
33. Street Cleaning in Unassumed Subdivisions
34. Street Naming - Streets of Honour
35. Subdivision and Development Agreement Security Policy
36. Substantially Changed OPA ZBA
37. Tax Collection Policy
38. Third Party Billing – City of London Contracts
39. Travel and Business Expenses
40. Treatment of Properties That Do Not Sell At Municipal Tax Sales
41. Tree Preservation
42. Trust Fund Policy

5.0 Conclusion

The establishment and maintenance of Council Policies will continue the consolidation, standardization and sustainability of Council Policies, as well as maintain the City of London's transparency.

Prepared and Recommended by: Cathy Saunders, City Clerk

Appendix “A”

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Absence of Municipal Services	Reviewed no change at this time	Environment and Infrastructure
Access and Privacy Policy	Amend	Legal Services
Accessibility Policy	Administrative changes	Enterprise Supports
Accountability & Transparency to Public Policy	Amend	Legal Services
Accounts Receivable and Collections Policy	Under review	Finance Supports
Added Staff Recommendations and Committee Reports Policy	Reviewed no change at this time	Legal Services
Allocation of Councillors Offices Policy	Reviewed no change at this time	Legal Services
Annual Assessment of Underutilized Light Vehicles	Reviewed no change at this time	Finance Supports
Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy	Amend	Legal Services
Appointment of Deputy Mayor Policy	Reviewed no change at this time	Legal Services
Appointments Requiring Council Approval and or Consultation	Reviewed no change at this time	City Manager's Office
Assessment Growth Policy	Amend	Finance Supports
Asset Transfers To Municipal Services Corporations Policy	Under review	Finance Supports
Assumption of Works and Services	Under review	Planning and Economic Development
Athletic Travel Grants	Under review	Neighbourhood and Community-Wide Services
Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy	Reviewed no change at this time	Legal Services
Banners Over City Streets	Reviewed no change at this time	Environment and Infrastructure
Benefits for Survivors of Employees Killed on the Job	Reviewed no change at this time	Enterprise Supports
Bravery Award Policy	Reviewed no change at this time	Legal Services
Capital Budget and Financing Policy	Amend	Finance Supports
Catch Basins on Private Property	Reviewed no change at this time	Environment and Infrastructure
Child Care Policies	Reviewed no change at this time	Social and Health Development
Citizens Unable to Take Out Garbage or Recyclable Material	Reviewed no change at this time	Environment and Infrastructure
City Council Representation at “Out of Town” Functions Policy	Reviewed no change at this time	Legal Services
City of London Community Suite Policy	Amend	Legal Services
City of London Days at the Budweiser Gardens Policy	Reviewed no change at this time	Legal Services

2021 Council Policy Review Policy Name	Action Recommended	Service Area
City of London Race Relations Anti Racism Policy	Under review	City Manager's Office
City of London Records Management Policy	Reviewed no change at this time	Legal Services
City-Owned Residential Properties	Reviewed no change at this time	Finance Supports
Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy	Reviewed no change at this time	Legal Services
Code of Conduct for Local Boards	Reviewed no change at this time	Legal Services
Code of Conduct for Members of Council	Amend	Legal Services
Code of Ethics	Reviewed no change at this time	Enterprise Supports
Collective Bargaining Activities	Reviewed no change at this time	Enterprise Supports
Commemorative Street Naming Policy	Under review	Planning and Economic Development
Community Arts Investment Program	Reviewed no change at this time	Neighbourhood and Community-Wide Services
Community Engagement Policy	Reviewed no change at this time	Enterprise Supports
Containerized Garbage Collection Systems	Reviewed no change at this time	Environment and Infrastructure
Contracting for Legal Services	Under review	Legal Services
Conveyance of Sanitary Filled Land	Reviewed no change at this time	Finance Supports
Corporate Asset Management Policy	Reviewed no change at this time	Finance Supports
Corporate Identity Policy	Reviewed no change at this time	Enterprise Supports
Corporate Plaques and Recognitions Policy	Reviewed no change at this time	Legal Services
Corporate Sponsorship and Advertising Policy	Reviewed no change at this time	Neighbourhood and Community-Wide Services
Council Members' Expense Account Policy	Reviewed no change at this time	Legal Services
Debt Management Policy	Amend	Finance Supports
Dedication of Fire Stations	Amend	Neighbourhood and Community-Wide Services
Delegation of Powers & Duties Policy	Reviewed no change at this time	Legal Services
Delegations by Union Executives to Standing Committees Policy	Reviewed no change at this time	Legal Services
Deleting Works from Tenders	Reviewed no change at this time	Environment and Infrastructure
Demolition Control	Reviewed no change at this time	Planning and Economic Development
Demolitions of Buildings on Flood Plain Lands	Reviewed no change at this time	Finance Supports
Designation of Municipally Significant Events Policy	Reviewed no change at this time	Legal Services

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Development Charge Interest Rate Policy	Under review	Planning and Economic Development
Discretionary Benefits	Amend	Social and Health Development
Discussion of Remuneration for Elected Officials and Individuals Appointed	Reviewed no change at this time	Legal Services
Diversity and Inclusion Policy for the City of London	Under review	City Manager's Office
Diversity, Race Relations and Inclusivity Award Policy	Reviewed no change at this time	Legal Services
Donation of Land and Buildings to the City	Reviewed no change at this time	Finance Supports
Donations Policy	Under review	Finance Supports
Drawing Review Fees	Under review	Planning and Economic Development
Electronic Participation of Council Members at Council and Standing Committee Meetings	Reviewed no change at this time	Legal Services
Elsie Perrin Williams Estate	Under review	Planning and Economic Development
Employee Service Recognition Program	Reviewed no change at this time	Enterprise Supports
Encroachment Policy	Reviewed no change at this time	Environment and Infrastructure
Enforcement of City Personnel Policy	Under review	Planning and Economic Development
Establishment of Task Forces and Working Groups Policy	Reviewed no change at this time	Legal Services
Financial Assistance for Program Activity Fees	Amend	Neighbourhood and Community-Wide Services
Financing of Sales	Reviewed no change at this time	Finance Supports
Fixed Term Employment Agreements	Reviewed no change at this time	Enterprise Supports
Flags at City Hall Policy	Amend	Legal Services
Flankage Exemptions for Surface Works and Municipal Services	Reviewed no change at this time	Environment and Infrastructure
Free of Fear Services for All Policy	Under review	Social and Health Development
Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection	Reviewed no change at this time	Environment and Infrastructure
Gateway Structures, Fences and Walls - Ownership and Maintenance	Under review	Planning and Economic Development
Gender Equity in Recreation Services	Amend	Neighbourhood and Community-Wide Services
General Policy for Advisory Committees	Reviewed no change at this time	Legal Services

2021 Council Policy Review		
Policy Name	Action Recommended	Service Area
Government Agencies to Pay Fees	Under review	Planning and Economic Development
Grants to Centennial Hall	Amend	Finance Supports
Hiring of Employees Policy	Amend	Enterprise Supports
Identification of Operating Surpluses - Boards and Commissions	Amend	Finance Supports
Illumination of City of London Buildings and Amenities Policy	Reviewed no change at this time	Legal Services
Inclusion in Recreation Facilities, Parks and Services	Reviewed no change at this time	Neighbourhood and Community-Wide Services
Integrity Commissioner Terms of Reference	Reviewed no change at this time	Legal Services
Inter-Municipal Endorsement of Council Resolutions Policy	Reviewed no change at this time	Legal Services
Internal Review of Property Sales	Reviewed no change at this time	Finance Supports
Investment Policy	Under review	Finance Supports
Issuance of Proclamations Policy	Under review	Legal Services
Issuance of Technology Equipment to Council Members Policy	Amend	Legal Services
Land Dedication	Reviewed no change at this time	Environment and Infrastructure
Landing of Helicopters Policy	Reviewed no change at this time	Legal Services
Lands for Public Works Projects	Reviewed no change at this time	Finance Supports
Lane Maintenance Policy	Reviewed no change at this time	Environment and Infrastructure
Lease Financing Policy	Reviewed no change at this time	Finance Supports
Leasing and Licencing of City Owned Land	Amend	Finance Supports
Leasing Parkland	Repeal	Parks and Rec
Legal Services and Accounts	Amend	Legal Services
Lessee Protection and Non-Competitive Clauses New Title: Lessee Protection and Non-Competitive Clauses - Centennial Hall	Amend	Finance Supports
London Community Grants Policy	Amend	Neighbourhood and Community-Wide Services
Mayor - Contracted Staff	Amend	Enterprise Supports
Mayor's Expenses Policy	Reviewed no change at this time	Legal Services
Mayor's New Year's Honour List Policy	Amend	Legal Services
Media Protocols Policy	Reviewed no change at this time	Enterprise Supports
Members of Council - Absence - Pregnancy or Parental Leave	Reviewed no change at this time	Legal Services

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Members of Council Public Registry Declaration of Interest	Reviewed no change at this time	Legal Services
Minutes of Settlement for Assessment Appeals	Under review	Finance Supports
Monumenting Program	Under review	Environment and Infrastructure
Multi-Year Budget Policy	Amend	Finance Supports
Municipal Service and Financing Agreements Policy	Under review	Planning and Economic Development
Naming Renaming or Dedication of Municipal Property, Buildings and Park Elements Policy	Reviewed no change at this time	Legal Services
Naturalized Areas and Wildflower Meadows	Under review	Planning and Economic Development
New Traffic Signal Locations	Reviewed no change at this time	Environment and Infrastructure
Notices of OPA and ZBA Received From Other Municipalities	Amend	Planning and Economic Development
Objectives of Centennial Hall	Amend	Finance Supports
Official City Flag Policy	Reviewed no change at this time	Legal Services
Outstanding London Ambassador Award Policy	Reviewed no change at this time	Legal Services
Parkland Accounts	Repeal	Environment and Infrastructure
Parkland Dedication - Acquisition of Hazard Lands and or Open Space Lands	Reviewed no change at this time	Environment and Infrastructure
Parkland Dedication – Plan of Subdivision	Reviewed no change at this time	Environment and Infrastructure
Parkland Dedication Cash-in-lieu	Reviewed no change at this time	Environment and Infrastructure
Parkland Dedication Site Plan	Reviewed no change at this time	Environment and Infrastructure
Part-Lot Control Exemption Policy	Under review	Planning and Economic Development
Pathway Corridors	Reviewed no change at this time	Environment and Infrastructure
Payment of Membership Fees of a Council Appointee to an External Board or Commission	Reviewed no change at this time	Legal Services
Perfecting Property Titles for which Consents were not Obtained	Under review	Planning and Economic Development
Placement of Public Submissions on Standing Committee Agendas Policy	Reviewed no change at this time	Legal Services
Policy for the Establishment and Maintenance of Council Policies	Reviewed no change at this time	Legal Services
Policy for waiving or reducing fees for use of city owned community centres and recreation facilities NEW TITLE: Request to Waive or Reduce Facility Rental Fees"	Amend	Neighbourhood and Community-Wide Services

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Processing of Anonymous Communications Policy	Reviewed no change at this time	Legal Services
Procurement of Goods & Services Policy	Reviewed no change at this time	Finance Supports
Promotion of Corporate Products to City Staff - TITLE CHANGE : Promotion of Corporate Products and Services to City Staff	Amend	Enterprise Supports
Property Enquiries to Board of Education	Reviewed no change at this time	Finance Supports
Property for Capital Works Projects	Reviewed no change at this time	Finance Supports
Protocol for Unapproved Aboriginal Burial Sites	Reviewed no change at this time	Legal Services
Provision of Blue Boxes	Reviewed no change at this time	Environment and Infrastructure
Public Access During Council and Standing Committee Meetings	Reviewed no change at this time	Legal Services
Public Art Monument Policy	Reviewed no change at this time	Neighbourhood and Community-Wide Services
Public Notice Policy	Amend	Legal Services
Public Registry Declaration of Interest for Local Boards	Reviewed no change at this time	Legal Services
Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy	Reviewed no change at this time	Legal Services
Queen Elizabeth Scholarship Policy	Reviewed no change at this time	Legal Services
Real Estate Service – MLS	Reviewed no change at this time	Finance Supports
Real Estate Services	Reviewed no change at this time	Finance Supports
Real Property Acquisition Policy	Amend	Finance Supports
Rear Yard Grading and Drainage	Reviewed no change at this time	Environment and Infrastructure
Receptions and Dinners for Retirement, 25-Year Club and Other Civic Occasions	Reviewed no change at this time	Legal Services
Reduced Rental Rates for Non-Profit Groups	Amend	Finance Supports
Refunding of Application Fees	Under review	Planning and Economic Development
Remuneration for Elected Officials and Appointed Citizen Members Policy	Reviewed no change at this time	Legal Services
Rental of Lands for Billboards	Reviewed no change at this time	Finance Supports
Requiring Building Permits for Buildings Constructed More Than One Year Prior	Under review	Planning and Economic Development
Reserve and Reserve Fund Policy	Amend	Finance Supports
Residential Front Yard and Boulevard Parking	Under review	Planning and Economic Development

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)	Amend	Enterprise Supports
Retirement Dinners for Service Area Leads	Reviewed no change at this time	Enterprise Supports
Review of Ward Boundaries Policy	Reviewed no change at this time	Legal Services
Royal Canadian Legion Branch Property Tax Relief Program Funding	Under review	Finance Supports
Rzone Policy	Under review	Neighbourhood and Community-Wide Services
Sale and Other Disposition of Land Policy	Under review	Finance Supports
Sale of Major Assets Policy	Reviewed no change at this time	Finance Supports
Security Policy Regarding Letters of Credit	Under review	Finance Supports
Selection Process Policy for Appointing Members to Committee, Civic Boards and Commissions	Reviewed no change at this time	Legal Services
Services for Special Events	Reviewed no change at this time	Environment and Infrastructure
Siting of Cannabis Retail Stores in London	Reviewed no change at this time	Planning and Economic Development
Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London	Repeal	Planning and Economic Development
Soliciting Funds in City Hall Policy	Reviewed no change at this time	Legal Services
Special Events Policies and Procedures Manual	Under review	Neighbourhood and Community-Wide Services
Staff at Ward Meetings Policy	Reviewed no change at this time	Legal Services
Stormwater Private Drain Connections	Reviewed no change at this time	Environment and Infrastructure
Street Cleaning in Unassumed Subdivisions	Under review	Planning and Economic Development
Street Naming - Streets of Honour	Under review	Planning and Economic Development
Street, Lane and Walkway Closings	Reviewed no change at this time	Environment and Infrastructure
Subdivision and Development Agreement Security Policy	Under review	Planning and Economic Development
Substantially Changed OPA ZBA	Under review	Planning and Economic Development
Surplus Deficit Policy	Amend	Finance Supports
Surplus School Site Evaluation and Acquisition Policy	Reviewed no change at this time	Planning and Economic Development
Tax Collection Policy	Under review	Finance Supports

2021 Council Policy Review Policy Name	Action Recommended	Service Area
Telecommunication Facilities Location and Public Consultation Policy	Reviewed no change at this time	Planning and Economic Development
Third Party Billing – City of London Contracts	Under review	Planning and Economic Development
Traffic and Parking By-law Amendments	Reviewed no change at this time	Environment and Infrastructure
Transactions Involving Elected Officials	Reviewed no change at this time	Finance Supports
Travel and Business Expenses	Under review	Finance Supports
Treatment of Properties That Do Not Sell At Municipal Tax Sales	Under review	Finance Supports
Tree Preservation	Under review	Planning and Economic Development
Trust Fund Policy	Under review	Finance Supports
Urban Design Awards	Amend	Planning and Economic Development
Use of Cenotaph Policy	Reviewed no change at this time	Legal Services
Use of City of London Resources for Election Purposes	Reviewed no change at this time	Legal Services
Use of Civic Square by Centennial Hall Events Policy	Reviewed no change at this time	Legal Services
Use of the City Hall Cafeteria Policy	Reviewed no change at this time	Legal Services
Using Centennial Hall for City Sponsored Events	Reviewed no change at this time	Finance Supports
Value of Parkland Dedication	Repeal	Environment and Infrastructure
Waiving of Landfill Site Fees	Reviewed no change at this time	Environment and Infrastructure

Appendix B1

Bill No.
2021

By-law No. CPOL.-378()-_____

A by-law to amend By-law No. CPOL.- 378-473, being “Access and Privacy Policy” by deleting and replacing Schedule “A”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-378-473, being “Access and Privacy Policy”, by deleting and replacing Schedule “A”;

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

1. By-law No. CPOL.-378-473, being “Access and Privacy Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Access and Privacy Policy

Policy Name: Access and Privacy Policy

Legislative History: Enacted September 18, 2018 (CPOL.-378-473); Amended August 10, 2021 (CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Records and Information Services

1. Policy Statement

The Access and Privacy Policy is a general guide to the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA" or "Act").

The policy combines current practice and procedures and offers operational guidance to help staff:

- Understand the general framework of the legislation;
- Meet administrative and operational requirements; and
- Be aware of best practices.

The policy is not meant to provide legal advice. This policy should be referenced in conjunction with an up-to-date version of the legislation and regulations.

2. Definitions

The terms that appear below are referenced from the Act and relevant IPC guidance documents and Orders.

"City Clerk" means the City Clerk or their written designate.

"Custodian" person or organization within the meaning of the *Personal Health Information Protection Act, 2004* ("PHIPA") that, as a result of their or its power or duties or work set out in PHIPA, has custody or control of personal health information.

"Experienced Employee" (IPC Order PO-3423), employees who were knowledgeable in the subject matter of the request and expend a reasonable effort to locate responsive records.

"Head" in respect of an institution, the individual or body determined to be head under section 3 of the Act.

"Information and Privacy Commissioner" and **"IPC"** mean the Commissioner appointed under subsection 4 (1) of the *Freedom of Information and Protection of Privacy Act*.

"Institution" (section 2 of the Act),

- (a) a municipality,
- (b) a school board, municipal service board, city board, transit commission, public library board, board of health, police services board, conservation authority, district social services administration board, local services board, planning board, local roads board, police village or joint committee of management or joint board of management established under the Municipal Act, 2001 or the City of Toronto Act, 2006 or a predecessor of those Acts,

(c) any agency, board, commission, corporation or other body designated as an institution in the regulations; (“institution”).

“Personal Information” recorded information about an identifiable individual, including,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number, symbol or other particular assigned to the individual;
- (d) the address, telephone number, fingerprints or blood type of the individual;
- (e) the personal opinions or views of the individual except if they relate to another individual;
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the individual; and
- (h) the individual’s name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

“Personal Health Information” (section 4 of PHIPA), identifying information about an individual in oral or recorded form, if the information,

- (a) relates to the physical or mental health of the individual, including information that consists of the health history of the individual’s family;
- (b) relates to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual;
- (c) is a plan of service within the meaning of the Home Care and Community Services Act, 1994 for the individual;
- (d) relates to payments or eligibility for health care, or eligibility for coverage for health care, in respect of the individual;
- (e) relates to the donation by the individual of any body part or bodily substance of the individual or is derived from the testing or examination of any such body part or bodily substance;
- (f) is the individual’s health number; or
- (g) identifies an individual’s substitute decision-maker.

“Privacy Breach”

A privacy breach occurs when personal information is collected, retained, used, accessed or disclosed in ways that are not in accordance with the provisions of the Act. Among the most common privacy breaches is the unauthorized disclosure of personal information, contrary to section 32 of the Act. For example, personal information may be lost (a file is misplaced within an institution), stolen, or inadvertently disclosed through human error (a letter addressed to person A is actually mailed to person B).

“Record” (section 2 of the Act), any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes,

- (a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, an email, [an instant/text message](#), a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- (b) any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

“Privacy Impact Assessment” and **“PIA”** ([IPC Guide](#)), is a risk management tool used to identify the actual or potential effects that a proposed or existing information system, technology, program, process or other activity may have on an individual’s privacy.

“**Project**” ([IPC Guide](#)) in relation to a PIA, means any work involving the collection, use, retention, disclosure, security and disposal of personal information. This may include a new program, process, service delivery model or an information technology system or changes to an existing program, process or system.

“**Responsive Record**” (IPC Order PO-2554), any record that reasonably relates to, or is within the scope of a request under the Act.

“**Reasonable Search**” (IPC Order M-909 and [IPC Fact Sheet](#)), a search conducted by an experienced employee expending reasonable effort to identify any records that are reasonably related to the access request in locations where records in question might reasonably be located.

“**Service Area Liaison**” as designated by their Service Area Deputy City Manager or written designate, a City of London employee with sufficient experience and training in MFIPPA access processes and procedures who responds to the City Clerk with respect to routine access requests on behalf of their department.

3. Applicability

This policy applies to all City of London employees and governs the procedure by which City of London employees respond to access requests and protect personal information as required under MFIPPA.

4. The Policy

The Access and Privacy Policy is a policy governing the procedure by which City of London employees respond to access requests and protect personal information as required under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990 (“MFIPPA” or “Act”).

4.1 Purpose and Policy Statement

The Access and Privacy Policy is a general guide to MFIPPA.

The policy combines current practice and procedures and offers operational guidance to help staff:

- Understand the general framework of the legislation;
- Meet administrative and operational requirements; and
- Be aware of best practices.

The policy is not meant to provide legal advice. This policy should be referenced in conjunction with an up-to-date version of the legislation and regulations.

Audience

The primary audience for this policy is City of London staff.

Policy Principles

The following principles will form the basis of this policy:

Transparency

- As identified in the City’s Strategic Plan, the promotion of an open and transparent government is important to the City of London.
- The City of London is committed to both the routine disclosure and the active dissemination of records when consistent with the principles and rules of the Act.
- The City of London will provide access to records and information in accordance with the principles and rules of the Act.

Accountability

- The City of London will take reasonable steps to protect the collection, use, access, and disclosure of personal information.
- The City of London will facilitate an individual's right of access as well as the ability to correct their personal information in the custody or under the control of the institution, subject to any legislative exemptions.

4.2 Roles and Responsibilities

The Head

MFIPPA prescribes City Council as the Head of the Institution for the purposes of the Act. As Head, Council is accountable for decisions under the Act and for overseeing how the City administers the Act generally. This responsibility includes complying with access provisions of the Act, and ensuring that personal information that the institution collects, uses, and discloses is in compliance with the Act. Pursuant to section 49 of the Act, City Council has delegated to the City Clerk its powers and duties under the Act as per By-law No. A.-6067-31.

For the purposes of this policy, the City Clerk is responsible for:

- exercising the duties pursuant to Council's delegation of all its powers and duties as Head and properly discharging its statutory obligations pursuant to section 49(1) of the Act;
- receiving and managing the overall process of responding to access requests under the Act;
- communicating and liaising with staff, requesters, and third parties regarding access requests under the Act;
- preparing records for disclosure and determining access to records subject to the provisions of the Act;
- managing all aspects of the appeal process relating to access requests under the Act;
- communicating with Deputy City Managers and/or City Manager to resolve any delays by division staff in searching, retrieving or providing copies of records responsive to access requests under the Act;
- preparing and submitting the annual report to the IPC;
- reporting and investigating privacy breaches;
- providing training to employees on the Act; and
- administering, monitoring, and promoting all aspects of this policy.

City Manager and Service Area Leads

The City Manager (generally) and each Service Area Lead (with regards to their direct reports) is responsible for ensuring that the employees they oversee adhere to the procedures in this policy and the provisions of the Act.

The City Manager and Service Area Leads are responsible for:

- allocating sufficient employees and other resources to ensure that Service Areas comply with the access and privacy requirements of the Act;
- ensuring that employees meet internal and statutory deadlines for responding to access requests;
- ensuring that employees maintain division records in compliance with management policies and procedures, and the City of London's Records Retention By-law; and,
- appointing an employee to act as a Service Area Liaison between the respective Service Area and the City Clerk.

City of London Employees

All City of London employees shall be aware of and comply with this policy as required and shall also be responsible for:

- maintaining records in compliance with management policies and procedures and the City of London's Records Retention By-law;
- locating, retrieving and providing copies of records to the City Clerk in response to a request made under the Act by the deadlines provided;
- participating in MFIPPA and records management training;
- communicating and cooperating with the City Clerk with respect to requests made under the Act (for example, search time estimates, clarification requirements, concerns with records, etc.); and,
- providing the City Clerk with a completed Records Retrieval Form (**Appendix B**).

Service Area Liaisons

Each Service Area (SA) shall appoint an employee to act as the SA Liaison between the SA and the City Clerk in response to MFIPPA requests SA Liaisons will receive specialized training by the City Clerk and shall be responsible for fulfilling the access request procedures set out within this policy.

Legal Services – City Solicitor's Office

Solicitors in the City Solicitor's Office provide legal advice to the City Clerk on access requests, as required. Solicitors in the City Solicitor's Office shall be responsible for:

- providing legal advice and opinions related to requests under the Act;
- representing (as required by the City Clerk) the City on appeals to the IPC of the City Clerk's decisions under the Act and in proceedings before the IPC; and,
- preparing representations or reconsideration requests, when requested by the City Clerk, regarding inquiries conducted by the IPC in accordance with the timelines set by the IPC.

4.3 Timely Response to Access Requests

The City Clerk is legislatively required to respond to MFIPPA requests within 30 calendar days. Accordingly, requests are processed within 20 - 21 *business* days. If the City Clerk does not respond to a request within the 30-day time period, then the request is deemed to have been refused. The Act then entitles requesters to appeal immediately the "deemed refusal" to the IPC.

Because of the legislated time frames, employees should process MFIPPA requests on a priority basis. The City Clerk will send a department letter requesting records directly to the SA Liaison with a specific deadline for the responsive records to be provided. Generally, 13-15 calendar days are allocated for staff to complete the search and provide copies of responsive records to the City Clerk.

Search time estimates which exceed one (1) hour are to be provided to the City Clerk with three (3) days of receipt of the department letter. If no search time estimate is received by the City Clerk, the expectation is that the SA Liaison will provide responsive records by the due date indicated in the department letter.

Follow-up Process

If the SA Liaison has not provided the City Clerk with a search time estimate and the City Clerk has not received responsive records by the due date, the City Clerk will follow-up as follows:

- Day Records are Due – Reminder to SA Liaison that records are due today;
- 2 Days After Due Date – If no response, a second reminder to the SA Liaison;
- 4 Days After Due Date– If no response, communication sent to the Deputy City Manager advising that the division response is overdue and that, if the

responsive records are not received in the next few days, the request will become overdue;

- 6 Days After Due Date – If no response, communication sent to the City Manager advising that the division response is overdue and that, if the responsive records are not received, the request will become overdue.

4.4 Access Request Procedures

Receiving Requests

The City Clerk will seek to determine whether a requester may obtain access to all or some of the requested records directly from the relevant Service Area; for example, by providing information that is public. Service Areas should advise the City Clerk of any circumstances when they can routinely disclose certain records outside of the formal freedom of information access procedure.

The City Clerk processes all other formal requests for access to records under the Act.

Clarifying Requests

The City Clerk will seek to ensure that requests are as clear as possible and will contact the requester where appropriate to seek clarification.

Access Procedure

Refer to Process Map – **Appendix A**

1. Once the City Clerk has clarified a request, a department letter, a copy of the request, and Records Retrieval Form is prepared and sent to the SA Liaison with a copy to the Deputy City Manager.
2. Requests that require searches of the Microsoft Exchange system are forwarded directly to the Director of Information Technology Services, Enterprise Supports. Results are provided directly to the City Clerk. The City Clerk will provide copies of responsive e-mails to the staff member for their review.
3. The SA Liaison may identify other Service Areas that may have responsive records.
4. SA Liaisons are required to notify the City Clerk within three (3) days of receipt of the letter if they anticipate a search for responsive records will take more than one (1) hour. If the search is anticipated to take an hour or less, SA Liaisons are advised to provide copies of records (either electronically or photocopies) by the deadline provided in the letter.
5. SA Liaisons must search for all recorded information that responds to an access request and provide copies of the records to the City Clerk no later than the return date indicated in the letter. A search for responsive electronic records can be done through keyword search or reviewing responsive content folders. A search for paper records can be done by physically looking in cabinets or boxes.

If SA Liaisons require a time extension to complete a search they should contact the City Clerk immediately to determine whether the Act permits a time extension. SA Liaisons are required to prepare documentation to justify search time estimates and requests for time extensions, if applicable. Please see the "Time Extensions" section below for detailed documentation requirements.

6. The City Clerk requires that SA Liaisons return a completed Records Retrieval Form along with responsive records indicating the actual time spent searching for records, the location and methods used to search for records, and/or whether there are any concerns with the records in question. The City Clerk also requires a completed Records Retrieval Form if no records are provided responsive to the request.

In the event of an appeal, the IPC may call on the staff that searched for the records to describe the steps they took to conduct the search. Referencing the Records Retrieval Form in such instances assists the City Clerk during the appeal process.

7. The City Clerk will, at the request of the SA Liaison or Deputy City Manager, advise when the records pertaining to their business unit will be released. Where legislative timelines permit, the City Clerk will, at the request of the SA Liaison or Deputy City Manager, provide copies of the records to be released prior to their release.

Time Extensions

The City Clerk determines extensions for a request based on input from the SA Liaison and/or the Service Area Deputy City Manager.

The Act allows the City Clerk to extend the processing time for a request when:

1. The request is for a large number of records or necessitates searching through a large number of records and meeting the time limit would unreasonably interfere with the operations of the City; or
2. Staff must consult with an external agent to comply with the request and they cannot reasonably complete the consultation within the time limit.

If either of the above factors apply, the SA Liaison should summarize in writing the reasons for an extension as follows:

- a) For a request involving a large numbers of records by:
 - explaining the steps that employees require to search for responsive records and estimating the total number of pages of records;
 - identifying any exemptions that may be applicable to the records; and,
 - providing a representative sample of records.
- b) For a request that cannot be completed without consulting with an external agent person, by providing:
 - the name of the person or organization that the City will consult;
 - the reason why consultation is necessary; and,
 - an estimate about when the consultation will be complete.

Providing Records to the City Clerk

The SA Liaison shall provide all of the responsive records to the City Clerk (by the deadline) using the following guidelines:

- Records (electronic or paper) must be provided unaltered. The City Clerk will not accept records that have been redacted or “blacked-out”.
- Original paper records are to be copied or scanned and emailed to the City Clerk. Copies must be legible.
- Electronic records should be provided via the City of London’s Internal File Transfer Service or provided on an ITS approved USB stick. Please do not print electronic records.
- The SA Liaison should identify any areas of concerns in any of the responsive records and may, solely for the purpose of assisting the City Clerk, identify any exemptions that the liaison believes may apply to the records noting that the final decision rests with the City Clerk.
- A completed Records Retrieval Form must be submitted with the records by the deadline.

Offence

No employee shall alter, conceal or destroy a record or cause another person to do so with the intention of denying a right under the Act to access the record or the information contained in the record.

It is an offence under section 48(1)(c.1) of the Act to alter, conceal or destroy a record, or cause any other person to do so, with the intention of denying a right under the Act to access the record or the information contained in the record. Every person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.00.

Reviewing and Disclosing Records

The Act requires that the City Clerk must disclose as much of the requested record as can reasonably be severed, without disclosing the information that falls under one of the exemptions. Severing is the process of “blacking out” or “redacting” information that is considered confidential and exempt from disclosure.

Only the City Clerk will sever records responsive to a formal access request under the Act. Severances are decisions on disclosure, and the City Clerk is the only decision-maker at the City of London who has the authority to make decisions on disclosure under the Act.

To assist the City Clerk in determining whether a record is exempt from access or outside the scope of the Act the City Clerk will consider recommendations of the SA Liaison. Any such recommendations should be recorded on the Records Retrieval Form.

When the City Clerk refuses access to a record or severs part of a record, the Act requires the City Clerk to provide the requester with a decision letter that:

- explains the basis for the decision;
- describes clearly to the requester the records responding to the request specifically referring to the exemption(s) that the City has applied to justify a refusal to provide access;
- may include a detailed index of records that describes the contents and subject matter of the records;
- notifies the requester if the requested record does not exist; and,
- states that the requester may appeal the City Clerk’s decision to the IPC.

If a request is received for records that appear to be excluded from the Act, the City Clerk will process the request in accordance with the procedure set out in this policy.

Fees

For all requests under MFIPPA, the requester must pay a \$5.00 application fee. The application fee is mandatory and the City Clerk cannot waive it.

The City Clerk applies different fees as prescribed by regulation, depending on whether the request is for *general records* or for the requester’s own personal information. The City Clerk must charge fees unless the City Clerk decides to waive the fees under the fee-waiver provisions of the Act.

The regulations under the Act contain a fee schedule that sets out the amount that the City Clerk may charge for various costs that the City may incur when processing a request:

Type of Fee	Amount
Application Fee	\$5.00
Photocopies and computer printouts	\$0.20 cents per page
Disks	\$10.00 per disk
Manual search for records *	\$7.50 for each 15 minutes spent
Preparing a record for disclosure, including severing records *	\$7.50 for each 15 minutes spent
Computer programming	\$15.00 for each 15 minutes spent

Type of Fee	Amount
Costs incurred in locating, retrieving, processing and copying the record	As specified in an invoice received by the City

* does not apply to a request from an individual for their own personal information.

4.5 Councillors' Records

The City Clerk will determine whether the Act applies to a councillor's records. In making this decision, the City Clerk examines the specifics of each request in light of a number of [principles established by the IPC](#).

Councillors' records are subject to the Act where:

- (a) a councillor is acting as an officer or employee of the municipality, or performs a duty assigned by council, such that they might be considered part of the institution, or,
- (b) the records are in the custody or control of the municipality on the basis of established principles.

The access procedure for requests related to Councillors' records shall follow the standard procedure described within this policy.

1. Once the City Clerk has clarified a request, a department letter, a copy of the request, and Records Retrieval Form is prepared and sent to the Executive Assistant (EA) to the Councillors' Office, or designate.
2. If the search requires electronic communications, the Councillor may request a search of their Microsoft Exchange account to be completed by the Information and Technology Services Department. Results will be provided directly to the City Clerk. The City Clerk will provide copies of responsive e-mails to the Councillor for their review.
3. Councillors (or the EA) are required to notify the City Clerk within three (3) days of receipt of the department letter if they anticipate their search for responsive records will take more than one (1) hour. If the search is anticipated to take an hour or less, Councillors (or the EA) are advised to provide copies of records (either electronically or photocopies) by the deadline provided in the letter.
4. Councillors (or the EA) must retrieve and provide copies of the records to the City Clerk no later than the due date indicated in the letter. If Councillors require a time extension to complete a search they should contact the City Clerk immediately to determine whether the Act permits a time extension.
5. The City Clerk requires that Councillors (or the EA) return a completed Records Retrieval Form along with responsive records which indicates the actual time spent searching for records, the location and methods used to search for records, whether there are any concerns with the records in questions, etc. The City Clerk also requires a completed Records Retrieval Form if no records are provided responsive to the request.
6. The City Clerk will, at the request of the Councillor, advise when the records pertaining to them will be released and/or provide copies of the records to be released prior to their release.

4.6 Access to Records of Personal Health Information

An individual may exercise a right of access to a record of personal health information by making a written request for access to the custodian that has custody or control of the information.

Organizations that are both *custodians* under PHIPA and *institutions* under the Act include municipally operated long-term care homes, for example, Dearness Home. The City Clerk will determine whether PHIPA or MFIPPA applies to a request it receives having regard to the legislation.

If the City Clerk receives a request for personal health information in the custody or under the control of Dearness Home, the City Clerk will immediately transfer that request to the Administrator of Dearness and advise the requester of the same. If the Administrator of Dearness receives a request under the Act for information in the custody or under the control of the City of London, the Administrator will immediately transfer that request to the City Clerk and advise the requester of the same.

4.7 Appeals to the Information and Privacy Commissioner (IPC)

The Act establishes the right of a requester to appeal decisions that the City Clerk makes about access to records. After a requester receives a notice of decision, the requester has 30 calendar days to appeal the decision to the IPC.

The City Clerk, in consultation with the City Solicitor's Office, will respond to appeals as per the procedures and practice directions set out in the IPC's [Code of Procedure for appeals under the Freedom of Information Act and the Municipal Freedom of Information and Protection of Privacy Act](#), (hereafter "Code of Procedure").

The City Clerk will notify the appropriate staff member (or Councillor) and the appropriate Deputy City Manager, in the event that the Commissioner issues an order with respect to access to records. The City Clerk will ensure compliance of the order. The City Clerk will notify the City Manager and the appropriate Deputy City Manager should the IPC notify the City Clerk that the Commissioner will be entering and inspecting any premise occupied by The City of London for the purposes of an investigation. The City Clerk will be in attendance during the IPC's inspection.

Offence

No employee shall wilfully obstruct the IPC in the performance of its functions, make a false statement to mislead the IPC or fail to comply with an order of the IPC.

Any person who wilfully obstructs the IPC in the performance of its functions, makes a false statement to mislead the IPC, or fails to comply with an order of the IPC, is guilty of an offence, and on conviction, is liable to a fine of up to \$5,000.00.

4.8 Personal Information

Protection of Personal Privacy

The Act requires that the City Clerk implement basic standards for protecting personal information in its possession. Refer to the [IPC'S Fact Sheet](#) to learn more about how *Personal Information* is defined in the Act.

Collection of Personal Information

The City, employees or consultants acting on the City's behalf, shall only collect personal information that they are authorized to collect. This authority can be one of the following:

- collection of the information is expressly authorized by provincial or federal legislation;
- the information is used for the purposes of law enforcement; or,
- the information is necessary to the proper administration of a lawfully authorized activity.

The City shall only collect personal information directly from the individual to whom it relates, except in circumstances set out in MFIPPA. Examples of these include:

- where the individual authorizes another method of collection;
- the personal information may be disclosed to the City under the authority of the Freedom of Information and Protection of Privacy Act ("FIPPA");

- where the IPC has authorized the City to collect the information indirectly from another person;
- the information is collected for the purpose of law enforcement; and,
- where other legislation provides for a different method of collection.

When collecting personal information, the City must provide the individual with a [notice of collection](#) statement that contains:

- the City's legal authority to collect the information;
- the principal purposes for which the information is intended to be used; and,
- the title, business address and telephone number of an officer or employee who can answer questions about the collection (why it is being collected, how it will be used).

Notice of collection statements are prepared by staff in consultation with the City Clerk. Exceptions to this notice requirement are set out in O. Reg. 823.

Retention of Personal Information

Personal information that has been collected by the City must be retained for at least one year after it is used, unless another retention period has been provided in the City's Records Retention by-law, or the individual has consented to its earlier disposal. The purpose of this retention period is to ensure that individuals have a reasonable opportunity to obtain access to their personal information.

Use of Personal Information

The City is required to take reasonable steps to ensure that personal information is not used unless it is accurate and up to date. The City must create a record of any use of personal information that is different from how the information is used on a regular basis.

The City is only permitted to use personal information:

- if the individual has consented to the particular information being used;
- for the purpose for which it was obtained or compiled;
- for a consistent purpose, (i.e. the individual might reasonably expect the use); or
- for the purpose for which the information was disclosed to the City under FIPPA.

Disclosure of Personal Information

The City is only permitted to disclose personal information in the following circumstances:

- in compliance with Part I of the Act;
- if the individual has consented to its disclosure;
- for the purpose for which it was obtained;
- for a consistent purpose, (i.e. the individual might reasonably expect the disclosure);
- disclosure is made to an employee who needs the record in the performance of duties;
- to comply with federal or provincial legislation;
- to a law enforcement agency in Canada to aid an investigation;
- in compelling circumstances affecting personal health or safety;
- in compassionate circumstances, (to contact next of kin or friend of an injured, ill or deceased person); and,
- to a provincial or federal government department for auditing of cost-shared programs.

Transmitting Personal Information

When employees are required to transmit personal information to parties external to the organization, the following guidelines should be considered to help ensure that personal information is protected from unauthorized access or disclosure:

- Where possible, avoid sending personal information via facsimile (fax). Sometimes, faxes do not reach their intended destination, whether it is as a result of human error in the dialling of the number, or because of a technical glitch. Faxing personal information can result in personal information being accidentally disclosed or deliberately intercepted by other people.
- Where possible, utilize the File Transfer Service to email personal information. Consider password protecting the communication and limiting the number of downloads.
- Where the use of the File Transfer Service is not suitable, consider utilizing a Courier Service to deliver hard copies of the personal information and request a signature upon receipt.

Offence

Any person who willfully discloses personal information, or maintains a personal information bank, in contravention of the Act, is guilty of an offence, and on conviction, is liable to a fine of up to \$5,000.00.

Privacy Investigations

Individuals may submit a complaint to the IPC if they believe that the City of London has improperly collected, used, disclosed, retained or disposed of their personal information. The City Clerk shall receive notice from the IPC in the event that an individual has lodged a complaint and an investigation is being undertaken.

The City Clerk shall, in consultation with appropriate staff, represent the institution during a privacy complaint investigation.

The responsible employee will cooperate and assist the City Clerk during the course of the investigation.

4.9 Protocol for Responding to a Privacy Breach Under the Act

Upon learning of a privacy breach or a potential privacy breach under MFIPPA, staff shall immediately notify their Manager and the City Clerk.

The City Clerk will assist the responsible employee in responding to the breach of personal privacy.

The following protocol shall be adopted during a breach or a potential breach of personal privacy, as per [IPC guidelines](#).

Containment: Identify the scope of the breach or potential breach and take steps to contain it:

- retrieve hard copies of any personal information that has been disclosed;
- attempt to Re-call emails sent in error containing personal information;
- ensure that no copies of the personal information have been made or retained by the individual who was not authorized to receive the information and obtain the individual's contact information in the event that follow-up is required; and,
- determine whether the privacy breach would allow unauthorized access to any other personal information (i.e. financial institutions).

Notification: If the City Clerk is of the opinion that the privacy breach poses a real risk of significant harm, staff will identify those individuals whose privacy was breached and, barring exceptional circumstances, in consultation with the City Clerk, notify those individuals accordingly:

- notification shall be conducted by telephone or in writing as soon as reasonably possible;
- details of the extent of the breach and the specifics of the personal information at issue shall be provided;
- if financial information or information from government-issued documents are involved, precautionary measures shall be included in the notice, (i.e. change passwords, contact Equifax or banking institution, etc.);

- information related to the steps that have been taken to address the breach, both immediate and long term, shall be provided;
- contact information for someone who can provide additional information, assistance and answer questions shall be provided; and,
- a statement advising whether or not the privacy breach has been reported to the IPC shall be provided along with information about how an individual may submit a complaint to the IPC.

The employee involved in the breach shall document the incident in detail, including how each step in the above process was executed.

If the City Clerk is of the opinion that the privacy breach poses a real risk of significant harm, the City Clerk may report the breach to the IPC.

4.10 Privacy Impact Assessment

A PIA is used to assess compliance with MFIPPA; it aims to identify and address the privacy impacts of proposed projects or activities.

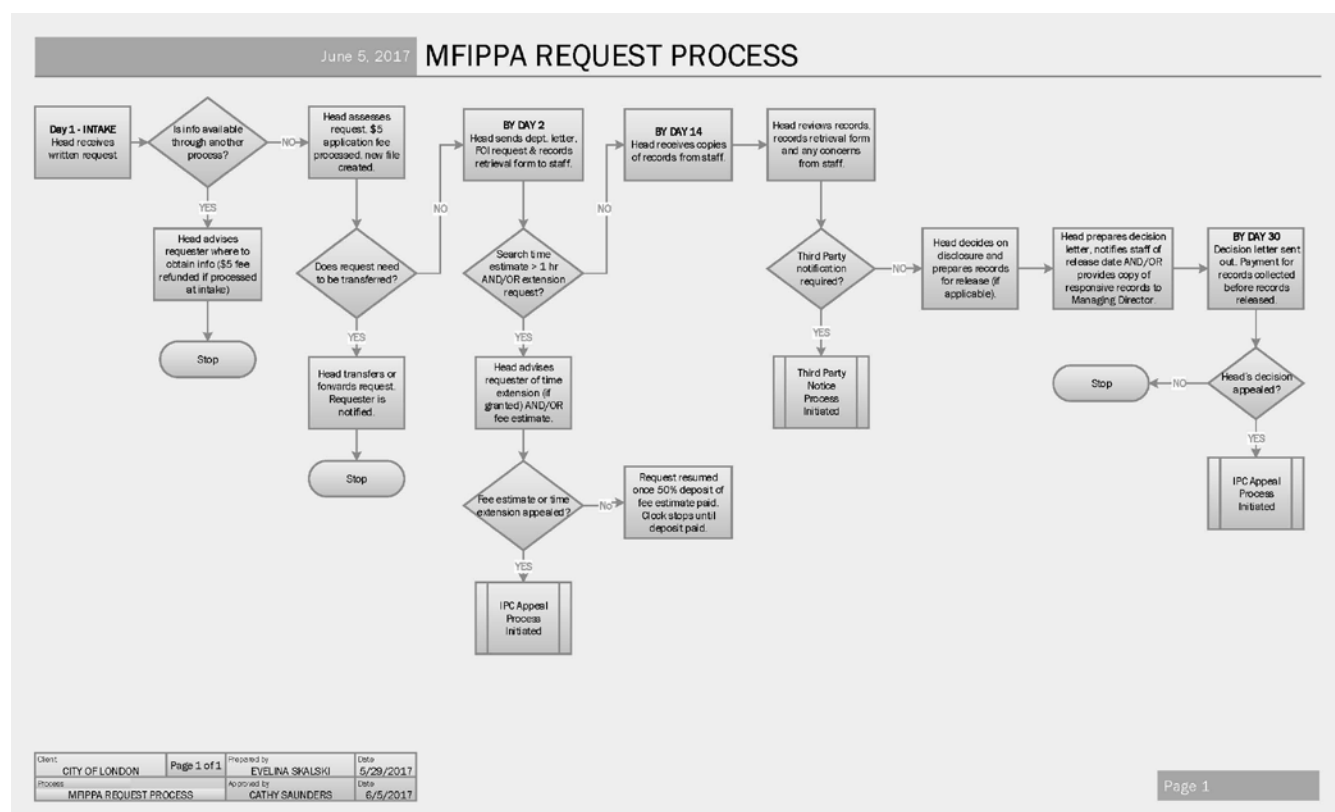
Before staff implement a project or activity that involves the collection of personal information, they shall consult with the City Clerk, who will determine whether a PIA is required. Staff may be required to conduct a preliminary assessment to assist the City Clerk in making such determination. A PIA may be required where the City Clerk determines the collection is at a large scale; where the personal information is deemed sensitive; or where the collection, use, or disclosure of the personal information impacts decision making.

Where the City Clerk determines a PIA is required, staff shall conduct a PIA, in consultation with the City Clerk, prior to the implementation of the project or activity. Staff will be supplied a PIA template to conduct the assessment.

Once the PIA is completed by staff, it shall be reviewed and/or approved by the City Clerk. If recommendations are made by the City Clerk to implement controls related to the protection of personal information or compliance with legislation, those recommendations shall be adopted by staff prior to embarking with the activity or program.

4.11 Appendices

Appendix A – MFIPPA PROCESS MAP



Appendix B – RECORDS RETRIEVAL FORM

MFIPPA RECORDS RETRIEVAL FORM

To be completed and returned to the Manager of Records and Information Services

1. Indicate the places that were searched (e.g., what files in which offices or file rooms, which shared drives or software applications):
2. Indicate methods/processes used to conduct the search and types of files searched (e.g., searching electronic files, paper files, file lists, off-site file lists, microfiche etc.):
3. Length of time required to do the search:
4. Responsive records located? (Indicate if responsive records no longer exist but did exist at one time (i.e., provide the number of the Records Retention Schedule which authorized the destruction of those records):

Yes No

5. Are there any concerns with these records or this request? (If yes, please explain):

Yes No

6. Would you like to be provided with a copy of the responsive records?

Yes No

7. Would you like to be advised when responsive records are released?

Yes No

Name:

Date:

Appendix B2

Bill No.
2021

By-law No. A.-6151()-_____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting and replacing Schedule “F”, being the Accountability and Transparency to the Public Policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule “F” – “Accountability and Transparency to the Public Policy” to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “F” its entirety and replacing it with the attached new Schedule “F”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Accountability and Transparency to the Public Policy

Policy Name: Accountability and Transparency to the Public Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 24, 2018 (By-law No. A.-6151(v)-420; Amended August 10, 2021 (By-law No. A.-6151_____)) August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 London City Council and the Civic Administration acknowledge the importance of the transparency of its proceedings and accountability for its actions. The City of London has, as its goal, that of an open, accessible, ethical and accountable government. This commitment is further delineated in City Council's values of:

Good Governance;
Driven by Community;
Acting with Compassion; and
Moving Forward through Innovation.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to City Council and all employees of The Corporation of the City of London.

4. The Policy

- 4.1 City Council shall ensure accountability and transparency of the operations of the municipality, including the activities of senior management, through the use of an accountability and transparency framework comprised of 5 key areas:

a) Purpose

- Clearly articulating the vision, mandate, values, strategic priorities and results of the organization in the form of a Council Strategic Plan
- Engaging in activities that are consistent with the Council Strategic Plan

b) Decision Making

- Undertaking a decision-making process that is transparent and accessible to the public
- Engaging effectively and openly with the public and other stakeholders

c) Communication with the Public

- Communicating with the public so that they are able to participate effectively

- Taking into consideration the needs of our audience, when making information public, through the use of different mediums and technology
- Following all applicable legislation governing the sharing of information, including the Municipal Freedom of Information and Protection of Privacy Act

d) Performance

- Being accountable to the citizens of London for performance by defining targets for performance in each Council term and reporting on performance on an annual basis
- Ensuring the concept of continuous improvement is implemented in the organization

e) Appropriate Behaviour and Conduct

- The actions of Council Members and the Civic Administration being governed by a Code of Conduct

Appendix B3

Bill No.
2021

By-law No. CPOL.-71()-____

A by-law to amend By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy” to redefine the Council Year to align with the Council Term as set out in the *Municipal Elections Act, 1996*, as amended.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy”, to redefine the Council Year to align with the end of the Council Term as set out in the *Municipal Elections Act, 1996*, as amended;

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

1. By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Policy Name: Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-71-303); Amended July 24, 2018 (By-law No. CPOL.-71(a)-409); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy clarifies how Council Members are to be appointed to Standing Committees of Council and various Civic Boards and Commissions.

2. Definitions

2.1 **Council Year** – shall mean a one-year period commencing December 1 until November 15.

3. Applicability

3.1 This policy shall apply to all City of London Council Members.

4. The Policy

4.1 General

Council Members shall be appointed to Standing Committees of Council each Council Year, with the exception of the Strategic Priorities and Policy Committee which shall serve for the Council Term.

Council Members shall make every effort to serve on different Standing Committees throughout the *Council Term*, with the exception that the Council Procedure By-law provides for the Mayor to be, ex officio, a member of all Standing Committees of the Council, except for the Strategic Priorities and Policy Committee where the Mayor shall serve as Chair; and

Council Members shall be appointed to the Audit Committee, civic boards and commissions each Council Term, to serve for the Council Term, unless the term of office is otherwise specified by legislation.

The Strategic Priorities and Policy Committee shall nominate the appointment of Council Members to Standing Committees of Council, Audit Committee and various civic boards and commissions to the Municipal Council.

4.2 Appointment of Council Members at the Commencement of a New Council Term

The City Clerk, or written designate, shall convene a meeting of the Strategic Priorities and Policy Committee, as soon as possible after the Inaugural Council meeting, with respect to the appointment of Council Members to the Standing Committees of Council, Audit Committee and various civic boards and commissions. In advance of the above-noted Strategic Priorities and Policy Committee meeting, the City Clerk, or written

designate, shall provide incoming Council Members with a communication describing the mandate of each of the Standing Committees, Audit Committee, boards and commissions to which Council Members are to be appointed, and providing a document on which each Council Member is to indicate their committee, board and commission preferences. The latter document shall be returned to the City Clerk, or designate, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committees, Audit Committee and various civic boards and commissions shall be in keeping with the process approved by the Municipal Council.

4.3 Appointment of Council Members to Council Standing Committees after Appointments at the Commencement of a Council Term

The City Clerk, or written designate, shall convene a meeting of the Strategic Priorities and Policy Committee in sufficient time for a nomination to be brought forward to the Municipal Council for consideration prior to the commencement of a new Council Year, with respect to the appointment of Council Members to Standing Committees of Council for the upcoming Council Year. The City Clerk, or written designate, shall provide the Council Members with a document on which each Council Member is to indicate their Standing Committee preference. The latter document shall be returned to the City Clerk, or designate, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committee shall be in keeping with the process approved by the Municipal Council. In the event a Council Member is no longer able to hold office on the Municipal Council and another individual is elected in their place during a Council Year, the new Council Member shall assume the membership on the Standing Committee previously held by the Council Member which they are replacing.

4.4 Appointment of Council Members to the Audit Committee and Civic Boards and Commissions after Appointments at the Commencement of a Council Term

In the event a Council Member vacancy on the Audit Committee or a civic board or commission becomes available during a Council Term, after appointments have been made at the commencement of the Council Term, the City Clerk, or written designate, shall canvass the Council Members to determine which Council Members would be interested in filling the vacancy. The names of the Council Members who have expressed an interest in filling the vacancy shall be placed on an agenda of the Strategic Priorities and Policy Committee, at the earliest opportunity, and the selection of the Council Member to fill the vacancy shall be made based upon the same process approved by the Municipal Council for the filling of vacancies at the beginning of a Council Term.

Appendix B4

Bill No.
2021

By-law No. CPOL.-47()-____

A by-law to amend By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy” to provide for strengthened eligibility criteria and for the prioritization of requests.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy” to provide for strengthened eligibility criteria and for the prioritization of requests;

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

1. By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Assessment Growth Policy

Policy Name: Assessment Growth Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-47-243); Amended June 26, 2018 (By-law No. CPOL.-353-344); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or designate)

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of assessment growth funds.

2. Definitions

- 2.1. **Authorized Debt** – Council approved debt financing as a source of funding for capital projects.
- 2.2. **City** –The Corporation of the City of London.
- 2.3. **City Treasurer** – The individual appointed by the municipality as treasurer.
- 2.4. **Development Charges** – A fee charged by the City to recover capital costs associated with residential and non-residential growth. Development charges do not pay for operating costs or infrastructure renewal.
- 2.5. **Lifecycle Renewal** – Rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.

3. Applicability

This policy applies to the property tax supported budget.

4. The Policy

4.1. Principles

- 4.1.1. Civic service areas, boards and commissions that incur one-time or permanent costs to extend existing services due to growth in the City of London are required to submit business cases to the City Treasurer or written designate.
- 4.1.2. Business cases must be supported by strong metrics that clearly indicate a growth need for the service in question. Strong metrics typically include those that refer to growth in number of households, geographical area (e.g. hectares) or physical assets (e.g. lane-kilometres of roads). Population-based metrics may be suitable depending on the service. Metrics that address growth in demand or changes in demographics are generally not as strong as the aforementioned examples but may be appropriate in some cases.

4.1.3. Business cases will be considered eligible for funding and prioritized by the following categories:

- 1) Operating or one-time capital costs directly linked to the extension of existing services to new development;
- 2) Operating costs associated with developer-constructed capital assets assumed by the City or new Development Charges-funded growth-related capital assets constructed by the City of London or associated agencies, boards or commissions;
- 3) Future lifecycle renewal capital costs for developer-constructed capital assets assumed by the City or new Development Charges-funded growth-related assets constructed by the City of London or associated agencies, boards or commissions;
- 4) Support services and activities required to support the delivery of services related to items 1), 2) and 3) above;
- 5) Operating or one-time capital costs related to pressures of a growing city (supported by appropriate metrics at the sole discretion of the City Treasurer or designate).

4.1.4. For greater clarity, the following requests will not be eligible for funding:

- Requests related to the introduction of a new service or program, either on a permanent or one-time basis;
- Requests for permanent funding of an existing program implemented temporarily (i.e. a “pilot program”);
- Requests related to the enhancement or expansion of existing service levels (i.e. service improvement);

4.1.5. Assessment growth funds are applied to approved business cases at the discretion of the City Treasurer or designate.

4.1.6. If funding requests through approved business cases exceed available assessment growth funding then:

- a) Business cases will be allocated funding according to the following priority order:
 - i) Flow through costs for business cases approved but not fully funded in a prior year or that require funding over multiple years;
 - ii) In accordance with the prioritized categories outlined in section 4.1.3 above; and,
 - iii) Business cases will be evaluated as to whether the service and/or funding could be deferred to next year and whether significant service disruptions would occur if the service did not receive the current year assessment growth funding.
- b) Unfunded business cases may be resubmitted for consideration in the following year and will be subject to prioritization alongside newly submitted cases in the subsequent year(s).

4.1.7. If assessment growth funding exceeds the accumulated growth costs of civic service areas, boards and commissions in any one budget year, the balance available will be applied in that year as follows:

- a) 50% to reducing authorized debt on a one-time basis; and,

- b) 50% to the Capital Infrastructure Gap Reserve Fund on a one-time basis to mitigate growth in the infrastructure gap.

4.1.8. Assessment growth funding not allocated permanently, will be carried forward to the following year as a permanent source for future growth costs.

4.2. Budgeting for Assessment Growth

4.2.1. For budgeting purposes, assessment growth will be assumed to be fully allocated to growth costs. Assessment growth and its allocation will be reported annually.

Appendix B5

Bill No.
2021

By-law No. CPOL.-52()-____

A by-law to amend By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, to update the definitions and the policy sections.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, to update the definitions and the policy sections;

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

1. By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Capital Budget and Financing Policy

Policy Name: Capital Budget and Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-52-248); Amended June 26, 2018 (By-law No. CPOL.-355-346); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to establish a framework for capital budgeting and financing in order to ensure capital investments are budgeted and monitored with a consistent approach, financed in a manner to ensure a funding mix that places a priority on maintaining long-term financial sustainability, and guidelines are established for closing out capital projects.

2. Definitions

- 2.1. **City** – The Corporation of the City of London.
- 2.2. **City Treasurer** – The individual appointed by the municipality as treasurer.
- 2.3. **Development Charges Background Study** – The background study undertaken by the City for its current Development Charges By-law.
- 2.4. **Growth** – A capital project that will service growth and is included in the Development Charges Background Study.
- 2.5. **Lifecycle Renewal** – Rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.
- 2.6. **Service Improvement** – A new or expanded level of service to the municipality or enhances an operational service area.

3. Applicability

This policy applies to all capital projects undertaken or administered by the City or capital projects that received funding from the City and are undertaken or administered by any of the City’s Local Boards, Commissions, Agencies or Corporations.

4. The Policy

4.1. Standard of Care

The City Treasurer shall have overall responsibility for the capital budget and financing program. The City Treasurer or written designate shall have the authority to implement the capital budget and financing program and establish procedures consistent with this Policy.

4.2. Principles

4.2.1. Capital Budget Classifications

- a) Each capital project shall be classified as:
 - i) Lifecycle Renewal;
 - ii) Growth; or
 - iii) Service Improvement

4.2.2. Capital Budget Financing

The following guidelines be used when determining the funding mix for each capital budget classification:

4.2.2.1. Lifecycle Renewal

The funding options for Lifecycle Renewal capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.
- b) Tax/Rate Supported
 - i) Capital levy.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing for Lifecycle Renewal capital budgets shall only be authorized after all other funding options have been applied and exhausted, noting that the objective is to avoid the use of debt financing for this classification.

4.2.2.2. Growth

The funding options for the non-growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be allocated in the following 'priority order':

Non Tax/Rate Supported

- i) Eligible non-tax funding sources such as senior government funding, provided that non-tax funding sources are used first to reduce the total expenditure before the growth/non-growth funding splits are applied.

Tax/Rate Supported

- ii) Capital Levy after consideration is first given to Lifecycle Renewal and second given to Service Improvement capital budgets.
- iii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.

- iv) Debt financing, provided that all other funding sources are exhausted.

Funding options for the growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be funded from development charges supported funding sources, such as but not limited to eligible obligatory reserve funds and debt financing.

4.2.2.3. Service Improvement

The funding options for Service Improvement capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.
- b) Tax/Rate Supported
 - i) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing, provided that all other funding sources are exhausted.

The City Treasurer or written designate shall have the authority to set and adjust administrative capital financing targets that support the general guidelines identified above.

4.2.3. Capital Budget Development

The capital budget shall be developed in accordance with the following guidelines:

- a) A rolling ten (10) year capital plan shall be developed and maintained.
- b) The expenditure for each capital project shall be budgeted in the year spending is reasonably anticipated to occur, noting that sufficient budget must be in place to support the full estimated amount of the procurement, before procurement approval.
- c) The budget for capital projects shall include all reasonably known or anticipated costs each year the budget is requested, including but not limited to the impacts of inflation, non-refundable HST and a reasonable contingency.
- d) New capital budget funding requests that are introduced outside of the budget process shall be referred to the next budget cycle unless the request is directed to be brought forward by Municipal Council or is deemed urgent by the City Treasurer.
 - i) New capital budget requests that meet the criteria noted above, shall include a recommended source of financing as deemed appropriate by the City Treasurer or written designate.

- e) Debt financing shall be applied in accordance with the Council approved Debt Management Policy.

4.2.4. Capital Budget Monitoring and Close Out

- a) The City Treasurer or written designate, at their discretion, may close out capital project accounts.
- b) The City Treasurer or written designate shall allocate the net disposition of surplus funding for all closed capital projects as follows:
 - i) With respect to capital levy surplus, the City Treasurer or written designate shall review the balance of the capital receipts account and shall determine if funding is allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests, or, allocated to an applicable tax supported reserve or reserve fund.
 - ii) Water and Wastewater & Treatment capital rates shall be returned to the appropriate rate supported reserve or reserve fund.
 - iii) The City Treasurer or written designate shall review the balance of the reserve or reserve fund which originally funded the capital project and shall determine if funding is allocated back to the respective reserve or reserve fund or allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests.
 - iv) Debt financing shall be released resulting in a reduction of authorized debt.
- c) If during the capital budget monitoring process it is determined that a capital project will be significantly over budget, a separate report and associated source of financing shall be brought forward for Municipal Council approval or be brought forward during the multi-year budget process, including annual budget updates.
- d) The Civic Administration shall submit two monitoring reports to Municipal Council which will be known as the Mid-Year Monitoring Report and Year-End Monitoring Report and shall include:
 - i) A summary of the life-to-date capital budget.
 - ii) A listing of life-to-date projects three (3) years or older with no future budget.
 - iii) A listing of capital projects to be closed, including an explanation of capital projects with a variance greater than \$50,000, noting that capital projects with a variance to budget of less than \$50,000 shall be reported in aggregate only.

Appendix B6

Bill No.
2021

By-law No. CPOL.-193(c)-_____

A by-law to amend By-law No. CPOL.-193(b)-156, being “City of London Community Suite Policy” by deleting and replacing Schedule A.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-193(b)-156, being “City of London Community Suite Policy” by deleting and replacing Schedule A;

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

1. By-law No. CPOL.-193(b)-156 is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



City of London Community Suite Policy

Policy Name: City of London Community Suite Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-193-445); Amended July 24, 2018 (By-law No. CPOL.-193(a)-426); Amended June 11, 2019 (By-law No. CPOL.-193(b)-156); Amended June 15, 2021 (By-law No. CPOL.-_____)

Last Review Date: June 15, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy outlines the requirements associated with use of the City of London Community Suite at Budweiser Gardens.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to The Corporation of the City of London and local charitable volunteer groups for corporate use and community promotion for all events, except east end stage events (small concert mode) to be held in Budweiser Gardens.

4. The Policy

4.1 Tickets

The Suite includes ten tickets for all London Knights regular season games. Tickets for other events are purchased on an event basis.

4.2 Eligible Community Groups

Access to the Community Suite is limited to registered charities, incorporated non-profits, minor sports associations' administration, neighbourhood associations that are involved in fundraising for projects that are related to the repair, enhancement, construction or preservation of a City-owned or operated facility or the development and operation of a City-operated or supported program activity, and service clubs that are based in the City of London. Groups applying to use the Suite must provide a description of the group or organization, the legal name of the group, a contact and name of the person responsible for all costs associated with the use of the Suite, and the details on the proposed use of the Suite (e.g. fundraising, reward program for volunteers, etc.) Each group will be limited to one application. City schools are eligible for fundraising purposes only. A School may use the Suite only once. It is not the intent to draw individual classes within a School to utilize the Suite.

4.3 Allocation of Dates

- a) A list of events will be prepared, identifying community use event dates and City event dates in four-month intervals.
- b) The standing committee whose mandate includes such matters, and the City Manager, will identify those dates that the Suite will be used for City business.

- c) The City Manager shall be authorized to approve use of the Community Suite in those circumstances where an international or national event requires the use of the Community Suite as a bid condition in order to secure the event, and the City Manager shall be required to advise the Municipal Council of any such approval upon his/her notification that the subject bid was successful.
- d) The dates not being utilized for City purposes will be allocated by way of a draw or random lottery. A group submitting an application will list its priority for available events. The selected group will confirm its selection within five business days of being notified of an available date. In allocating event dates, those groups requesting only hockey will be distinguished from those groups requesting non-hockey events.
- e) Any eligible group refusing a date, once selected, shall remain eligible for future draws.
- f) All eligible groups not selected shall remain eligible for future draws.
- g) Once a group has used the Suite, they will not be eligible for re-use of the Suite until all other eligible groups have been offered use of the Suite.

4.4 Requirements of the User Group

- a) The user groups will be responsible for the behaviour of their users and will be required to abide by the same rules as other Suite holders.
- b) Each group will be responsible for all food and beverage costs, ticket costs (except regular season London Knights hockey games) and damages associated with the use of the Suite.
- c) Each group will be required to pay a \$250 refundable cheque to be used as security for the use of the Suite, provide proof of insurance, and must sign a waiver form for liability and provide evidence of Commercial General Liability insurance for an amount not less than \$2,000,000, which includes the City as an additional insured.
- d) Where tickets are required to be purchased for an event, groups will be required to purchase those tickets 10 business days prior to the event.

4.5 City Use of the Suite

- a) The City's use of the Suite will be governed by Municipal Council based on the recommendation of the standing committee whose mandate it is to deal with such matters, excluding those uses authorized by the City Manager for international or national events requiring the use of the Community Suite as a bid condition in order to secure those events.
- b) The City's use of the Suite is intended for community promotion, industrial and tourism promotion, and to recognize groups which may include persons serving on City committees and recipients of special recognition awards etc.
- c) The Suite will be available to affiliated Boards and Commissions for similar purposes as the City. Affiliated Boards and Commissions will not be considered an eligible community group for the use of the Suite, but under the policies that govern City use of the Suite.
- d) The cost of using the Suite by the City will be borne by the City and budgeted by the City Clerk and in the case of affiliated Boards and Commissions, or others that use the Suite, the cost will be borne by the user.

4.6 Administration of the Suite

The City Clerk is the primary contact for user groups and is delegated responsibility to administer this policy.

Appendix B7

Bill No.
2021

By-law No. CPOL.-383()-____

A by-law to amend By-law No. CPOL.-383-90, being “Code of Conduct for Members of Council” by deleting and replacing Schedule “A”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-383-90, being “Code of Conduct for Members of Council” by deleting and replacing Schedule” A”;

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

1. By-law No. CPOL.-383-90 is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



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); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

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, confidential information shall include, without limitation, documents, records, advice received, presented, reviewed or discussed in 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.

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.

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 Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination).

7.2 Upon receipt of a complaint with respect to alleged discreditable conduct of a Member that relates to the Corporation's Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination) 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.

THE CORPORATION OF THE CITY OF LONDON CODE OF CONDUCT FOR MEMBERS OF COUNCIL COMPLAINT PROTOCOL

AUTHORITY

Section 223.3 of the *Municipal Act, 2001* authorizes a municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the powers and duties assigned by the municipality with respect to the application of the Code of Conduct for Members of Council.

Sections 223.4 of the *Municipal Act, 2001* provides that an Integrity Commissioner has certain powers duties and protections.

The Code of Conduct for Members of Council was adopted by Council by By-law No. CPOL.-383-90 on March 26, 2019 and amended on August 10, 2021.

This Complaint Protocol was adopted by Council by By-law No. CPOL.-383-90 on March 26, 2019.

PART A: INFORMAL COMPLAINT PROCEDURE

Any person or any representative of an organization who has identified or witnessed behaviour or an activity by a Member of Council that they believe is in contravention of the Code of Conduct for Members of Council the “Code”) may wish to address the prohibited behaviour or activity themselves as follows:

- (1) advise the Member that the behaviour or activity contravenes the Code;
- (2) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behavior or activity;
- (3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (4) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue;
- (5) if applicable, confirm to the Member your satisfaction with the response of the Member; or, if applicable, advise the member of your dissatisfaction with the response; and
- (6) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the Member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

PART B: FORMAL COMPLAINT PROCEDURE:

Integrity Commissioner Requests for Inquiries - Section 1

1. (1) A request for an investigation of a complaint that a Member has contravened the Code (the “complaint”) shall be sent directly to the Integrity Commissioner by mail, e-mail, fax or courier and shall be in writing.

(2) All complaints shall be signed by an identifiable individual (which includes the authorized signing officer of an organization).

(3) A complaint shall set out reasonable and probable grounds for the allegation that the Member has contravened the Code. For example, the complaint should include the name of the alleged violator, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

(4) Municipal Council may also file a complaint and/or request an investigation of any of its members by public motion.

Initial Classification by Integrity Commissioner - Section 2

2. (1) Upon receipt of the complaint, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation or other Council Policies as described in subsection (2).

(2) If the complaint is not, on its face, a complaint with respect to non-compliance with the Code or the complaint is covered by other legislation or a complaint procedure under another Council Policy, the Integrity Commissioner shall advise the complainant in writing as follows:

(a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;

(b) if the complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter will be referred for review to the City Clerk;

(c) if the complaint on its face is with respect to non-compliance with a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under that procedure;

(d) if the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a Human Rights complaint or similar process, the Integrity Commissioner may, in their sole discretion and in accordance with legislation, suspend any investigation pending the result of the other process; and,

(e) in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

(3) The Integrity Commissioner may report to Municipal Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

(4) The Integrity Commissioner shall report semi - annually to Municipal Council on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

Integrity Commissioner Investigation - Sections 3 – 5

3. (1) If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

(2) Other than in exceptional circumstances, the Integrity Commissioner will not report to Municipal Council on any complaint described in subsection (1) except as part of a semi- annual or other periodic report.

4. (1) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and in so doing, at any time may attempt to settle the complaint.

(2) Upon receipt of a formal complaint pursuant to the Code, and where the Integrity Commissioner determines that the complaint meets the criteria to be investigated, the Integrity Commissioner may elect to conduct an informal investigation, which may include mediation, or alternatively to exercise the powers of a Commission under sections 33 and 34 of the *Public Inquiries Act, 2009* as contemplated by subsection 223.4(2) of the Act.

(3) When the *Public Inquiries Act, 2009* applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the *Public Inquiries Act, 2009* the provision of the *Public Inquiries Act, 2009* prevails.

5. (1) The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act, 2009*:

- (a) serve the complainant and supporting material upon the Member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten business days; and
- (b) serve a copy of the response provided upon the complainant with a request for a written reply within ten business days.

(2) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in subsections 223.4(3) and (4) of the *Municipal Act*, and may enter any City work location relevant to the complaint for the purposes of investigation and settlement.

(3) The Integrity Commissioner shall not issue a report finding a violation of the Code on the part of any Member unless the Member has had reasonable notice of the basis for the proposed finding and any recommended penalty and an opportunity either in person or in writing to comment on the proposed finding and any recommended penalty.

(4) The Integrity Commissioner may make interim reports to Municipal Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during an investigation.

(5) If the Integrity Commissioner has not completed an investigation before Nomination Day for a regular election, as set out in the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.

If an investigation is terminated in accordance with subsection 223.4(7) of the *Municipal Act, 2001*, the Integrity Commissioner shall not commence another inquiry in respect to the matter unless, within six weeks after Voting Day in a regular election, the complainant who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the investigation be commenced.

(6) The Integrity Commissioner shall retain all records related to the complaint and investigation.

Integrity Commissioner Investigation - Sections 6 – 9

6. Notwithstanding any other provisions of this Protocol, in the year of a regular election the following rules apply during the period starting on Nomination Day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996* and ending on Voting Day in a regular election, as set out in section 5 of the Act:

- (i) there shall be no requests for an inquiry about whether a Member has contravened the Code applicable to the Member;
- (ii) the Integrity Commissioner shall not report to the municipality about whether in their opinion, a Member has contravened the Code applicable to the Member; and,
- (iii) the municipality shall not consider whether to impose penalties referred to in subsection 223.4(5) of the *Municipal Act, 2001*, on a Member.

7. (1) The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the intake process has been completed and an investigation has been commenced. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.

(2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Municipal Council outlining the findings, the terms of any settlement or recommended penalty. The City Clerk shall process the report for the next meeting of Municipal Council.

(3) Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behavior or activity does not continue.

(4) Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Municipal Council except as part of a semi-annual or other periodic report.

8. If the Integrity Commissioner determines that there has been no contravention of the Code or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

9. Notwithstanding any other provision of this Protocol, the Integrity Commissioner shall not make any report to Municipal Council or to any other person during the period of time starting on Nomination Day and ending on Voting Day in any year in which a regular municipal election will be held, as set out in the *Municipal Elections Act, 1996*.

Municipal Council Review – Section 10

10. (1) Municipal Council shall consider and respond to the report within 90 days after the day the report is laid before it.

(2) Municipal Council shall not consider whether to impose sanctions on a Member, where the Integrity Commissioner makes a report to the Municipal Council regarding a contravention of the Code, during the period of time starting on Nomination Day and ending on Voting Day in a year in which a regular election will be held, as set out in the *Municipal Elections Act, 1996*.

(3) In responding to the report, Municipal Council may vary a recommendation that imposes a penalty, subject to section 223.4, subsection (5) of the *Municipal Act, 2001*, but shall not refer the recommendation other than back to the Integrity Commissioner.

(4) Upon receipt of recommendations from the Integrity Commissioner, Municipal Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code impose either of two penalties:

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

(5) 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.

(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 the member has contravened sections 5, 5.1 or 5.2 of the Act.

Confidentiality – Section 11

11. (1) A complaint will be processed in compliance with the confidentiality requirements in sections 223.5 and 223.6 of the *Municipal Act*, which are summarized in the following subsections.

(2) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding.

(3) All reports from the Integrity Commissioner to Council will be made available to the public.

(4) Any references by the Integrity Commissioner in a semi-annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.

(5) The Integrity Commissioner, in a report to Council on whether a member has violated the Code, shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

Appendix B8

Bill No.
2021

By-law No. CPOL.-48()-____

A by-law to amend By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, to add intergenerational equity and maintaining a strong credit rating to objectives, and to add clarifying language in the policy section.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, to add intergenerational equity and maintaining a strong credit rating to objectives, and to add clarifying language in the policy section.;

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

1. By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Debt Management Policy

Policy Name: Debt Management Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-48-244); Amended June 26, 2018 (By-law No. CPOL.-354-345); Amended June 15, 2021 (By-law No. CPOL.-_____)

Last Review Date: June 15, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

1.1 Purpose

The purpose of this policy is to establish objectives for debenture and other forms of financing necessary to meet The Corporation of the City of London’s (the “City”) infrastructure and operating requirements as prescribed by the relevant sections of the Municipal Act, 2001, c 25 (the “Act”), specifically Part XIII Debt and Investment, and the applicable regulations thereunder.

This policy also establishes strategies for managing debt, including establishing parameters related to new debt being authorized or issued and ensuring that debt is at a level that will not impair the financial position or the credit rating of the City.

1.2 Objectives

The primary objectives of this policy, in priority order, are as follows;

a) Adherence to statutory requirements

The City shall secure temporary or long-term borrowing for municipal purposes as prescribed by the Act, specifically Part XIII Debt and Investment and the applicable regulations thereunder, including, but not limited to Ontario Regulation 403/02 Debt and Financial Obligation Limits; Ontario Regulation 438/97 Eligible investments, Related Financial Agreements and Prudent Investment; Ontario Regulation 247/01 Variable Interest Rate Debentures and Foreign Currency; Ontario Regulation 276/02 Bank Loans; and Ontario Regulation 653/05 Debt-Related Financial Instruments and Financial Agreements, as amended.

b) Maintain a strong credit rating

The City shall strive to maintain a strong credit rating. A strong credit rating is a key factor in minimizing the cost of debt and accessing capital markets in an efficient manner. In addition, a strong credit rating is required to meet the statutory requirements for entering into certain types of financing arrangements.

c) Intergenerational equity

The City shall structure debt financing in a way that is fair and equitable to those who pay and those who benefit from projects over time.

d) Managing long-term cost of financing

The City shall ensure that the debt program uses a systematic approach that minimizes the impact of debt servicing costs.

2. Definitions

- 2.1. **Annual Repayment Limit:** Under Regulation 403/02: Debt and Financial Obligation Limits, this limit represents the maximum amount which the municipality has available to commit to payments relating to debt and financial obligations without seeking the approval of the Ontario Land Tribunal. This limit is provided annually to a municipality by the Ministry of Municipal Affairs and Housing, additionally this limit must be updated by the City Treasurer prior to Council authorizing any increase in debt financing for capital expenditures.
- 2.2. **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.
- 2.3. **Capital Financing:** A generic term for the financing of capital assets. This can be achieved through a variety of sources such as tax levy, grants, reserve funds and debt.
- 2.4. **Capital Plan:** The budget for capital projects i.e. the expenditures and resources required for capital projects.
- 2.5. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.6. **Credit Rating:** A rating assigned by a credit rating agency as to the credit worthiness of an entity's debt obligations.
- 2.7. **Debenture:** A formal written obligation to pay specific sums on certain dates. In the case of a municipality debentures are typically unsecured (i.e. backed by general credit rather than by specified assets).
- 2.8. **Debt Management Policy:** Refers to this document.
- 2.9. **Debt Program:** Refers to the practices related to authorizing debt, issuing debt and monitoring debt. For example, part of the debt program includes issuing debt and the particulars related to issuing debt specifically the amount, timing and structure of the issuance.
- 2.10. **Debt Servicing Costs:** Cash that is required to cover the repayment of interest and principal on a debt and other costs associated with issuing debt.
- 2.11. **Financial Guarantee:** An agreement whereby the City will take responsibility for the payment of debt in the event that the primary debtor fails to perform.
- 2.12. **Growth Project:** A capital project that will service growth and is included in the Development Charges Background Study.
- 2.13. **Intergenerational Equity:** In economic, psychological, and sociological contexts, is the concept or idea of fairness or justice between generations.
- 2.14. **Internal Debt Financing Cap:** The City's internal limit on debt as a source of capital financing for capital projects which is set by the City Treasurer. This limit is not referring to limits imposed by the Act or regulations thereunder.

- 2.15. **Issued Debt:** A fixed obligation, such as a debenture, notes or other agreements between the issuer (the borrower) and the lender. Municipalities issue debt to finance a variety of projects such as infrastructure projects.
- 2.16. **Lease Financing Agreement:** A financial lease agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality. For example, leasing of computer equipment.
- 2.17. **Letter of Credit:** A binding document from a bank guaranteeing that a buyer's payment to a seller will be received on time and for the correct amount. In the event that the buyer is unable to make payment on the purchase, the bank will be required to cover the full or remaining amount of the purchase (debt).
- 2.18. **Lifecycle Renewal Project:** A capital project for the rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.
- 2.19. **Service Improvement Project:** A capital project that provides a new or expanded level of service to the municipality or enhances an operational service area.

3. **Applicability**

This policy applies to all financial obligations made by the City on its own behalf and on behalf of its agencies, boards and commissions as well as the Elgin Area Primary Water Supply and Huron Primary Water Supply System in the City's capacity as the Administering Municipality, in accordance with the Transfer Orders issued September 15, 2000.

The following types of financial obligations are excluded from this policy;

- a) Lease Financing Agreements;
- b) Financial Guarantees; and
- c) Letters of Credit

4. **The Policy**

4.1. **Strategy**

4.1.1. Limiting and Reducing Authorized Debt

- a) The City shall limit the amount of debt authorized on an annual basis by applying debt financing to projects in the capital plan in a manner consistent with the following;
 - i) Debt financing may be utilized as a source of funding for growth projects;
 - ii) Debt financing may be utilized as a source of funding for service improvement projects after all other funding options have been applied and exhausted; and
 - iii) Debt financing shall only be authorized as a source of funding for lifecycle renewal projects after all other funding options have been applied and exhausted.
- b) The City Treasurer shall have the authority to change the above application of debt financing as a source of funding for projects in the capital plan.
- c) The City shall limit debt financing as a source of funding in the capital plan by way of an internal debt cap. The City Treasurer shall have the authority to set and modify the internal debt cap such that the internal debt cap meets the City's long-term financing strategies and does not contravene the Act or regulations thereunder.

- d) Authorized debt shall be reduced as follows;
 - i) As prescribed by the Council approved Surplus/Deficit and Assessment Growth Policies.
 - ii) By the amount of surplus debt financing in the capital financing budget in a given year, unless otherwise directed by the City Treasurer.

4.1.2. Minimizing Risk Associated with Issuing Debt

- a) The City shall not issue long-term financing on projects/capital works until they are substantially complete or a significant milestone is achieved.
- b) The timing and amount of debt issued in a given year shall be at the discretion of the City Treasurer or designate after consideration of cash flow requirements, budget constraints, and market conditions. This discretion must be exercised in accordance with the Act and the regulations.
- c) The City's general practice shall be to issue debt that is denominated in Canadian dollars with fixed interest rates over the term. Notwithstanding, if a borrowing structure is presented for which there is a material financial advantage and/or it is deemed prudent for the City to issue debt that is subject to interest rate fluctuations, the City may, at the discretion of the City Treasurer, consider entering into this type of arrangement. Variable interest rate structures must be in accordance with Ontario Regulation 247/01.
- d) Temporary financing instruments may be issued either for operating or capital purposes. Temporary financing for amounts that the City considers necessary to meet the expenses during the current fiscal year until the receipt of taxes and other revenues shall be in accordance with Section 407 of the Act and the temporary borrowing by-law passed by Council.

4.1.3. Managing Debt Servicing Costs

- a) The City Treasurer shall set debt servicing cost targets for each rate base (i.e. property tax supported, wastewater, water, and development charges) and these targets shall be a general guideline and utilized in the development of the City's budgets. These targets shall align with the City's long-term financing strategies and be subject to the requirements of the Act.
- b) The City shall strive to maintain a strong credit rating to assist in securing a favourable cost of borrowing.
- c) The City shall have a term preference of 10 years for debentures or other types of long-term financing for capital works. The term of long-term financing shall not extend beyond the lifetime of the capital work for which the debt was incurred and shall not exceed 40 years in accordance with Section 408 (3) of the Act. The term preference as well as structure of long-term financing instruments will be at the discretion of the City Treasurer or designate and subject to the requirements of the Act.
- d) The City shall monitor debt servicing costs and annual repayment limits as prescribed under Ontario Regulation 403/02: Debt and Financial Obligation Limits. The City shall also utilize other benchmarks, measures, indicators, ratios and limits as determined relevant and appropriate by the City Treasurer or designate to monitor debt levels and servicing costs. These measures shall include, but are not limited to debt servicing costs as a percentage of gross operating expenditures, debt financing as a

percentage of the capital budget, debt per household and debt servicing costs as a percentage of revenue.

4.2 Reporting

In addition to any information requested by Council, or any information that the City Treasurer considers appropriate, the following shall be reported to Council;

- a) The status of issued and authorized debt as well as debt servicing costs through the budget monitoring reports;
- b) Projections for debt levels and debt servicing costs through the budget process; and
- c) Debenture issuances.

Appendix B9

Bill No.
2021

By-law No. CPOL.-80()-____

A by-law to amend By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, to update applicability by changing the number of fire stations from seven to six.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, to update applicability by changing the number of fire stations from seven to six;

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

1. By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Dedication of Fire Stations

Policy Name: Dedication of Fire Stations

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-80-312); Amended June 26, 2018 (By-law No. CPOL.-287-278); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Fire Chief, London Fire Department, Neighbourhood and Community-Wide Services

1. Policy Statement

That a policy be adopted to provide for the dedication of fire stations in recognition of London firefighters who have lost their lives in the line of duty.

2. Definitions

Not applicable.

3. Applicability

This policy applies to six existing facilities (Station Nos. 5, 7, 8, 10, 11, and 14) as well as any stations constructed in the future.

4. The Policy

That applicable fire stations be dedicated in memory of fallen firefighters who have lost their lives in the line of duty.

Appendix B10

Bill No.
2021

By-law No. CPOL.-202()-____

A by-law to amend By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, to address the intent of the policy and the new provincial model towards life stabilization.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, to address the intent of the policy and the new provincial model towards life stabilization;

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

1. By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Discretionary Benefits

Policy Name: Discretionary Benefits

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-202-454);
Amended August 10, 2021 (By-law No. CPOL.-202-

Last Review Date: August 10, 2021

Service Area Lead: Ontario Works Administrator

1. Policy Statement

This policy sets the parameters for the use of the Discretionary Benefits budget.

2. Definitions

Discretionary Benefits Program – The Discretionary Benefits Program is in place to provide financial assistance to those who meet established income eligibility criteria for items and services related to their health, safety and physical well being.

3. Applicability

This policy applies to Londoners that meet established financial eligibility. An application process exists to determine eligibility and verification of need.

4. The Policy

That a policy be established whereby the Discretionary Benefits budgets be used to provide financial assistance to those who meet established criteria for items and services that impact their health, safety and physical well being.

This program is administered at the discretion of the Municipality and is cost-shared with the Provincial Government. Within established protocols, services are provided such as emergency dental, dentures, vision care, health and personal safety items, beds and appliances, funerals and moving expenses in accordance with the current budget available and any contract agreements and rates in effect.

Appendix B11

Bill No.
2021

By-law No. CPOL.-140()-____

A by-law to amend By-law No. CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistant from the province, and to renumber the sections accordingly.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistant from the province, and to renumber the sections accordingly;

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

1. By-law No. C CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Financial Assistance for Program Activity Fees

Policy Name: Financial Assistance for Program Activity Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-140-392); Amended June 26, 2018 (By-law No. CPOL.-291-282); Amended August 10, 2021 (By-law No. CPOL.-___)

Last Review Date: August 10, 2021

Service Area Lead: Manager of Administration and Attractions

1. Policy Statement

The intent of the policy is to:

- 1.1. Ensure that a system of financial assistance, that is easy to access by low-income Londoners, exists for directly related participation costs for recreation and leisure activities and programs offered by the City of London;
- 1.2. Provide a system of financial assistance that, within budget availability, helps as many low-income Londoners as possible to participate in recreation and leisure opportunities offered by the City of London; and,
- 1.3. Provide a system of financial assistance that is simple to understand for all customers and is easy for staff to administer.

These goals are consistent with existing corporate strategies, including the Parks and Recreation Strategic Master Plan.

2. Definitions

Not applicable.

3. Applicability

This policy provides financial assistance with the cost of registration fees, identified program materials, supplies and equipment costs, assistive devices and related supports. All City of London, recreation and leisure programs, memberships and pass plans, and admissions offered through *PlayYourWay Online* are eligible for support.

4. The Policy

Policy Conditions

- 4.1. London residents/taxpayers who considers themselves or their families unable to pay the full registration fee can apply for financial assistance (self-declaration).
- 4.2. Financial assistance is limited to a maximum value of \$300 per individual per 12 month period (from date of approval).
- 4.3. Financial assistance is available for all City of London, recreation and leisure programs, memberships and pass plans offered through PlayYourWay Online.

Policy Fee Schedule

- 4.4. A policy fee schedule based on Statistics Canada's Low-Income Cut offs will be used by staff to determine the amount of financial assistance provided to individuals or families. This schedule will be used for all recreation and leisure programs offered by the City of London. This policy fee schedule will be adjusted as required when new financial data becomes available from Statistics Canada.

PROCEDURE

Purpose

- 4.5. To determine the process for and amount of financial assistance that may be provided for eligible persons to participate in the City of London's recreation and leisure programs but who are unable to afford the associated program fees.

Application Process:

- 4.6. Requests to determine eligibility for financial assistance can be made in person, by telephone, mail or email. In person requests can be made at any Recreation Customer Service counter during regular business hours.
- 4.7. Documentation required to complete a request to determine eligibility for financial assistance includes:
 - a) Identification for each eligible family member;
 - b) Proof of family income; and
 - c) Proof of residency.
- 4.8. No supporting documentation is copied or retained, and application documents are maintained securely for 1 year after which point they are destroyed.
- 4.9. Eligible participants may register for recreation and leisure programs and activities through on-line registration, telephone or in person. Participants who are paying a percentage of the course fee must submit payment prior to receiving confirmation of registration in the program.
- 4.10. All applicants are to be advised at the time of the request that an appeal process exists and of the terms of the process (see Appeal Process).
- 4.11. Note: Applicants currently receiving Ontario Works (OW) or Ontario Disability Support Program (ODSP) benefits are automatically eligible for financial assistance. They must provide proof of benefits along with identification for each eligible family member.

Funding Process

- 4.11. Each year the City of London will establish a fund which will be used exclusively for the purpose of providing financial assistance to low-income Londoners who want access to recreation and leisure program activities offered by the City.
- 4.12. The amount of the fund will vary yearly as determined by the City's budgeting process.
- 4.13. The fund can be accessed prior to the start of each session on a "first-come, first-served basis" until it is exhausted. Once the fund is exhausted, applicants may have to wait until the following budget year and reapply when funding permits.
- 4.14. Demand for the fund and other indicators will be tracked and used for future forecasting of funding needs for financial assistance.

Communication Process

- 4.15. Information about the existence of the policy and how to access it will be developed and updated as necessary for distribution to community agencies and other stakeholders that serve low-income Londoners.
- 4.16. City staff will continue to work with the community to monitor the accessibility of recreation and leisure opportunities for low income Londoners.

Appeal Process

- 4.17. At the time of application, each customer will be notified of the ability to appeal and, where necessary, the details of the process as outlined below. Customers requesting a reconsideration of their eligibility or their rate of financial assistance are required to submit a letter or email to the Supervisor, Recreation Customer Service, indicating the following:
 - a) Full name, address, telephone number, date of initial application for financial assistance;

- b) Reason for request for reconsideration (e.g., extraordinary expenses); and
 - c) All supporting documents (e.g. receipts, medical notes, etc.).
- 4.18. Requests will be forwarded to the Supervisor, Recreation Customer Service, within 5 days of receipt of the appeal. All requests for reconsideration will be examined by the Supervisor, Customer Service (or designate) in consultation with the customer. Appeal decisions will be considered final.

Appendix B12

Bill No.
2021

By-law No. CPOL.-114()-____

A by-law to amend By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, to clarify that flags at the back entrance of City Hall are to be removed over the winter.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, to clarify that flags at the back entrance of City Hall are to be removed over the winter;

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

1. By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Flags at City Hall

Policy Name: Flags at City Hall

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-114-366); Amended July 24, 2018 (By-law No. CPOL.-114(b)-417); Amended June 11, 2019 (By-law No. CPOL.-114(c)-158); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy sets out the requirements for the flying of flags at City Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to any person or organization seeking to fly a flag at City Hall.

4. The Policy

4.1 Flags at Front Entrance of City Hall

a) The following flags shall be permitted to be flown at City Hall on the flag poles over the front entrance of City Hall:

i) flags deemed by the City Clerk to be in accordance with the flag etiquette of Canada as established by Heritage Canada (restricted to the flag of the City of London, Canadian provinces, the Canadian flag, the personal flags and standards of the Royal Family and the Governor General and the Lieutenant Governors throughout Canada, the Royal Union flag, and the flags of the United Nations, the North Atlantic Treaty Organization and the Commonwealth); and,

ii) an appropriate flag on the occasion of a visiting dignitary, on the day of the dignitary's visit to London City Hall, as a gesture of respect and friendship.

4.2 Flags in City Hall

a) As an annual observance to recognize the anniversary of the London Township Treaty, the five signatory First Nations (Chippewas of the Thames First Nation, Chippewas of Kettle and Stoney Point First Nation, Walpole Island First Nation, Aamjiwnaang First Nation and Caldwell First Nation) shall be invited to have their flags displayed on September 7th of each year, in City Hall. In the event that September 7th falls on a day on which City Hall is closed, the flags shall be displayed on the first day prior to September 7th that City Hall is open for business.

4.3 Community Flag Pole

- a) The following flags shall be permitted to be flown at City Hall on the Community Flag Pole installed at the northwest corner of City Hall, facing Wellington Street:
 - i) the Canadian flag at such times as there is no flag of a charitable or non-profit organization to be flown as provided for in 4.3a)ii), or at such times as the half-masting of a flag is in order, as provided for under 4.5c), below; and,
 - ii) to celebrate achievement, the flag of a charitable or non-profit organization to help increase public awareness of their programs and activities; an organization that has achieved national or international distinction or made a significant contribution to the community, or an organization that has helped to enhance the City of London in a positive manner.
- b) The following guidelines shall be observed for the flying of flags permitted under 4.3a)ii), above:
 - i) the organization's flag will fly in connection with a particular event by an organization;
 - ii) no flags of commercial, religious or political organizations shall be permitted;
 - iii) no flags of a group or organization whose undertakings or philosophy are contrary to City of London policies or by-laws, or espouse hatred, violence or racism shall be permitted;
 - iv) an organization's flag shall be flown no more than once per calendar year;
 - v) organizations shall be required to submit requests for their organization's flag to fly on an annual basis;
 - vi) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less; and,
 - vii) flags shall only be raised and lowered on those business days that City Hall is open.

4.4 Flags at Back Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the back entrance of City Hall facing Reginald Cooper Square:
 - i) The flags of all the provinces and territories and the Canadian Flag are hung, in order of confederation, over the back entrance facing Reginald Cooper Square. The Canadian Flag is hung as per the standards outlined in the National Flag of Canada Etiquette issued from the Federal Government.
- b) The precedence for flag order (from left to right) as per the Position of Honour is as follows:
 - i) the National Flag of Canada;
 - ii) the flags of other sovereign nations in alphabetical order (if applicable);
 - iii) the flags of the provinces of Canada (in the order in which they joined Confederation); and,
 - iv) the flags of the territories of Canada (in the order in which they joined Confederation).
- c) The flags are raised in the spring, and removed before winter.

4.5 General

- a) The City Clerk will administer the policy for the flying of flags at City Hall.
- b) The following guidelines shall apply to resolving conflicts arising from this policy:
 - i) conflicts between the flying of flags in accordance with 4.1a)i) and 4.1a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.1a)i) and secondly in favour of those flags being flown in accordance with 4.1a)ii);
 - ii) conflicts between the flying of flags in accordance with 4.3a)i) and 4.3a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.3a)i) and secondly in favour of those flags being flown in accordance with 4.3a)ii);
 - iii) conflicts between the dates requested for flags to be flown by two or more organizations on the Community Flag Pole shall be settled in favour of the organization which first made its request; and,
 - iv) in the event there is a dispute between an organization and the City Clerk as to the eligibility of a request, the appeal process shall be through the Standing Committee of Council whose mandate it is to deal with such matters, with the Municipal Council having full and final say as to whether or not the request to fly a flag will be granted.
- c) The following guidelines shall be observed for the half-masting of the Canadian flag on the Community Flag Pole:
 - i) the flying of the Canadian flag at half-mast denotes a period of official mourning or commemoration;
 - ii) the City of London will fly the Canadian flag on the Community Flag Pole at half-mast in the event of a death or to commemorate a solemn occasion. The Canadian flag will be lowered at the direction of the Mayor. In consultation with the Mayor, the City Clerk will provide instruction to lower the Canadian flag on the Community Flag Pole;
 - iii) the position of the Canadian flag when flying at half-mast will depend on its size, the length of the mast and its location; but as a general rule, the centre of the Canadian flag shall be exactly half-way down the mast;
 - iv) the official period of mourning is defined as the day of passing until the day of the funeral; and,
 - v) the Canadian flag will be flown at half-mast on the Community Flag Pole to commemorate the following occasions:

Date	Occasion
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
August 9	Peacekeepers' Day
Last Sunday in September	National Peace and Police Officers' Memorial Day
November 11	Remembrance Day*
	*Half-masting shall occur at 11:00 a.m. or according to the prescribed order of service at the Cenotaph.
December 6	National Day of Remembrance and Action on Violence Against Women

Appendix B13

Bill No.
2021

By-law No. CPOL.-139()-____

A by-law to amend By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, to modernize language in three definitions (2.2 to 2.4), and to add a section 4.iii under Policy to address removing barriers.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, to modernize language in three definitions (2.2 to 2.4), and to add a section 4.iii under Policy to address removing barriers;

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

1. By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Gender Equity in Recreation Services

Policy Name: Gender Equity in Recreation Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-139-391); Amended June 26, 2018 (By-law No. CPOL.-284-275); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community-Wide Services

1. Policy Statement

This policy addresses The Corporation of the City of London's commitment to providing welcoming and equitable recreation opportunities for everyone, regardless of gender, gender expression, or gender identity.

2. Definitions

- 2.1. **Equity** - The rights of the individual to an equitable share of the goods and services in society. However, equality of treatment will not guarantee equal results. Creating equal results sometimes requires treating people differently from each other. Focusing on the results instead of the treatment is the concept of equity.
- 2.2. **Gender** - Whereas sex is a person's physical characteristics, gender can refer to the individual and/or social experience of being a man, a woman, or neither. Social norms, expectations, and roles related to gender vary across time, space, culture, and individuals.
- 2.3. **Gender Expression** - How a person publicly presents or expresses their gender. This can include behaviour and outward appearance, such as dress, hair, make-up, body language, and voice. A person's chosen name and pronoun are also common ways people express their gender. All people, regardless of their gender identity, have a gender expression and they may express it in any number of ways.
- 2.4. **Gender Identity** - Each person's internal and individual experience of gender. It is a person's sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex.

3. Applicability

This policy applies to all City of London recreation programs, parks, facilities, and services. Accordingly, it applies to all recreation employees, volunteers, users, and individuals or businesses contracted by the Corporation to provide or support recreation programs, parks, facilities, and services.

4. The Policy

Gender equity in recreation will be provided within the community, regardless of gender identity and gender expression. Recognizing the many personal, social, economic and environmental benefits to health and quality of life that are derived by participating in physical activity and through positive leisure lifestyle development, the City of London is therefore committed to:

- i) ensuring that a full range and variety of gender equitable recreation opportunities are available in all areas of the community and are accessible in safe and welcoming environments for all Londoners, regardless of gender identity and gender expression;
- ii) working with the community to provide gender equitable recreation opportunities, projects, programs, services, staffing and facilities which are consistent with this policy;
- iii) removing gender-related barriers that may prevent Londoners from participating in recreation; and
- iv) allocating appropriate resources to accomplish this above noted commitment.

Appendix B14

Bill No.
2021

By-law No. CPOL.-29()-____

A by-law to amend By-law No. CPOL.-29-225, as amended, being “Grants to Centennial Hall”, to remove outdated language.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-29-225, as amended, being “Grants to Centennial Hall”, to remove outdated language;

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

1. By-law No. CPOL.-29-225, as amended, being “Grants to Centennial Hall”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



Grants to Centennial Hall

Policy Name: Grants to Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-29-225); Amended June 26, 2018 (By-law No. CPOL.-341-332); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on grants to organizations utilizing Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall as it relates to organizations receiving financial assistance from the City of London.

4. The Policy

That a policy be established to provide that should Municipal Council wish to support an organization using Centennial Hall, Municipal Council should give direct financial assistance to that organization without any reference to Centennial Hall.

It is noted that by following this procedure, the organization receiving the financial assistance from the City of London would be expected to deal directly with the Management of Centennial Hall on the same basis as any other individual or group wishing to use Centennial Hall and its facilities.

It is also noted that the following concepts and understandings are hereby accepted by Municipal Council with respect to Centennial Hall, namely:

- a) Centennial Hall was constructed as a multi-purpose building and because of this fact its diversity is its strength, permitting it to cater to a cross-section of the community; and
- b) the original intention of Municipal Council was that Centennial Hall would be managed as closely as possible in a private enterprise manner, and Municipal Council continues to support the Centennial Hall Management in this concept.

Appendix B15

Bill No.
2021

By-law No. A.-6151()-_____

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, be amended by deleting and replacing Schedule “B” – “Hiring of Employees Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule B – Hiring of Employees Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the “Council Policy By-law”, is hereby amended by deleting Schedule “B” – Hiring of Employees Policy to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule “B”, which shall be Schedule “B” to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “B”



London
CANADA

Hiring of Employees Policy

Policy Name: Hiring of Employees Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended September 19, 2017 (By-law No. A.-6151(p)-333); Amended March 27, 2018 (By-law No. A.-6151(r)-120); Amended July 24, 2018 (By-law No. A.-6151(t)-380); Amended August 10, 2021 (By-law No. A.-6151-_____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Recruitment and HR Advisory Services

1. Policy Statement

- 1.1. The Corporation of the City of London (“City”) is committed to ensuring that all matters related to recruitment and employment are carried out in a fair and unbiased manner, and that all applicants will have an equal opportunity for employment in compliance with legislative provisions.

2. Definitions

- 2.1. **City** –The Corporation of the City of London

3. Applicability

- 3.1. This policy applies to individuals, including employees of the City, who are applying for positions within the City and employees involved in the City’s recruitment and selection process.

4. The Policy

- 4.1 As an employer, the City is committed to workplace diversity and inclusion. Having a variety of people in our workplace helps our organization to be more flexible, creative, and responsive. It helps us provide better service to our diverse community. The City is committed to building a supportive and diverse workplace, representative of our community.
- 4.2 The City recognizes that every applicant has a right to equal treatment with respect to recruitment and employment without discrimination or harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.
- 4.3 The City is committed to maintaining accessible hiring and recruitment practices including providing reasonable accommodations in all parts of the hiring process for people identifying as having a disability.
- 4.4 Every bona fide application will be considered by the People Services Division.
- 4.5 Applicants having close relatives already employed by the City shall not be excluded from consideration of employment with the City. Prospective new hires or candidates for transfer or promotion must declare during the recruitment and selection process any family relationships with individuals who directly or indirectly supervise or manage the position being applied to. Additionally, existing employees must declare and not participate in or influence any part of the recruitment and selection process where another family member is an internal or external applicant for a position.

- 4.6 It is the expectation of Council that hiring practices and decision making will be centered on transparency, integrity, equal opportunity and will be free from any undue influence.

Appendix B16

Bill No.
2021

By-law No. CPOL.-43()-____

A by-law to amend By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, to align wording in applicability and policy sections with the budget monitoring process.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, to align wording in applicability and policy sections with the budget monitoring process;

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

1. By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Identification of Operating Surpluses – Boards and Commissions

Policy Name: Identification of Operating Surpluses – Boards and Commissions

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-43-239); Amended June 26, 2018 (By-law No. CPOL.-351-342); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the identification of operating surpluses by the City of London's Boards and Commissions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the City of London's Boards and Commissions as it relates to the submission of their operating budget results.

4. The Policy

That a policy be established requiring the City of London's Boards and Commissions to identify operating surpluses semi-annually as part of the Operating Budget Monitoring process as outlined in the City's Surplus/Deficit Policy. The use or disposition of any surpluses will be determined through collaboration between the City of London and the particular Board or Commission.

Appendix B17

Bill No.
2021

By-law No. CPOL.-185()-_____

A by-law to amend By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, to be amended to incorporate wording from policy to be repealed “Leasing Parkland”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, to be amended to incorporate wording from policy to be repealed “Leasing Parkland”;

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

1. By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Leasing and Licencing of City-Owned Land

Policy Name: Leasing and Licencing of City-Owned Land

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-183-435); Amended July 24, 2018 (By-law No. CPOL.-183(a)-442); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the leasing and licencing of City of London owned lands.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City of London owned lands.

4. The Policy

Vacant City of London Owned Lands

- 4.1. When an application has been received, the Realty Services Division initiates action to rent vacant City of London owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Service Area, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
- 4.2. If there are no objections from the Administration, the Realty Services Division will contact the abutting property owner(s) where possible and advise them that the City of London intends to rent the lands and of the proposed use.
- 4.3. If there are no objections from the abutting owner(s), and providing the term is for one year or less, with a 60-day cancellation clause, the Realty Services Division will estimate market rent and after giving the abutting owner(s) an opportunity to rent on those terms and if not accepted by the abutting owner(s), advertise the property for rent.
- 4.4. Should objections be received from the abutting owner(s), the Realty Services Division will first contact the objectors and attempt to answer the objections and failing that, forward its recommendations with the objections to the appropriate standing committee for consideration.
- 4.5. If authority is then received to rent, advertising will commence to rent the property in accordance with Council's instructions with all Offers to Rent received, delivered to the Director, Realty Services.
- 4.6. Where a prospective Lessee requests a term of more than one year, the Realty Services Division will prepare a lease and forward the same lease along with its

recommendations through the Deputy City Manager to the appropriate standing committee and Council for their consideration.

- 4.7. Collection of revenue and Policy regarding non-payment of rent will follow existing policy.

Renting of Vacant City-Owned Lands for Agricultural Purposes

- 4.8. When an application has been received, the Realty Services Division initiates action to rent vacant City of London owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City of London Service Area, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
- 4.9. If there are no objections from the Administration on renting the lands, the Realty Services Division, will prepare specifications and recommend to City Council that the Manager of Purchasing be authorized to call tenders for the rental of the property, with such bids to indicate the price, terms and the intended crop or use.
- 4.10. Upon the opening of the tenders the Manager of Purchasing shall forward them to the Realty Services Division for recommendation.
- 4.11. Collection of revenue and steps for non-payment of rent will follow existing Policy.
- 4.12. Persons renting City of London owned farm land shall pay to the City of London 100% of the annual rental fee at the time of the signing of the lease/rental agreement.

Appendix B18

Bill No.
2021

By-law No. CPOL.-77()-____

A by-law to amend By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, to change claim amount to align with thresholds in the Procurement Policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, to change claim amount to align with thresholds in the Procurement Policy;

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

1. By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Legal Services and Accounts

Policy Name: Legal Services and Accounts

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-77-309); Amended July 24, 2018 (By-law No. CPOL.-77(a)-412); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Legal Services

1. Policy Statement

1.1. This policy establishes the functions and duties of the City Solicitor's Office.

2. Definitions

In this policy,

2.1. "**City Solicitor**" means the person appointed to the position of Deputy City Manager, Legal Services;

2.2. "**City Solicitor's Office**" includes those employees, agents and other persons to whom any of the City Solicitor's responsibilities have been implicitly or explicitly delegated.

2.3. "**Corporation**" means the Corporation of the City of London and includes the Council, its Committees, and the several departments of the civic administration.

2.4. "**Local board**" has the meaning set out in the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.

3. Applicability

This Policy applies to the responsibilities undertaken by the City Solicitor's Office.

4. The Policy

Functions and Duties

4.1. The functions and duties of the City Solicitor's Office shall be to:

- a) provide legal advice to the Corporation in matters of law connected with and within the authority or jurisdiction of the Corporation;
- b) act as counsel for the Corporation in administrative, civil and criminal proceedings;
- c) institute such proceedings and take such steps in those proceedings as are considered reasonably necessary for the protection and advancement of the Corporation's interest;
- d) discharge such other responsibilities as are at any time assigned to it.

4.2. Notwithstanding Section 2, the City Solicitor's Office shall not act as counsel or legal adviser:

- a) on behalf of any person in connection with any dealings with the Corporation;
 - b) on behalf of any local board without the consent of Council unless the interests of the local board and the Corporation are identical;
 - c) in respect of any matter, the undertaking of which is contrary to law and the rules and regulations of The Law Society of Ontario.
- 4.3. Unless otherwise directed by the Council, the City Solicitor's Office shall not be required to advise any member of Council as to whether the member or any other member of Council has or may have a conflict of interest pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50.
- 4.4. a) Where it is in the best interests of the Corporation to do so, the City Solicitor's Office may retain outside legal counsel or agents to act for or represent the Corporation in any matter or proceeding, or to act as agent for the City Solicitor's Office provided provision has been made in the current budget for the payment of such counsel or agents.
- b) Where no official or employee of the Corporation is able or qualified to provide expert, technical or special knowledge with respect to any matter or proceeding involving the Corporation and such knowledge is considered reasonably necessary for the advancement or protection of the Corporation's interests, or where the Council has directed that such a person or persons be engaged, the City Solicitor's Office may engage one or more experts or persons having technical or special knowledge to assist in an advisory or other capacity or to provide expert opinion evidence and their services and disbursements may be paid out of the same provision in the current budget as for the payment of outside legal counsel, or such other manner as the Council directs.
- c) Before payment is made for services rendered and disbursements, the City Solicitor's Office shall ensure that each account submitted sets out in reasonable detail the services rendered and disbursements, and the City Solicitor's Office shall examine and approve each account as proper for payment having regard to the following:
- i) time expended;
 - ii) complexity of the matters dealt with;
 - iii) degree of responsibility assumed;
 - iv) monetary value of the matter in issue;
 - v) importance of the matter to the Corporation;
 - vi) degree of skill and competence demonstrated; and
 - vii) results achieved.
- d) Where the City Solicitor's Office calls any account or item therein into question and is dissatisfied with the explanation or revision of the account or item, the City Solicitor's Office shall apply to have the account assessed by the appropriate Court or Official.

Settlement of Claims

- 4.5. A claim or demand of whatever nature by or against the Corporation which does not exceed \$50,000.00 exclusive of costs, may be settled by the City Solicitor with the advice of any department or division interested in the claim provided, in the case of a claim against the Corporation, provision has been made in the current budget for the payment of such claims.

Action When Time Constrained

- 4.6. Where it is not practicable, prior to the expiration of the time limited by or under any Act or Order for doing any act or taking any action conducive to the interests of the Corporation, to obtain instructions from the Council, the City Manager, or the City Solicitor, the City Solicitor's Office may do or take such actions (including

the payment of any fee relating thereto) and shall report the reasons and actions forthwith to the City Solicitor for such further action as may be considered appropriate.

Costs to and Against the City

- 4.7. The City Solicitor's Office shall seek an award of costs to the Corporation in any matter where costs may be awarded to a successful litigant, unless the Council or the City Solicitor have directed otherwise.
- 4.8. Costs which are awarded to the Corporation or which are payable to the Corporation by agreement or otherwise, shall be demanded in every instance and, if not fixed, shall be calculated in accordance with the prevailing practice unless the Council authorizes the:
 - a) waiver of a demand for costs, or
 - b) acceptance of a specified amount for costs upon such terms, if any, as may be considered appropriate under the circumstances

General

- 4.9. The City Solicitor may make recommendations to Council on any matter whether or not covered by this policy.
- 4.10. Where anything is directed or permitted to be done by this policy, any authority necessary to enable the doing of the thing is also given hereby, and, where the doing of anything requires the enactment of a by-law, the City Clerk may request Council directly to pass the by-law.

Appendix B19

Bill No.
2021

By-law No. CPOL.-33()-____

A by-law to amend By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy;

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

1. By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Lessee Protection and Non-Competitive Clauses – Centennial Hall

Policy Name: Lessee Protection and Non-Competitive Clauses – Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-33-229); Amended June 26, 2018 (By-law No. CPOL.-345-336); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices for the negotiation of lessee protection or non-competitive clauses as it relates to events at Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the planning of events at Centennial Hall.

4. The Policy

That a policy be established whereby the Manager of Centennial Hall is authorized to negotiate such lessee protection or non-competitive clauses, not exceeding thirty days between events having the same or similar audience appeal, as may be appropriate in the sole discretion of the Manager.

Appendix B20

Bill No.
2021

By-law No. CPOL.-38()-____

A by-law to amend By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, to delete reference to Housing Development Corporate, London (HDC) in section 4.3(b)(v).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, to delete reference to Housing Development Corporate, London (HDC) in section 4.3(b)(v);

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

1. By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London Community Grants Policy

Policy Name: London Community Grants Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-38-234); Amended June 26, 2018 (By-law No. CPOL.-283-274); Amended April 23, 2019 (By-law No. CPOL.-390-124); Amended February 2, 2021 (By-law No. CPOL.-402-35); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community-Wide Services

1. Policy Statement

The objective of this Policy is to outline the criteria for the London Community Grants Program. Funding through this program will be aligned with the City of London’s Strategic Plan and will grant funding to community organizations to advance the priorities of the Strategic Plan.

2. Definitions

- 2.1 **“Not-for-Profit”** refers to an organization incorporated without share capital under Part III of the *Corporations Act* or under the *Not-for-Profit Corporations Act*.
- 2.2 **“Grant Application”** refers to the application associated with each granting category.
- 2.3 **“Grant Agreement”** refers to the legal agreement that is signed after an application has been deemed successful under the City of London (“the City”) Community Grants Program. The Grant Agreement defines the terms and conditions under which the City of London grant will be made and cannot be altered without prior approval.
- 2.4 **“Strategic Plan”** refers to the current City of London Strategic Plan.
- 2.5 **“Host Organization”** refers to an incorporated not-for-profit organization that may act as a sponsor to an unincorporated organization in order for the unincorporated organization to be eligible for this grant. The Host Organization will be issued funding associated with the funding activity and will assume financial and legal responsibility for the funded activity and adhere to associated reporting requirements to be outlined in the Grant Agreement.
- 2.6 **“Funder”** refers to an organization that provides money for a particular purpose. This includes foundations, other government sources (Federal and Provincial), etc.
- 2.7 **“Procedural Error”** in reference to the Appeals Process, refers to a mistake that may have been made as a result of not following the process for the allocation of grants as outlined in this Policy.

3. Applicability: Funding Categories

Applications for London Community Grants will be considered under the following categories:

3.1 Multi-Year Grants

Multi-Year Grants are up to four (4) year agreements with the City of London for community organizations pursuing initiatives in alignment with the City of London's Strategic Plan or through Council-directed emerging priorities.

3.2 Innovation and Capital Grants

- a) Innovation grants are provided to new, emerging organizations and/or initiatives that engage in one or more of the following:
 - **New idea** – proven or promising early-stage innovations that need additional support to create the capacity and conditions to be effectively sustained;
 - **Collaboration** – new, emerging organizations, initiatives or collaborations that engage in dynamic community partnerships and innovative improvements to service delivery and system collaboration;
 - **Transformation of service delivery** – creative new approaches to social innovation that engage multiple stakeholders in creative collaboration to improve system delivery and/or coordination OR provide an opportunity for a sector to do things differently.
- b) Capital grants are provided for projects involving construction or purchase of physical assets, including, but not limited to, land, building and associated renovation costs. Applications to the Capital category will be considered for the following purposes:
 - **Purchase of Land and Buildings:** Grants are made in this category only when the purchase is required for the immediate capital project.
 - **Construction Costs:** Grants in this category will be for costs associated with new facilities or renovation costs associated with the provision of additional program/service space.

4. The Policy

4.1 General Program Requirements: The Grant

- a) The proposed initiative must meet the definition of the relevant funding category as outlined in Section 3 of this policy.
- b) Community need for the proposed project must clearly be demonstrated and indicate how the applicant organization is best suited to meet this need.
- c) The proposed initiative must be available to a broad cross-section of the London community.
- d) All projects must conform to all relevant legal standards and requirements and should be physically accessible to all persons.
- e) A minimum of 25% of the total funding for the Multi-Year and Innovation and Capital Funding Streams will be allocated to applications whose proposals would support anti-Black racism, anti-Indigenous racism, anti-oppression, diversity, inclusion and equity, it being noted that if no applications are received that would support these initiatives, the funding may be allocated to those applications that meet the London Community Grants Program Policy.

4.2 Specific Program Requirements

- a) Innovation
 - i) Considering the one-year term of funding for Innovation Grants, applications under this category will be strongly assessed for ongoing program sustainability. The Applicant must demonstrate a clear plan for how the proposed program will be funded after the term of the grant.
- b) Capital
 - i) The applicant must present information that demonstrates their long-term intent to remain in the building. If funding has been received to make capital improvements to the property, the organization may be required to repay a portion of the grant back to the City in the event the property is vacated. The exact terms will be laid out in the Grant Agreement signed upon notification of the awarded grant.
 - ii) All Capital projects must be either tendered or open to competitive bidding by two or more parties.
 - iii) Rehabilitation and replacement of existing facilities will be preferred as opposed to projects involving the construction of new facilities.
 - iv) Capital funding will not be granted for appliances or equipment. Funding will only be provided for construction costs for work that will be affixed to the building.
 - v) Preference will be given to organizations that demonstrate a willingness to cooperate with the community and other organizations to share the space.
 - vi) Unincorporated organizations will not be eligible to apply for Capital funding.
 - vii) Applicant must demonstrate they have applied to relevant Federal and Provincial government funding streams that align with the capital project deliverables.

4.3 Eligibility

- a) General Eligibility
 - i) A City of London grant should not be considered as the sole source of funding for the organization. City of London grants are intended to be supplementary to other sources of funding. Organizations will be expected to leverage opportunities for funding from other funders and to provide information about other sources of funding, both received and applied to, to the City of London.
 - ii) A grant made to an organization in any year is not to be regarded as a commitment by the City to continue the grant in future years.
 - iii) In making grants, the City may impose conditions as it deems fit. Specific terms and conditions will be outlined in the Grant Agreement upon award of funding.
 - iv) The amount of funding allocated to the municipal granting program will be confirmed each year as part of the annual budget process.
- b) Organization Eligibility
 - (i) Organizations must be located in London (this means the organization must have an office located in London, but not

necessarily the head office, and that grant supported projects must take place in London) and may be asked to provide proof of address for verification.

- (ii) Only registered not-for-profit organizations, with some exclusions (noted in 4.3(c) below) will be considered for a grant through the London Community Grants Program.
- (iii) Organizations in receipt of City of London funding (including, but not limited to Purchase of Service Agreements) will not be eligible to receive additional City of London funding for the same project.
- (iv) Agencies, Boards, and Commissions of the City of London are not eligible for grants through this program.
- (v) Organizations seeking development and capital funding to support the creation of new community based supportive housing initiatives are not eligible.
- (vi) Applicant organizations must have an active Board of Directors that is independent from senior staff of the organization.

c) **Eligibility Exclusions for Unincorporated Organizations**

- i) An unincorporated organization may submit an application under the Innovation category of the Innovation and Capital stream, but must officially become incorporated before any funding can be allocated to the organization.
- ii) An unincorporated organization may apply to the London Community Grants Program (Multi-Year or Innovation Category) in partnership with a Host Organization. Under these criteria, City funding will be allocated to the Host Organization in support of the funded activity, with the host organization held to account for the terms and conditions outlined in the Grant Agreement.
- iii) There are no eligibility exclusions for an organization's not-for-profit status under the Capital category of this program.

4.4 Financial Eligibility

- a) The organization must demonstrate strong financial responsibility and capability in carrying out its service to this community.
- b) The City of London, through its grants process will not contribute to outstanding deficits.
- c) The financial state of the organization will be reviewed through the grant application process. The City of London will not fund organizations that have a structural deficit.
- d) The organization must indicate a clear financial plan and demonstrate efficient use of City funds in the project.
- e) The organization must show that it has thoroughly explored all other available sources of funding. The organization must identify the full cost of the project along with all sources and amounts of confirmed and pending revenue.
- f) The organization must demonstrate fund-raising capabilities and illustrate a future plan for the project.
- g) In conjunction with a comprehensive review of the proposed initiative, funding will be directed to organizations in greater need of financial support.

- g) The organization must indicate other City contributions that are made to the organization (purchase of service, tax exemptions, etc.).

4.5 Community Review Panel

- a) Grant applications will be assessed by the community review panel in accordance with the program's respective guidelines.
- i) A community review panel of up to 11 individuals will be convened to make decisions regarding the allocation of London Community Grants. The community review panel will be comprised of the following members:
- Community member (2-3)
 - Expert in subject matter (specific to priorities of the Strategic Plan or Council-directed emerging priorities) (3-4)
 - Funder (1)
 - Outcomes measurement expert (1)
 - Financial expert (1)
 - City Staff (1-2).
- b) Selection
- i) Civic Administration will seek qualified London residents to be part of the community review panel based on the composition of the Panel defined above.
- ii) Priority will be given to community members from diverse backgrounds, and staff will aim to have a cross representation of the community on the panel.
- c) Decision Making
- i) Decisions about all funding allocations will be determined by the Community Review Panel in accordance with the relevant program guidelines with the exception of capital funding requests in excess of the approved budget for the Innovation and Capital Stream. Capital funding requests in excess of the available budget will be reviewed by the Community Review Panel and, if recommended, be referred to the budget process noting that a detailed business case must be submitted as part of the budget request.
- ii) All applications, regardless of the granting category, will be assessed for both alignment with, and ability to advance the City's Strategic Plan and/or Council-directed emerging priorities.

4.6 Grant Appeal Process

- a) All decisions related to grant applications for the London Community Grants Program are open to appeal by the grant applicant.
- b) Applicants to the London Community Grants Program may appeal a decision based on two criteria:
- i) New Information: From the time the grant application was initially submitted, new information that could impact the grant decision became available that, for good reason, was not available at the time of the initial application; or,
- ii) A Procedural Error was made when assessing the grant application.
- c) The Director of Community Development and Grants or designate will

review all appeals in accordance with the Appeals Guideline to determine which appeals meet the criteria for further review.

- d) Legitimate appeals will be referred to the Deputy City Manager, Neighbourhood and Community-Wide Services.
- e) The Deputy City Manager, Neighbourhood and Community-Wide Services may refer the funding appeal to any member of the Senior Leadership Team, depending on the relevant area of the City's Strategic Plan or Council-directed emerging priorities under which the proposed initiative has been aligned.
- f) Decisions of all appeals will be final.

Appendix B21

Bill No.
2021

By-law No. CPOL.-156()-____

A by-law to amend By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, to add clarifying language about benefits.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, to add clarifying language about benefits;

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

1. By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Mayor – Contracted Staff

Policy Name: Mayor – Contracted Staff

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-156-408); Amended July 24, 2018 (By-law No. CPOL.-156(a)-385); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Recruitment and HR Advisory Services

1. Policy Statement

- 1.1. This policy ensures a consistent approach is applied to the recruitment process when hiring contracted staff within the Mayor’s Office.

2. Definitions

Not applicable.

3. Applicability

- 3.1. The policy applies to the Office of the Mayor and potential contracted employees whose services may be retained.

4. The Policy

- 4.1 The Mayor is authorized to retain the services of contracted employees for periods not to exceed the current term of the Mayor, subject to the following:
 - a) The selection of the contracted employees will be at the discretion of the Mayor or designate.
 - b) Subject to the eligibility requirements of the applicable plans, the employees shall be entitled to participate in the City’s Extended Health Benefits only (the “Benefit Plans”), in accordance with the terms of the Benefit Plans and applicable policies for management employees as amended from time to time. The employees shall not be entitled to participate in any other benefits provided by the City, including but not limited to any life insurance, short term disability and long term disability plans.
 - c) The compensation of the contracted employees will be accommodated within the approved budget of the Mayor’s office.

Appendix B22

Bill No.
2021

By-law No. CPOL.-18()-____

A by-law to amend By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, to clarify eligibility criteria for nomination.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, to clarify eligibility criteria for nomination;

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

1. By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Mayor's New Year's Honour List Policy

Policy Name: Mayor's New Year's Honour List Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-18-214); Amended April 24, 2018 (By-law No. CPOL.-18(a)-144); Amended July 24, 2018 (By-law No. CPOL.-18(b)-390); Amended October 15, 2019 (By-law No. CPOL.-18(c)-288); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the Mayor's New Year's Honour List for the recognition of persons who have contributed in an outstanding manner to the community of London in one of the categories of Accessibility, Age Friendly, Arts, Distinguished Londoner, Diversity and Race Relations, Environment, Heritage, Housing, Humanitarianism, Safety & Crime Prevention and Sports.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to all persons who have contributed in an outstanding manner to the community of London in prescribed categories.

4. The Policy

4.1 Categories

Persons may be recognized in any of the following categories:

- a) Accessibility (i.e. contributions to foster an environment of inclusion that embraces citizens of all abilities);
- b) Age Friendly (i.e. contributions to empowering older adults and advancing an age friendly community);
- c) Arts (i.e. contributions to fostering and/or the production of human creativity);
- d) Diversity and Race Relations (i.e. contributions to the elimination of hate and discrimination).
- e) Environment (i.e. contributions to the awareness, preservation and protection of the environment);
- f) Heritage (i.e. contributions to the awareness, preservation and protection of heritage resources);
- g) Housing (i.e. contributions to the provision of safe and accessible housing for all members of the community);
- h) Humanitarianism (i.e. contributions to human welfare through philanthropic and other efforts);

- i) Safety & Crime Prevention (i.e. contributions to a safe and secure community);
- j) Sports (i.e. contributions to the awareness of and participation in sports activity and/or demonstrated excellence within a particular sports activity);
or
- k) Distinguished Londoner (i.e., outstanding contribution to community collaboration or acts of good will by giving back to our City).

4.2 Nominating Committees/Organizations

The following Committees/Organizations shall nominate individuals in the respective categories:

- a) Accessibility – Accessibility Advisory Committee
- b) Age Friendly – Age Friendly London Network
- c) Arts – London Arts Council
- d) Diversity and Race Relations – Diversity, Inclusion and Anti-Oppression Advisory Committee
- e) Environment – Advisory Committee on the Environment
- f) Heritage – London Advisory Committee on Heritage
- g) Housing – London Housing Advisory Committee
- h) Humanitarianism – Diversity, Inclusion and Anti-Oppression Advisory Committee
- i) Safety & Crime Prevention – Community Safety and Crime Prevention Advisory Committee
- j) Sports – London Sports Council
- k) Distinguished Londoner – Each Council Member may submit one (1) name to the Mayor for consideration. The Mayor may select up to four (4) individuals for recommendation to Municipal Council.

4.3 Conditions

The following conditions shall apply to the nomination of individuals:

- a) no more than one person in each category shall be named in any one year, except for the category of Distinguished Londoner, subject to:
 - i) a person may not necessarily be named in each category each year;
 - ii) City Council may, at its sole discretion and on an exception basis, choose to recognize two individuals in any one category in a given year should the City Council determine that two individuals have inseparably partnered in contributing to their respective category, thereby increasing the aggregate amount of nominees beyond the usual maximum of ten persons to be named in any one year;
- b) the recipients shall be chosen for long standing contributions in their respective categories;
- c) the name of any one individual shall be included on the Honour List only once in their lifetime;

- d) any person currently serving as a member of any one of the Advisory Committees, City Council, Civic Administration or organizations referred to in 4.2 shall not be eligible for naming to the list during their term of appointment or employment with the City;
- e) nominees being recommended by the Advisory Committees or organizations referred to in 4.2 shall receive at least seventy-five percent of the total eligible votes on the respective Advisory Committee or organization.

4.4 Form of Recognition

- a) The recipients shall be honoured at the first meeting of City Council in January, with a reception for themselves and one guest, and presentation of an appropriately-worded certificate.
- b) A plaque shall be displayed in a prominent public area of City Hall honouring those persons named each year to the Mayor's New Year's Honour List and shall be updated annually by the City Clerk.

Appendix B23

Bill No.
2021

By-law No. CPOL.-45()-____

A by-law to amend By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets;

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

1. By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Multi-Year Budget Policy

Policy Name: Multi-Year Budget Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-45-241); Amended July 24, 2018 (By-law No. CPOL.-45(a)-374); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

Municipal Act, 2001, Section 291(1) authorizes a municipality to prepare and adopt a budget covering a period of two to five years in the first year to which the budget applies or in the year immediately preceding the first year to which the budget applies. The process for preparing and adopting a multi-year budget and the requirements for a municipality’s budget are prescribed in the *Municipal Act, 2001*.

If a municipality chooses to adopt a multi-year budget, establishing an annual review process is mandatory as outlined in section 291(4) of the *Municipal Act, 2001*. The annual review process requires Council to readopt the budget for that year and subsequent years that the budget applies in order to ensure the municipality has sufficient funds to pay all debts, amounts required for sinking funds or retirement funds, and amounts required for boards, commissions or other bodies. Also, pursuant to section 290(6) of the *Municipal Act, 2001* the passing of a multi-year budget does not limit the power of a municipality to amend or revoke a budget adopted under section 290 nor does it remove the obligation of a municipality to levy taxes/rates in each year. Integration and alignment of Council’s Strategic Plan to the multi-year budget links the delivery of the Strategic Plan with the funding requirements. Benefits of multi-year budgeting include the following:

- Alignment of longer-term goals and objectives with longer-term funding plans;
- Greater certainty is provided to tax/rate payers/residents about the future direction of taxes/rates and the timing of implementation of the Strategic Plan;
- Improved accountability and transparency over spending plan changes; and
- Prioritization principles aligned with service delivery principles that include:
 - Risk profile
 - Degree and speed of implementation.
 - Balancing competing needs across various strategic areas of focus.
 - Impact to the community.

Purpose

The purpose of the Multi-Year Budget policy is to define the approach to be used for multi-year budgeting and Council approvals.

2. Definitions

2.1. **Capital Budget** – A budget that funds new infrastructure projects as well as expands and maintains existing infrastructure. Some of the expenses could include: A new arena, widening roads, and roof replacement on an existing community centre.

2.2. **City of London** – means The Corporation of the City of London

- 2.3. **City Treasurer** – The individual appointed by the municipality as treasurer.
- 2.4. **Civic Service Areas** – Service Areas that operate within the Corporation.
- 2.5. **Boards and Commissions** – Groups outside the Corporation, typically (although not always) funded by the municipal tax base, that provide specific and/or specialized services to the London community.
- 2.6. **Budget** – Means an estimated financial plan of revenue and expenditure for a set period of time.
- 2.7. **Multi-Year Budget** – Approval of a four year operating and capital budget.
- 2.8. **Multi-Year Budget Policy** – Refers to this policy.
- 2.9. **Municipal Act** – Refers to legislation that governs municipalities in Ontario.
- 2.10. **Net Budget** – The net budget is the cost to deliver the City of London’s programs and services, after accounting for all non-tax/non-rate revenues and subsidies received. This is the portion of the budget that is paid for through property taxes or utility rates.
- 2.11. **Operating Budget** – A budget that funds the day to day operations of the municipality. Some of the expenses could include personnel, utilities, and reserve fund contributions.

3. **Applicability**

The scope of multi-year budgeting, including both operating and capital, extends to all City of London Service Areas, boards, and commissions and applies to both the property tax supported as well as water and wastewater & treatment rate supported budgets.

4. **The Policy**

4.1. **Approvals / Adjustments to Multi-Year Budget:**

- 4.1.1. A Multi-Year Budget is developed covering a four year time period beginning in the second year of a new Council term. Annual updates for years two and three will be brought forward for Council consideration during the remaining Council term. The first year of a new Council term will reconfirm the fourth year of the Multi-Year Budget.
- 4.1.2. Early in a new Council term, Council will develop its Strategic Plan. Council will approve a four year average annual tax levy adjustment from rates and four year water and wastewater rates that address municipal inflationary pressures and funding for additional investments that are aligned with Council’s Strategic Plan.
- 4.1.3. After Council approves the Strategic Plan and the Multi-Year Budget, Civic Administration will prepare corporate business plans that clearly outline the current state and future direction of each service. The business plans will identify the strategies and priorities that are driving the strategic direction of the service. All strategies and priorities must be aligned with the Council’s Strategic Plan and the funding approved through the Multi-Year Budget. Throughout the Multi-Year Budget process, business plans will be modified for material changes that result from any material amendments through annual updates.
- 4.1.4. The Civic Administration will present to Council a budget that is in compliance with the *Municipal Act, 2001*. The budget will contain adjustments to reflect inflationary pressures and additional investments or disinvestments that would further adjust the budget requirement. Each

additional investment or disinvestment submitted for Council consideration shall be supported with a comprehensive business case.

4.1.5. In the first year of a budget cycle, the Civic Administration will be seeking approval of a Multi-Year Budget for a four year period. Commencing in the second year and in each subsequent year of the multi-year budget, Council is required by the *Municipal Act, 2001* to review and readopt the budget for that year. As part of the review process, Council is required to make changes that are required for the purpose of making the budget compliant with the provisions of the *Act* which include ensuring that the municipality has sufficient funds to pay all debts, amounts required for sinking funds or retirement funds and amounts required for boards, commissions or other bodies. As such, Council will have the opportunity to make other amendments to the budget annually. In addition to the matters required to be addressed by the *Municipal Act, 2001*, the scope of annual budget changes may include, but are not limited to, the following:

- a) **New or Changed Regulation** – A new or changed legislation or regulation with a financial impact to the municipality.
- b) **New Council Direction** – A new Council direction that has transpired after the approval of the Multi-Year Budget.
- c) **Cost or Revenue Driver** – A corporate or service area budget adjustment as a result of changes in economic conditions.

Proposed changes to future years' operating budgets should only be brought forward and approved once per year. Adjustments are limited to once per year, during the annual update period, to ensure that all requests are considered together.

4.1.6. The City Treasurer or designate is authorized to make adjustments considered "housekeeping" in nature including operating and capital budget transfers made by a service that do not change the net budget.

4.1.7. The City Treasurer or designate would be authorized to release budget funds prior to a new Multi-Year Budget or Annual Budget Update approval up to a prorated amount based on the previous fiscal year's approved budget. Such authorization will continue for a reasonable period of time until budget approval of a new Multi-Year Budget or Annual Budget Update.

Appendix B24

Bill No.
2021

By-law No. CPOL.-170()-____

A by-law to amend By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, to clarify that where there are no municipal concerns identified by the Director, Planning & Development, no response or further action is required.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, to clarify that where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required;

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

1. By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Notices of OPA and ZBA Received From Other Municipalities

Policy Name: Notices of OPA and ZBA Received From Other Municipalities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-170-422); Amended June 26, 2018 (By-law No. CPOL.-337-328); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Planning & Development

1. Policy Statement

This policy directs notice of Official Plans and Zoning By-law amendments from other municipalities to the Director, Planning & Development to ensure administrative review with regards to municipal concerns.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the City Clerk, the Director, Planning & Development regarding notice of amendments to Official Plans and Zoning By-laws from other municipalities.

4. The Policy

That a policy be established whereby all notices received by the City Clerk from other municipalities concerning proposed or adopted amendments to Official Plans and Zoning By-laws be forwarded directly to the Director, Planning & Development for review and action as follows:

- a) where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required;
- b) where there are municipal concerns identified by the Director, Planning & Development shall prepare a report for submission to the Planning and Environment Committee that indicates such concerns and recommends a course of action to be taken by the Municipal Council relating to the proposed or adopted amendment.

Appendix B25

Bill No.
2021

By-law No. CPOL.-31()-____

A by-law to amend By-law No. CPOL.-31-227, as amended, being “Objectives of Centennial Hall”, to add clarifying language in section 4(b).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-31-227, as amended, being “Objectives of Centennial Hall”, to add clarifying language in section 4(b);

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

1. By-law No. CPOL.-31-227, as amended, being “Objectives of Centennial Hall”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Objectives of Centennial Hall

Policy Name: Objectives of Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-31-227); Amended June 26, 2018 (By-law No. CPOL.-343-334); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the operation of Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the operation of Centennial Hall.

4. The Policy

That the following objectives pertaining to the operation of Centennial Hall be established:

- a) to strive to operate the Hall on at least a "break-even basis";
- b) to make available public hall rentals for non-profit community groups and organizations;
- c) to establish a rental fee structure for non-profit community groups and organizations that will permit continued use of the facilities by such groups and organizations;
- d) to maximize revenues within a fee structure that recognizes reduced rentals for non-profit community groups and organizations;
- e) to provide for the public hall needs of entrepreneurs and others for the promotion of business, conventions, cultural, entertainment, industrial and religious events;
- f) to actively market the use of the facilities to increase revenues;
- g) to carry out improvements to the facilities that will enhance the use of the facilities and increase the revenue potential; and
- h) to maintain a high standard of maintenance of the facilities in keeping with the Civic Centre Complex.

Appendix B26

Bill No.
2021

By-law No. CPOL.-145()-____

A by-law to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees”;

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

1. By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Request to Waive or Reduce Facility Rental Fees

Policy Name: Request to Waive or Reduce Facility Rental Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-145-397); Amended June 26, 2018 (By-law No. CPOL.-286-277); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community- Wide Services

1. Policy Statement

Request to Waive or Reduce Facility Rental Fees Policy will assist in determining if rental fees for facility rental may be waived or reduced for an organization requesting this in connection to booking space in City of London community centres and recreation facilities including pools, sport fields, and arenas.

2. Definitions

Rental Fees - Refers to the fees approved by the City of London’s Fees and Charges by-law to cover the fee for use of a space and does not apply to other ‘extra fees’, tariffs, licences, and insurance costs that may be required by the nature of the activity.

3. Applicability

- 3.1 Certain community and recreation groups may be eligible to apply for a waiver or reduction of rental fees for community centre and recreation facility space if they meet all of the following conditions of eligibility of application:
- a) must be a non-profit corporation, OR
must be a newly created organization (established within 12 months of applying for the waiver or reduction of fees) which can prove they are operating on a not-for-profit basis;
 - b) must be a London-based organization and at least 80% of participants/members are London residents;
 - c) must provide evidence that regular rental fees constitute a real barrier or hardship;
 - d) activity meets a recreation or community development priority of the City of London (physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, activities for under-served groups);
 - e) activity does not duplicate an existing program or activity;
 - f) activity is open to the public, or membership in the requesting organization is open to the public;
 - g) activity must not be for the purpose of generating revenue, including fundraising; and

- h) activity must comply and conform with applicable legislation, Council policies and by-laws, and is not contrary to law, including but not limited to the Ontario Human Rights Code, and the Criminal Code.
- i) The request to waive or reduce fees may be approved for up to a maximum of 15 bookings within one calendar year, or in exceptional circumstances such further bookings as approved by the Deputy City Manager, Neighbourhood and Community-Wide Services.

4. The Policy

- 4.1. The administration of this Policy is assigned to the Deputy City Manager, Neighbourhood and Community-Wide Services, or their written designate (“Deputy City Manager”). Deputy City Manager shall generally perform all of the administrative functions under this Policy, and without limitation may:
 - a) receive and process all applications for waiving or reducing fees;
 - b) issue approvals for waiving or reducing fees in accordance with the provisions of this Policy and applicable By-laws;
 - c) impose terms and conditions on approvals in accordance with this Policy; and
 - d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this policy.
- 4.2. The approval of a waiver or reduction of fees, along with entering into a Facility Rental Contract, shall constitute authorization of the Deputy City Manager, for the purposes of the City of London’s Parks & Recreation Area By-law.
- 4.3. Requests for use of space as approved under this Policy will be accommodated within un-booked capacity within regular operating hours of facilities.

Authority of the Deputy City Manager- Waiver or Reduction of Fees

- 4.4. The power and authority to refuse to issue an approval to waive or reduce fees, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Deputy City Manager.
- 4.5. Notwithstanding any other provision of this Policy, the Deputy City Manager may impose terms and conditions on any approval any time during the term of the approval, as are necessary in the opinion of the Deputy City Manager to give effect to this Policy.
- 4.6. The City of London reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for a waiver or reduction of fees for an event on City of London Property.

Appendix B27

Bill No.
2021

By-law No. CPOL.-123()-_____

A by-law to amend By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees” be amended to change the policy title to “Promotion of Corporate Products or Services to City Employees”, and to update general guidelines.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees” be amended to change the policy title to “Promotion of Corporate Products or Services to City Employees”, and to update general guidelines;

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

1. By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Promotion of Corporate Products or Services to City Employees

Policy Name: Promotion of Corporate Products or Services to City Employees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-123-375); Amended July 24, 2018 (By-law No. CPOL.-123(a)-378); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

- 1.1 To establish a consistent approach for the promotion of corporate products or services to employees of The Corporation of the City of London (“City”).

2. Definitions

- 2.1 **City** –The Corporation of the City of London

3. Applicability

- 3.1 This policy applies to individuals, groups, and companies wishing to promote products or services to City employees.
- 3.2 City sponsored programs such as corporate wellness programs, technology purchasing programs, or any other promotions or sponsorships approved in writing by the City Manager do not fall under this policy.

4. The Policy

4.1 General Guidelines

- a) Individuals, groups, and companies wishing to promote products or services must request and complete a [Request to Promote Products or Services to City Employees](#) form.
- b) Completed forms must be submitted to the People Services Division for review. A cross-functional team that may include representatives from Finance, Communications, People Services and Legal will review the forms quarterly for suitability and to ensure that any offer:
 - i) Is made available to all employees.
 - ii) Adheres to City Policies; including, but not limited to, the [Procurement of Goods and Services Policy](#), [Code of Ethics](#), [Respectful Workplace Policy](#) and [Corporate Identity Policy](#).
 - iii) Does not place the City in any type of financial risk.
- c) The cross-functional team approves the notice of any promotion for posting on the City’s intranet.
- d) Promotional events or direct solicitation is not allowed in City owned or occupied facilities.

Appendix B28

Bill No.
2021

By-law No. A.-6151()-_____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting and replacing Schedule “E”, being “Public Notice Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule “E” – “Public Notice Policy” to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “E” in its entirety and replacing it with the attached new Schedule “E”, which shall be Schedule “E” to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Public Notice Policy

Policy Name: Public Notice Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 22, 2008 (By-law No. A.-6151(a)-267); Amended October 3, 2017 (By-law No. A.-6151(q)-486); Amended (By-law No. A.-6151(u)-419); Amended August 10, 2021 (By-law No. A.-6151-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 City Council and the Civic Administration acknowledge the importance of having an informed public. This commitment is delineated in the City Council’s values of:

Good Governance;
Driven by Community;
Acting with Compassion; and
Moving Forward through Innovation.

This policy describes the circumstances in which notice shall be provided to the public and the form, manner, and times notice shall be given as required under section 270(1)4 of the *Municipal Act, 2001*.

2. Definitions

For the purpose of this policy,

2.1 “**City**” – shall mean The Corporation of the City of London

2.2 “**Council**” - shall mean the Municipal Council of The Corporation of the City of London

2.3 “**Newspaper**” - shall mean a document that:

a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general public; and

b) consists primarily of news of current events of general interest

2.4 “**Website**” – shall mean the City of London official website at www.london.ca

3. Applicability

3.1 This policy shall apply to notice provided by the City to the public on various matters.

4. The Policy

4.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:

a) All circumstances set out in Appendix “A”, attached, in the form, manner and times as set out in Appendix “A”;

- b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;
 - c) If required by another by-law, in the form, manner and times as set out in the said by-law;
 - d) If directed by Council, in the form, manner and times as specified by Council; or
 - e) In circumstances where, in the opinion of the City Clerk, notice is reasonable and necessary, in the form, manner and times as determined by the City Clerk.
- 4.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council or a Standing Committee of the Council.
- 4.3 The notice requirements under this Policy are minimum requirements and the City Clerk may give notice to the public in an extended manner if, in the opinion of the City Clerk, the extended manner is reasonable and necessary in the circumstances.
- 4.4 Where any of the form, manner or times of notice are not specified in Appendix "A", an Act, Regulation or by-law, or where Council directs that notice be given under section 4.1(d), or the City Clerk determines that notice be given under section 4.1(e), the form, manner or times of notice shall be determined by the City Clerk.

PUBLIC NOTICE POLICY - APPENDIX A

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>BUDGET (Section 291 <i>Municipal Act, 2001</i>) Adoption of Multi-year Operating, Capital, Water and Wastewater Budgets of the City Budget public participation meeting(s)</p>	<p>Notice of Intent to adopt the budget. Notice of public participation meeting(s) with respect to the adoption of the budget.</p>	<p>Notice of intent to adopt the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the budget will be considered for adoption. Notice of any public participation meetings with respect to the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public participation meeting.</p>
<p>SCHEDULE OF MEETINGS – REGULAR AND SPECIAL (Section 238(2)(2.1), <i>Municipal Act, 2001</i>) Annual Schedule of Regular Council, and Standing Committee Meetings (Section 240, <i>Municipal Act, 2001</i>) Special meetings of Council and Special Standing Committee Meetings</p>	<p>Public notice to advise of the annual schedule of regular meetings of Council and Standing Committees. Public notice to advise of special meetings of Council, and/or Standing Committees.</p>	<p>Notice of the annual schedule of regular meetings of Council and Standing Committees shall be posted on the City’s website in accordance with the Procedure By-law. Notice of any special meetings of Council and/or Standing Committees outside of the annual schedule of regular meetings shall be posted on the City’s website in accordance with the Procedure By-law.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>FEE OR CHARGE BY-LAW (Section 391, 400(f), <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a minimum of one Standing Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained.</p> <p>Public notice required to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a fee or charge by-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the meeting at which the fee or charge by-law is to be considered.</p> <p>Notice to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the fee or charge by-law is to be considered.</p>
<p>SEIZURE OF PERSONAL PROPERTY – PUBLIC AUCTION Seizure of Personal Property by City Treasurer to recover taxes and costs of the seizure. (Section 351(8), <i>Municipal Act, 2001</i>)</p>	<p>Subject to certain conditions, the Treasurer or their agent may seize personal property to recover taxes and costs of the seizure. The Treasurer or their agent is required to give the public notice of the time and place of public auction and of the name of the person whose personal property is to be sold.</p>	<p>The Treasurer or Treasurer's agent shall give notice of the time and place of public auction of seized personal property to recover taxes and costs of the seizure, together with the name of the person whose personal property has been seized. Notice shall be published once in a newspaper of general circulation in the City of London at least 14 days prior to the auction.</p> <p>One notice sent by regular pre-paid mail to the sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy a minimum of 21 days prior to the auction.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
PROPOSAL TO RESTRUCTURE THE MUNICIPALITY (Section 173, <i>Municipal Act, 2001</i>)	Public notice to advise of the holding of a public meeting before Council votes on whether to support or oppose a restructuring proposal.	Notice to advise of a public meeting to consider a restructuring proposal shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public meeting at which the restructuring is to be considered.
CHANGE OF NAME OF MUNICIPALITY (Section 187, <i>Municipal Act, 2001</i>)	Public notice to advise of the holding of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name.	Notice to advise of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.
DISSOLUTION OR CHANGE TO LOCAL BOARD (Section 216, <i>Municipal Act, 2001</i>)	Notice to a local board required to advise of Standing Committee meeting to consider the enactment of a by-law to dissolve or change the local board.	One notice sent by regular, prepaid mail to the local board a minimum of 14 days prior to the Standing Committee meeting.
CHANGES TO COMPOSITION OF COUNCIL (Section 217, <i>Municipal Act, 2001</i>)	Public notice required to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council.	Notice to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
ESTABLISHMENT OF WARDS (Section 222, <i>Municipal Act, 2001</i>)	Public notice required to advise of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards.	Notice to advise of a meeting of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered. Notice advising of the passing of a by-law dividing or re-dividing the wards or dissolving wards shall be published once in a newspaper of general circulation in the City of London within 15 days of the passing of the by-law, specifying the last day for filing a notice of appeal.
NEW PROCEDURE BY-LAW (Section 238, <i>Municipal Act, 2001</i>)	Public notice required to advise of a Standing Committee meeting to consider enactment of a new Procedure By-law or revisions to the existing Procedure By-law.	Notice to advise of a Standing Committee meeting to consider the enactment of a new Procedure By-law or revisions to the existing Procedure By-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.
LICENSING BY-LAW (Section 151, <i>Municipal Act, 2001</i>)	Public notice required to advise of the intention to consider the enactment of a licensing by-law.	Notice to advise of a Standing Committee meeting to consider the enactment of a licensing by-law shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NAMING OR RENAMING OF A HIGHWAY OR PRIVATE ROAD (Section 11(3), <i>Municipal Act, 2001</i>)	Public notice required to advise of the intention to pass a by-law naming or re-naming a private road.	Notice of the intention to pass a by-law to name or rename a private road shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter will be considered.
HIGHWAY CLOSURE OR PERMANENT ALTERATION – ACCESS DENIED TO ANY PROPERTY	Public notice required to advise all affected property owners of a Standing Committee meeting to consider the enactment of a by-law to close or permanently alter a highway when such closure or permanent alternation would deny access to a property.	One notice sent by registered mail to the last known address of the affected property owner(s), a minimum of 14 days before the Standing Committee meeting.
SALE AND OTHER DISPOSITION OF LAND	Public notice required to advise of the intention to sell or otherwise dispose of municipally owned land.	Notice shall be in accordance with the Sale and Other Disposition of Land Policy.
LOW IMPACT PLANNED LIFECYCLE RENEWAL/REPLACEMENT/MAINTENANCE FOR RECREATION FACILITIES AND PARKS INITIATIVES, PROJECTS AND DEVELOPMENTS - AMENITIES AND/OR SMALL STRUCTURES THAT REQUIRE CANCELLATION OF EVENT(S) OR PROGRAM(S) OR RESULTS IN A TEMPORARY CLOSURE OF MORE THAN ONE DAY	Public notice to advise users and/or public of the commencement of construction and temporary closure of the space.	Signage onsite a minimum of 2 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.
REPURPOSING OF EXISTING RECREATION FACILITIES OR PARKS ON A LONG TERM OR PERMANENT BASIS.	Public notice to advise users and public of the commencement of construction and temporary closure of the facility or park and of the intended repurposing.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site 6 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NEW PARKS	Public notice to advise users, the public and neighbours of the commencement of construction of new parks.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site a minimum of 2 weeks prior to commencement of work.
NEW RECREATIONAL FACILITIES	Public notice to advise of the commencement of construction of a new facility.	Signage onsite and notice on the City's website indicating the intention to construct a new facility 3 months in advance of commencement of construction.
PARKS AND RECREATION MASTER PLAN AND SPORT STRATEGIES (e.g., SKATEPARK STRATEGY, DOGS OFF LEASH STRATEGY)	Public notice to advise of the intention to develop a city-wide initiative or strategy.	Notification published once in a newspaper of general circulation in the City of London and on the City's website of the intention to start development of an initiative or strategy.
UNUSUAL CIRCUMSTANCES – RECREATIONAL FACILITIES, PARKS OR STRUCTURES Emergency situations may occur, and in particular when a health and safety concern arises, immediate action is necessary and notification cannot occur prior to the commencement of such work.	No requirement of notice in emergency circumstances.	No notification will be given prior to commencement of emergency work.
ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE	Public notice to advise of a Standing Committee meeting to consider the approval of Terms of Reference for an Environmental Assessment and to make the draft Terms of Reference available to the public. Terms of Reference for Environmental Assessments are undertaken when required by provincial legislation.	Notice to advise of a Standing Committee meeting to consider the approval of draft Terms of Reference for an Environmental Assessment shall be posted on the City's website at least 30 days in advance of the Standing Committee meeting at which the matter is to be considered, and a copy of the draft Terms of Reference shall be available on the City's website during the notice period.
MUNICIPAL MANAGEMENT OF NEW PRIVATE COMMERCIAL PARKING LOT (Traffic and Parking By-law PS-113)	Public notice to advise of intention to implement new municipally managed private commercial parking lot.	Notice of intent shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.

Appendix B29

Bill No.
2021

By-law No. CPOL.-188()-____

A by-law to amend By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy”, be amended to incorporate changes to legislation.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy” be amended to incorporate changes to legislation;

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

1. By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Real Property Acquisition Policy

Policy Name: Real Property Acquisition Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-188-440); Amended July 24, 2018 (By-law No. CPOL.-188(a)-447); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Realty Services

1. Policy Statement

- 1.1. The City of London acquires real property rights, as required, for municipal purposes consistent with City mandated programs, projects, policies and strategic plans. The general direction for this Policy is set out in “Acquisition and Disposition of Lands policies in Our Tools part of the Official Plan (The London Plan). The City of London will acquire real property rights in a transparent, fair and competitive process to ensure the best interest of the City are met.

Purpose

- 1.2. The purpose of this Policy is to establish and maintain a consistent and equitable framework for the acquisition of real property interests that support Council approved projects, programs, policies and strategic plans.

Governing Principles

- 1.3. The Policy is based on the City of London governing principles:
- Good Government
 - Respect and Integrity
 - Community Engagement
 - Fiscal Responsibility

2. Definitions

- 2.1. **Appraisal** – an appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.
- 2.2. **Asset Rationalization** – a process to support decision-making related to the acquisition, remediation or disposal of real property, in a cost effective manner, while assuring that essential program and service delivery objectives are not compromised.
- 2.3. **Capital Projects** – have funding or budgets in place and are included in the City’s Capital Budget.
- 2.4. **City Mandated Programs** – support City of London initiatives, as reflected in the Official Plan or Capital Program.
- 2.5. **Client Department** – a City department that is a client of Realty Services and requires a real property for an approved program or project.
- 2.6. **Conflict of Interest** – a situation in which the personal interests of officers, Council Members and key staff members come into conflict, or appear to come into conflict, with the interests of the City.

- 2.7. **Council Approval Report** – a report to Council recommending approval of an acquisition by the City of London.
- 2.8. **Delegated Authority** – authority to approve pursuant to the Delegation of Authority By-law No. A-1, as amended.
- 2.9. **Due Diligence** – any activities required prior or during the acquisition of real property that will effectively assist in the decision making process of the acquisition and will provide a thorough understanding of the potential asset.
- 2.10. **Easement** – a partial interest in real property that is registered on title. An easement reflects the acquisition of property rights either on the surface, above or below ground and can be permanent or temporary and identifies a specific use.
- 2.11. **Expropriation** – acquiring real property without the consent of the owner, by an expropriating authority in the exercise of its statutory powers.
- 2.12. **Highest and Best Use** – that use, which, at the time of the appraisal, is most likely to produce the greatest net return, in money or amenities, over a given period of time.
- 2.13. **Lease** – a legal and binding agreement between two or more parties that specifies a specific property interest, for a specific term, for the right of a specific purpose of use, for a stated consideration and executed by the parties to the agreement.
- 2.14. **Market Rent** – what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.
- 2.15. **Market Value** – the most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.
- 2.16. **Public–Private Partnerships (P3)** – legal agreements between government and private sector entities, for the purpose of providing public infrastructure, community facilities and related municipal services.
- 2.17. **Real Estate Professional** – an individual or firm qualified to provide, in accordance with the City’s current standing offer(s), appraisal and/or real estate consulting services.
- 2.18. **Real Property** – real property includes land, buildings, anything that is erected or growing on or affixed to the surface of the land, minerals and anything subsurface, and all rights issuing out of, annexed to, and exercisable without or about land such as leases, licenses, mortgages, air rights, easements and rights of access.
- 2.19. **Request for Proposal (RFP)** – a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at a desired result.
- 2.20. **Real Property Rights** – any right, interest or benefit in land, but is not limited to, fee simple acquisitions, leases, licenses, options, permits, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access

easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of property rights for the City of London.

2.21. **Service Area Needs Assessment** – a client Service Area’s report documenting the need for and purpose of acquiring real property.

3. Applicability

This Policy applies where real property rights are acquired by the City of London and includes any right, interest or benefit in land including, but not limited to fee simple acquisitions, leases, licenses, options, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of real property rights. This Policy applies to all City of London employees, and any agents acting on behalf of the City and consultants authorized to acquire real property on behalf of the City.

Real property such as road dedications and easements that are acquired pursuant to the provisions of the Planning Act and any regulations there under will continue to be dealt with as part of that process. Real property acquired through the expropriation process will continue to be dealt with as part of that process and in accordance with the Expropriations Act.

In addition, the following municipal and provincial legislation relate to the acquisition of interests of real property:

- *Municipal Act, 2001*, s. 6, s.8 and s.11
- *City of London Act, 1999*, s.12.3 (1) and s.12.5 (1)
- *Housing Development Act, 1990*, c. H.18, s. 17
- *Ontario Heritage Act, 1990*, c. O.18, s. 36 (1),36 (2) and s. 45
- By-Law No. A-1-11012, February 28, 2011, City of London
- By-Law No. CP-9-20006, September 15, 2020, City of London
- *Municipal Conflict of Interest Act, 1990*, c. M.50
- City of London Official Plan (The London Plan)
- City of London Official Plan (1989)

4. The Policy

4.1. Policy Requirements

The City of London, Realty Services, shall undertake the acquisition of real property interests in conformity with this Policy, unless otherwise directed by the City Council (Council).

4.2. Service Area Needs Assessment

Prior to initiating an acquisition of any real property rights as defined in Section 2., the client department will prepare on its behalf, or on behalf of a partner agency, a Service Area acquisition needs assessment. The needs assessment shall:

- a) provide justification and rationale for the proposed acquisition;
- b) state the municipal need or issue the acquisition will satisfy;
- c) evaluate the total cost of ownership including the impact of on-going operating and estimated capital expenditures over the life cycle of the asset;
- d) discuss the risks and benefits of the acquisition;
- e) identify, if any, options to asset acquisition;
- f) evaluate, if required, the lease term and proposed conditions compared to the market;
- g) prepare a Net Present Value analysis (NPV) that considers the financial costs and benefits of these options; and

- h) identify, if any, unique factors that are applicable to the acquisition, including applicable policies, plans or strategies of the City.

All assessments shall be vetted through the Realty Services and Finance in collaboration with the client Service Area to determine whether the City's existing real property inventory, or any capital works initiatives, may fulfill the client's requirements and determine the impact, if any, on the remainder of the City's real estate portfolio. In the case of leased property, this process shall apply to all potential leased premises and shall be evaluated by Realty Services.

4.2.1. Service Areas Needs Assessment Exemptions

For real property rights required for infrastructure, environmental acquisition, emergency scenarios and other municipal purposes at the discretion of Realty Services, a Service Area needs assessment shall not be required prior to completing the transaction.

4.3. Council Approval

City Council approval of a project shall include authority for the appropriate person(s) or body to initiate and undertake legal surveys, appraisals, environmental assessments, heritage, archaeology, negotiations, expropriations, legal and other such related activities or reports, as may be required. A budget item must be approved for the program or project, including the costs of acquiring a real property and operational budget impacts, before action is taken to acquire property.

4.4. Funding

A source of funding for the acquisition of real property, life cycle costs, including ongoing annualized operating costs of the asset, must be identified through a Council approved budget item, specific to the program, project or policy defining the need, or allocated from an approved Service Area budget, with approval of the City Treasurer.

4.5. Methods of Acquisition

Realty Services shall make a determination of the most appropriate method of acquisition, taking into account the needs of the City mandated programs, projects, policies and strategic plans and the best interests of the City and the public interest to achieve these objectives in a timely, fiscally responsible manner, adhering to existing policies and procedures, legislation and applicable Council direction, as amended, from time to time.

4.5.1. Negotiation

Negotiation is the preferred method of obtaining all types of real property rights and interests through a fair and equitable agreement mutually acceptable to all parties. Compensation may be provided as though acquisition was pursuant to the *Expropriations Act*. Negotiations may be conducted with a specific property owner as a result of a direct interest in a particular property or in an emergency situation. Negotiations may originate from a request for proposal with multiple proponents initially, until one is selected for completion of a transaction. Realty staff may negotiate directly with other levels of government, utility companies or other agencies, for direct acquisitions.

4.5.2. Unsolicited Proposals

- a) Unsolicited proposals relating to real property matters, including either requesting the City to acquire a specific property or enter into a lease agreement, shall be:
 - i) subject to the principles of the *Procurement of Goods and Services Policy*;

- ii) in compliance with Section 4.5.14. of this Policy with respect to Emergency Acquisitions;
 - iii) in compliance with the Delegation By-laws for approval and execution for Sole Source and Single Source; and
 - iv) in all circumstances, immediately referred to Realty Services for review.
- b) In addition to a Service Area needs assessment as identified in Section 4.2. of this Policy, all unsolicited proposals under consideration and review by Realty Services must aim to:
- i) stimulate or support the economic development and growth for the City;
 - ii) illustrate the benefit of acting upon a limited or single opportunity; and
 - iii) identify budget resources for the acquisition including ongoing annualized operating costs of the asset.

Upon review by Realty Services, a report shall be forwarded to Council.

4.5.3. Request for Proposal (RFP)

The City of London may initiate the acquisition of a fee simple or lease interest in real property through a request for proposal process. The RFP process shall comply with the *Procurement of Goods and Services Policy*. The City shall not be obligated to enter into negotiations and complete a transaction under this process.

4.5.4. Expropriation

Where project requirements must be met in a timely manner, or where negotiation is unsuccessful, expropriation may be considered. The City of London has the authority to expropriate land in accordance with the provisions of the *Expropriations Act*. Expropriation will be used as a last resort for acquisition purposes. Where necessary, Service Area departments should allow for a minimum of 18 months to 24 months lead time in their project planning, in anticipation that real property acquisition by expropriation may be required.

4.5.5. Charitable Donations

The City may acquire real property through gifts or donations, subject to Council approval, or that of its delegated authority. Before accepting a gift of real property, an analysis to determine the conditions of the gift, existing restrictions or encumbrances and assumption of liabilities or any tax implications, shall be carried out. A charitable donation receipt may be issued in the amount of the appraised market value of the donated real property. An independent appraisal shall determine the market value of any donated real property. A satisfactory Phase I Environmental Site Assessment will also be required.

4.5.6. Development Approval Process

This Policy does not apply to acquisitions of real property rights such as parkland dedications, road widening or easements obtained through pursuant to approvals under the *Planning Act* including conditions of final approval for subdivisions, site plans or consents.

4.5.7. Tax Sales – Vesting in Municipality

The municipality may acquire real property, pursuant to Part XI of the *Municipal Act, (Sale of Land for Tax Arrears)* by registering a Notice of

Vesting. Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales are outlined in Section 4.9.

4.5.8. Land Exchanges

When an acquisition is contemplated in support of the natural heritage system, as provided for in the London Official Plan or the City's parks and open space system or other municipal purposes, and it is determined that an exchange of City-owned surplus real property is in the best interests of the City, negotiation shall be initiated based on the market value of the respective real properties, pursuant to the *Sale and Other Disposition of Land Policy* as set out in Schedule "A" of By-law No. 6151-17. Land Exchanges may be considered for other acquisitions of real property in accordance with a departmental needs assessment.

4.5.9. Public Private Partnerships (P3)

The City of London may acquire or dispose of an interest in real property as part of a Public-Private Partnership (P3) to provide infrastructure, municipal capital facilities and related services that would benefit the municipality, the private sector and City residents.

4.5.10. Other Agencies

The City of London may acquire interests in real property as the result of a transfer of jurisdiction from one level of government to another, such as transfer of highways.

4.5.11. Other Levels of Government and Institutions

The City of London may take advantage of its preferred position as a government agency to acquire interests in real property, prior to property being available on the open market, from other levels of government, school boards and conservation authorities.

4.5.12. Land Assembly

The City of London may acquire property with the intent of a land assembly to satisfy a City mandate, policy, project or strategic plan that supports long term economic growth and be in the public interest.

4.5.13. Acquisition of Real Property by Lease/License

The City of London may, for a specified time period, acquire real property in the form of a lease or license agreement. Leases and licenses may be short or long term, and on terms and conditions satisfactory to Realty Services and the client Service Area. Lease hold interests may be acquired for a nominal sum from other levels of government or at market value. Leases can be entered into under the following situations:

- a) In the form of a long term land lease in conjunction with a P3;
- b) A commercial lease for accommodation for a specific client Service Area to fulfill a municipal requirement;
- c) An option to secure a future fee simple acquisition;
- d) Emergency situations;
- e) Where no fee simple acquisition is available and a current municipal project is approved;
- f) As an interim use; or
- g) As deemed appropriate by Realty Services and the client Service Area as an alternative to fee simple acquisition that would meet the municipal and City residents requirements without a capital expenditure.

The lease or license agreement shall be in form and content satisfactory to the City Solicitor and Realty Services. Leasehold interests must be obtained through a transparent, fair and competitive process and should include consideration of a RFP procedure.

All lease or license agreements must be in compliance with all aspects of this Policy.

4.5.14. Emergency Acquisitions

The City of London Realty Services, is authorized, to acquire any interest in real property in an emergency situation for the purposes of this Policy, an emergency situation shall be any unforeseen circumstances identified in Section 14.2 of the *Procurement of Goods and Services Policy*. In these situations, Realty Services shall provide an information report to Council, including source of financing, as soon as possible after the acquisition.

4.6. Special Acquisitions

4.6.1. Heritage Properties

Cultural Heritage policies in the City Building Policies part of the Official Plan (The London Plan) provides the policy rationale for the acquisition of properties of heritage value and interest. When acquiring real property that may have a heritage designation or historical value, a comprehensive analysis of that property shall be conducted involving Realty Services and appropriate City Service Areas. The analysis will include:

- Identification of the heritage designation or historical value of the real property (*This should include both buildings and cultural heritage landscapes and “natural heritage”*);
- Confirmation of the City of London program(s) to be implemented at this heritage property;
- Identification of the heritage value of the real property after consultation with the London Advisory Committee on Heritage;
- Identification of the desired long-term use or protection of the real property;
- Assessment of the impact of the operational costs of the real property on the City; and
- Development of an asset management plan, which forecasts the capital renewal and re-investment requirements, to preserve the heritage property.
- Prior to the acquisition of a heritage property, Realty Services requires confirmation that the client Service Area and/or City Council have provided the funding and approval for the acquisition.

4.6.2. Parkland Acquisition

The City of London may acquire real property to ensure the sustainability of its natural heritage system and the connectivity of its parks and open space system, as outlined under Land Acquisition Policies in the Green Space Place Type Policies and Parkland Acquisition and Dedication policies in Our Tools parts of the Official Plan (The London Plan). The acquisition of parkland to achieve the objectives of this section may occur through purchase, donation, bequest, expropriation, or through dedication as provided for under the *Planning Act*.

A combination of the various methods of acquisition may be required by the City in order to deliver on a specific mandate, policy or plan or to

capitalize on an opportunity for the benefit of the City that can be illustrated in the Service Area needs assessment.

The Parkland Conveyance & Levy By-law, CP-9-20006 effective January 1, 2021 sets out conveyance, levy, and calculation procedures along with prescribed valuation as a condition of development or redevelopment for residential purposes of any land within the city.

4.7. Due Diligence Activities

4.7.1. Appraisal – Fee Simple or Partial Interest

An appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.

All real property acquisitions shall be supported with a current market value appraisal. An appraisal shall be no more than twelve months old or some shorter time-frame at the discretion of the Director, Realty Services. An appraisal will be completed and the appraisal report executed by an independent real estate professional who is accredited with the Appraisal Institute of Canada or by a qualified City staff appraiser. Where the estimated market value is \$750,000 or greater, a second appraisal will be required, one of which will be undertaken by an independent real estate professional.

Appraisal reports will be based on the “Highest and Best Use” of the property in accordance with current standards of practice within the real estate industry and within the guidelines of the Appraisal Institute of Canada, which may be amended, from time to time.

4.7.2. Appraisal – Leasehold Interests

Prior to entering into a lease agreement, a market rent study shall be completed by an independent real estate professional or a qualified City staff appraiser at the discretion of the Director, Realty Services. For the purposes of this Policy market rent is defined as what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.

4.7.3. Acquisition at Market Value

Real property rights shall be acquired on the basis of market value, and where applicable, entitlements, as defined by the Expropriations Act, unless other considerations are included in the transaction and approved by City Council. Where there is a variance between the appraised value and the acquisition price, that variance shall be explained in the approval report.

4.7.4. Environmental Due Diligence

The City of London shall complete a pre-screening on all real property to be acquired to identify potential contamination issues associated with real property e.g., Historical Land Use Inventory (HLUI). When an acquisition involves the entire fee simple interest (total buyout), or where it is deemed necessary by the client Service Area, for the acquisition of a lesser interest, a Phase I Environmental Site Assessment (ESA) shall be completed.

All such ESAs shall be completed in accordance with the Canadian Standards Association (CSA) and site remediation criteria, as set out by

provincial regulations. Whenever possible or appropriate, acquisition agreements may provide for the indemnification of the City of London by the vendor for environmental conditions.

4.7.5. Compliance with Section 106 of the *Municipal Act*

Section 106 of the *Municipal Act, 2001* states that the City “shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.” The municipality shall not grant assistance by:

- a) giving or lending any property of the municipality, including money;
- b) guaranteeing borrowing;
- c) leasing or selling property of the municipality at below fair market value; or
- d) giving a total or partial exemption from any levy, charge or fee.

The acquisition of any real property rights shall comply with Section 106 of the *Municipal Act, 2011*.

4.8. Roles And Responsibilities

4.8.1. City Council

Unless otherwise provided for by By-law, City Council approval is required for the acquisition of real property right in accordance with the provisions of this Policy and any and all applicable By-laws and Legislation. In accordance with By-law A-1, as amended, executing authority is then delegated to the appropriate City officials.

Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any person to have an unfair advantage or disadvantage in obtaining a contract for the acquisition of real property from the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of real property rights either jointly or in co-operation with the City. Council Members shall operate within the conflict of interest guidelines as set out in this Policy and under the *Municipal Conflict of Interest Act*.

Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Director, Realty Services, or the City Treasurer.

4.8.2. Realty Services

Realty Services is responsible for:

- a) Servicing the real estate needs of the client Service Area and agencies, boards and commissions identified in this Policy which can include real estate acquisitions and consulting services or advice on any real estate matters;
- b) Negotiating and representing the City on behalf of all Service Areas with perspective buyers, sellers, landlords, tenants and any other business partners with respect to any real property right proposed transaction whether it be a fee simple, partial acquisition, disposition or lease as defined in Section 2.;

- c) Coordinating with the client Service Area and Finance to review property inventory, prepare a Service Area needs assessment and conduct all real estate activity related to an acquisition;
- d) Reporting to Committee and Council on real estate transactions, subject to the provisions of this Policy; and
- e) Ensuring completion of real estate transactions and monitoring executed lease agreements to ensure all terms and conditions are adhered to.

4.8.3. City Solicitor

The City Solicitor or designate shall act as legal counsel to Service Areas and advise Council on real property transactions. The City Solicitor has authority to undertake all legal actions required to complete a real property transaction, including expropriation proceedings.

4.8.4. Client Service Area

The Client Service Area is responsible for:

- a) Requesting the services of the Realty Services when becoming aware of a real property requirement for acquisition of a fee simple, leasehold or partial interest as further defined in Section 2. or consulting purposes;
- b) Reviewing the existing real property inventory and other acquisition initiatives, in consultation through its Realty Services and Finance, to determine if real property needs can be met through current inventory or initiatives, prior to the initiation of an acquisition;
- c) Ensuring that the asset rationalization effort and confirmation that the acquisition requirement satisfies its City-mandated program, that includes participation in the preparation of the Service Area needs assessment;
- d) Providing confirmation to Realty Services that Capital and Operating Budgets to support an acquisition of real property is available prior to any site search or negotiations are undertaken by Realty Services; and
- e) Referring all third party inquires on real estate acquisition to Realty Service.

4.8.5. Finance Supports

Finance Support is responsible for:

- a) Ensuring any and all payments required under a real estate transaction, including leases/licenses are paid in accordance with the terms of the agreement to ensure no potential penalties to the City;
- b) Providing financial analysis and comment in a departmental needs assessment for property acquisitions in collaboration with the client Service Areas and Realty Services;
- c) Ensuring, in collaboration with the client Service Areas, that no existing corporate asset will meet the current property initiative;
- d) Identifying sources of funding for any proposed initiative;
- e) Providing leadership for RFP process as required by this Policy; and
- f) Engaging the Purchasing Office to support negotiations, as required.

4.8.6. Conflict of Interest

No elected official, appointed officer or employee of the City, agency, board or commission, shall have any interest either directly or indirectly of the real property to be acquired or considered for acquisition and must comply with the *Municipal Conflict of Interest Act*. Once known, any interest must be disclosed to Realty Services, Corporate Asset Management. No party having a Conflict of Interest, even once disclosed, shall have any authority to negotiate the transaction. Direct or indirect interest shall include, but not limited to, being an owner, or partial owner, of the property or a party to financing the asset.

4.8.7. Monitoring/Contraventions

Realty Services will administer the application of this Policy to ensure that all policy requirements are met.

4.9. Schedule A

Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales

- 4.9.1. After a failed tax sale, circulate the property to internal departments and external agencies in accordance with City Policy for the sale of City owned properties in order to determine if they have any interest in the property should the City vest the property; (If there is internal or agency interest in a property this interest will be presented to the appropriate Standing Committee of Council and Council for a decision as to whether or not to take ownership for the department or agency after conducting a Phase 1 and Phase 2 ESA as considered appropriate).
- 4.9.2. Conduct a Phase 1 Environmental Site Assessment (ESA).
- 4.9.3. Conduct a Phase 2 Environmental Site Assessment where appropriate as indicated by the Phase 1 ESA.
- 4.9.4. Report to the appropriate standing Committee and if there is no internal department or external agency interest in the property, market the property by issuing a Request for Proposal which shall include an evaluation criteria with weighted scoring and a draft Agreement of Purchase and Sale.
- 4.9.5. Evaluate the submissions received from the Request for Proposal and prepare a recommendation report for the Standing Committee for the Proponent with the highest technical combined score for the property acquisition.
- 4.9.6. Vest property and convey to purchaser after approval of sale agreement by the Standing Committee and Council.
- 4.9.7. Apply the proceeds of the sale against the tax arrears, deem any remaining tax arrears uncollectible and write off the remaining tax arrears upon registration of the notice of vesting of the property by the City.

Notes

- 4.9.8. Clauses in a form satisfactory to the City Solicitor will be included in the Agreement of Purchase and Sale to clarify that the property is being sold by the City on an as is, where is basis and that the purchaser acknowledges that the City has regulatory liability limitation from MOE orders under the EPA for the time that it owns the property (for up to five (5) years).

- 4.9.9. Where encumbrances of the Federal or Provincial Governments or their agencies exist City staff will attempt to negotiate a resolution of the interest as part of or prior to Step 4.9.4.
- 4.9.10. Where it is determined that a property has no environmental risks or liabilities or where the estimated market value will exceed the estimated costs of clean up, City staff may vest the property at any time and follow standard procedures for the designation and sale of surplus City land.
- 4.9.11. Where it is determined that environmental risks or liabilities are so severe with respect to a property that the City should not vest a property even for the purposes of immediate transfer then a recommendation to take no action with respect to the property will be provided to Council by staff.

4.10. References

City of London Council Policy Manual
Sale and Other Disposition of Land Policy

Legislative and Administrative Authorities

City of London Delegation of Authority By-law A-1-101007
City of London Execution of Certain Documents By-law A-1-11012
City of London Official Plan (1989)
City of London Official Plan (The London Plan)
Expropriations Act, 1990
Environmental Assessment Act, 1990
Ontario Heritage Act, 1990
Housing Development Act, 1990
Municipal Act, 2001
Municipal Tax Sales Act, 1990
Ontario Municipal Board Act, 1990
Planning Act, 1990
By-Law CP-9-20006 Parkland Conveyance & Levy By-Law

Enquiries

For more information on this Policy, contact:
Director, Realty Services
The Corporation of the City of London
300 Dufferin Avenue, London ON, N6B 1Z2
Tel: 519-661-2500, ext. 5445

Appendix B30

Bill No.
2021

By-law No. CPOL.-30()-____

A by-law to amend By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, be amended to update staff titles and reference to the Fees and Charges By-law.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, be amended to update staff titles and reference to the Fees and Charges By-law;

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

1. By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Reduced Rental Rates for Non-Profit Groups

Policy Name: Reduced Rental Rates for Non-Profit Groups

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-30-226); Amended June 26, 2018 (By-law No. CPOL.-342-333); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the rental of Centennial Hall to non-profit groups.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all non-profit organizations that are booking events at Centennial Hall.

4. The Policy

That a policy be established whereby the rental of the auditorium to non-profit organizations which book a series of events, in advance, (at least six events per calendar year) and which require a very limited amount of set-up and maintenance is at a reduced rate. Such reduced rates will be included in the Fees & Charges By-law as approved annually by City Council.

Appendix B31

Bill No.
2021

By-law No. CPOL.-368()-_____

A by-law to amend By-law No. CPOL.-368-372, being “Reserve and Reserve Fund Policy”, be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-368-372, being “Reserve and Reserve Fund Policy”, be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans;

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

1. By-law No. CPOL.-368-372, being “Reserve and Reserve Fund Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Reserve and Reserve Fund Policy

Policy Name: Reserve and Reserve Fund Policy

Legislative History: Adopted July 24, 2018 (By-law No. CPOL.-368-372); Amended August 10, 2021 (CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

A Policy governing the management and administration of reserves and reserve funds. The purpose of the Policy is to establish guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for reserves and reserve funds managed by the City.

2. Definitions

- 2.1. **Budget:** An estimated financial plan of revenue and expenditure for a set period of time.
- 2.2. **Capital Asset Renewal & Replacement:** A category of reserve funds established to provide funding for the repair and maintenance of existing City assets to ensure city-owned assets do not deteriorate over time.
- 2.3. **Capital Asset Growth:** A category of reserve funds established to provide funding to new capital initiatives while allowing the City to stabilize the cost of purchasing major capital assets by spreading the cost over multiple years.
- 2.4. **City:** The Corporation of the City of London.
- 2.5. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.6. **Contingencies/Stabilization & Risk Management:** A category of reserves and reserve funds designed to fund future obligations which are based on calculated estimates and to mitigate unforeseen events or one-time unanticipated revenue losses and expenses.
- 2.7. **Debt:** Any obligation for the payment of money. For Ontario municipalities, debt would normally consist of debentures as well as either notes or cash from financial institutions, but could also include loans from discretionary reserves and reserve funds.
- 2.8. **Development Charges Background Study:** The background study undertaken by the City for its current Development Charges By-law.
- 2.9. **Discretionary Reserves and Reserve Funds:** A reserve or reserve fund created by Council to set aside revenue to finance a future expenditure for which Council has the authority to spend money.
- 2.10. **GFOA:** Refers to the Government Finance Officers Association of the United States and Canada, a professional association of state, provincial and local finance officers dedicated to the sound management of financial resources.

- 2.11. **Intergenerational Equity:** In economic, psychological, and sociological contexts, is the concept or idea of fairness or justice between generations.
- 2.12. **Liquidity:** A measure of an asset's convertibility to cash.
- 2.13. **MFOA:** Refers to Municipal Finance Officers Association of Ontario, a professional association which promotes the interests of its members in carrying out their statutory and financial responsibilities by initiating studies and sponsoring seminars to review, discuss and develop positions on important policy and financial management issues.
- 2.14. **Obligatory Reserve Funds:** A reserve fund created when senior government statute or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve funds are to be used solely for the purpose prescribed for them by statute or agreement.
- 2.15. **PSAB:** Refers to the Public Sector Accounting Board, an independent board with the authority to set accounting standards for the public sector.
- 2.16. **Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a reserve fund. Municipal Councils may set up reserves for any purpose for which they have the authority to spend money.
- 2.17. **Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. As a result, reserve funds are either "discretionary" being those set up by Council, or "obligatory" being those set up by virtue of a requirement of senior government statute or agreement. Municipal councils may set up reserve funds for any purpose for which they have the authority to spend money.
- 2.18. **Revolving Reserves and Reserve Funds:** Reserves and reserve funds used to fund normal course operating requirements or cash flow deficiencies that do not require Council approval provided they conform with intent of originating resolution or by-law.
- 2.19. **Specific Projects & New Initiatives:** A category of reserves and reserve funds established for planned savings within the budget to fund projects or expenses either identified at the time the reserve or reserve fund is set-up or after, which allows the City to save for planned or unanticipated projects or expenses that may arise and do not have another funding source.

3. **Applicability**

This Policy applies to all reserves and reserve funds administered by the City, including those administered for any of the City's Local Boards, Commissions, Agencies, or Corporations.

Furthermore, the Policy applies to all City employees who are responsible for the establishment, monitoring, administration and management of the City's reserves and reserve funds.

4. **The Policy**

4.1. **Principles & Objectives**

The guiding principles for reserves and reserve funds shall be:

a) **Budget and Strategic Financial Plan**

Reserves and reserve funds shall form an integral component of the City's budget and strategic financial plan.

b) Liquidity

Reserves and reserve funds shall be kept at an adequate level to ensure the City has sufficient cash flow to meet its financial obligations; including but not limited to:

- i) Replace and rehabilitate capital infrastructure assets as required;
- ii) Supply funds for new capital assets identified in the City's long-term plans, or that arise from time-to-time;
- iii) Fund long-term contingencies and potential liabilities; and
- iv) Provide a buffer for significant unanticipated expenditures, or loss of revenues beyond the control of the City.

c) Intergenerational Equity

Reserve and reserve fund balances shall be maintained to support the principle of intergenerational equity whereby the generation of citizens who benefit from an investment are also responsible for financing it to the greatest extent possible.

d) Credit Rating and Cost of Borrowing

Reserve and reserve fund balances impact the City's credit rating and associated cost of borrowing thus at a minimum, reserve and reserve fund balances shall be maintained at levels that support the maintenance of the City's credit rating awarded by Bond Rating Agencies.

e) Reserve and Reserve Fund Types

The type of reserves and reserve funds the City shall maintain are as follows:

- i) *Obligatory* - A *reserve fund* created when a senior government statute and/or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve funds are to be used solely for the purpose prescribed for them by statute or agreement.
- ii) *Discretionary* - A *reserve or reserve fund* created by Council to set aside revenue and/or cost savings to finance a future expenditure for which Council has the authority to spend money.

The primary objectives for reserves and reserve funds shall be in priority order:

f) Adherence to Statutory Requirements

- i) It shall be the City's practice to establish and maintain segregated reserve funds that meet all statutory obligations.
- ii) Reserves and reserve funds shall be managed in accordance with the *Municipal Act, 2001, as amended*, this includes:
 - Section 10 (2) authorizing single-tier municipalities to pass by-laws respecting accountability, transparency and financial management;
 - Section 290 (2) the budget shall set out the estimated revenues and expenditures of reserves and reserve funds contained within a municipality's budget;
 - Section 291 covering multi-year budget requirements of municipalities;
 - Section 417 (4) that money raised for a reserve fund shall be paid into a special account and shall be invested only in securities or classes of securities prescribed;

- Section 418 (3) as allowed by the Corporation, shall combine money held in any fund (including General, Capital and Reserves and Reserve Funds) for investment purposes; and
- Section 418 (4) that earnings from combined investments shall be credited to each segregated fund in proportion to the amount invested in it.

- iii) Reserves shall be established by Council resolution which governs the purpose, funding sources, and drawdowns of the fund.
- iv) Reserve funds shall be established by Council by-law which governs the purpose, funding sources, drawdowns, and investment of the fund.

g) Promotion of Financial Stability and Flexibility

- i) It shall be the City's practice to maintain adequate reserves and reserve funds within the following categories to achieve long-term financial stability and flexibility (see definitions for detailed description of categories):
 - Obligatory,
 - Capital Asset Renewal and Replacement,
 - Capital Asset Growth,
 - Special Projects and New Initiatives, and
 - Contingencies/Stabilization and Risk Management.
- ii) The City shall strive to maintain reserve and reserve fund levels in line with public service associations best practices (Municipal Finance Officers Association (MFOA), Government Finance Officers Association (GFOA), Public Sector Accounting Board (PSAB), etc.), bond rating agencies standards and other municipalities with comparable credit ratings.

h) Provision for Major Capital Expenditures

- i) It shall be the City's goal to maintain adequate reserves and reserve funds to replace and rehabilitate major capital assets, as required, and to provide for new capital assets that have been identified in the long-term capital plan. To achieve this goal, the following budget practices will be applied where applicable:
 - Reserve funds for the full cost of replacement or rehabilitation of major assets will be funded from ongoing operations at a rate which reflects the consumption of that asset by current ratepayers. Contributions to these funds will commence in the fiscal year that the asset is acquired or put into service and will be based on an estimate of the useful life of the asset.
 - Obligatory reserve funds will be maintained for growth, parkland and gas tax related capital projects. The growth related obligatory reserve funds will be fully funded from developer contributions. Components of the growth related projects which benefit the existing ratepayers or for which a discount has been given, shall be funded from tax/rate funding sources in the year the project is built. Notwithstanding, debt may be issued for growth projects when required in accordance with the *Development Charges Act, 1997, as amended*, and other pertinent City policies.

i) Reduce Tax/Rate Supported Debt

- i) As per the principles of the Council approved Capital Budget and Financing Policy, the City shall use reserve and reserve fund balances as a source of financing for capital projects.
- ii) When appropriate, the City shall use reserve and reserve fund balances as a source of debt substitution for capital projects which were previously approved with debt financing.

- iii) If discretionary reserves and reserve funds are below established targets, all or a portion of the future debt servicing cost savings resulting from reserve and reserve fund balances applied towards debt substitution shall be considered for future contributions to discretionary reserves or reserve funds at the discretion of the City Treasurer, it being noted that such contributions are subject to Council approval through the City's budgetary process.

4.2. Reserve and Reserve Fund Management

a) Establishment and Modification of Reserves and Reserve Funds:

- i) Reserves and reserve funds shall only be established or modified if they are supported by a financial plan identifying the funding needs, targets, contribution sources, projected drawdowns and investment of funds.
- ii) Target funding levels shall be established for every reserve and reserve fund. Methods for calculating reserve and reserve fund targets shall be determined on a case-by-case basis considering the following:
 - Purpose of fund,
 - Certainty of end needs,
 - Best practices/standards regarding the identification of need and target balance levels (MFOA, GFOA, PSAB, etc.), and
 - Economic factors.
- iii) Reserve and reserve fund balances and associated targets shall be reviewed periodically to ensure adequate reserve and reserve fund levels are maintained for a ten year period.

b) Investment of Reserves and Reserve Funds:

- i) Reserves and reserve funds shall be invested while ensuring adequate liquidity is maintained;
- ii) Reserves and reserve funds shall be invested in accordance with the Council approved Investment Policy;
- iii) Investment income earned on reserves shall be recognized as revenue in the operating budget;
- iv) Investment income earned on reserve funds shall be recognized as revenue in each specific reserve fund according to its proportionate share of the investment portfolio.

c) Contributions To/Drawdowns From Reserves and Reserve Funds:

- i) Contributions to/drawdowns from reserves and reserve funds shall be made in accordance with applicable resolution, by-law and this Policy.
- ii) Contributions to/drawdowns from reserves and reserve funds shall be approved by Council as part of the annual budget process, or specifically by resolution with the following exceptions:
 - Direct contributions to/drawdowns from reserves and reserve funds such as development charges revenue, or Dearness Home gift donations;
 - Contributions to/drawdowns from that are a direct result of Council approved by-laws or resolutions such as Surplus/Deficit Policy;
 - Transfer of funds between reserves and reserve funds based upon adequacy analysis or other related information, at the discretion of the City Treasurer, or designate; and
 - Use of "revolving" reserves and reserve funds for the purpose approved by Council such as Workplace Safety Insurance Board claims.

- iii) Council approved contributions to/drawdowns from reserves and reserve funds not realized shall be reported to Council as part of the budget monitoring reports, or budgetary process.
 - iv) Contributions to/drawdowns from reserves and reserve funds shall take into account intergenerational equity between current and future tax/rate payers.
- d) **Lending/Temporary Borrowing of Reserves and Reserve Funds:**
- i) Intra-fund lending between reserves and reserve funds shall be permitted to temporarily finance capital and/or operating cash flow deficiencies to avoid external borrowing costs provided that all loans/transfers bear the City's internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.
 - ii) External loans are generally discouraged due to the administrative effort associated with managing those loans. However, should Council elect to approve a loan to an external party, the loan should be in accordance with Section 107 of the *Municipal Act, 2001, as amended*. Prior to approving such loans, the following principles should be considered:
 - External loans shall only be made to public agencies/groups and shall benefit the public;
 - The term of external loans should not exceed five years;
 - Appropriate security shall be provided to protect the interests of the City;
 - The financial profile of the borrower shall be reviewed;
 - Adequate reserves and reserve funds should be available for the term of the external loan; and
 - An appropriate interest rate shall be applied, noting that principal and interest shall be credited to the appropriate reserve or reserve fund source.
 - iii) All lending/temporary borrowing shall be provided from discretionary reserve and reserve fund balances as the loaning of obligatory reserve funds is prohibited under the *Development Charges Act, 1997, as amended*.
 - iv) Under the *Development Charges Act, 1997, as amended*, debt may be included as a capital cost to leverage development charge (DC) revenue while waiting for DC collections to catch up to growth-related spending. Intra-fund borrowing between DC reserve funds is also permitted. In both cases, amounts borrowed must be repaid at the City's internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.
- e) **Termination of Reserves and Reserve Funds:**
- i) A discretionary reserve or reserve fund shall be terminated (wound down and closed) when the program or project it supports meets any of the following criteria:
 - No longer in the scope of the City's strategic plans;
 - Program commitments have been completed and no future commitments are expected; and
 - The City Treasurer is confident that balances in other areas can mitigate the need to hold any remaining reserve or reserve fund balance.
 - ii) Reserves or reserve funds identified for termination shall be reported to Council for review and approval. Reports to Council shall include recommendations regarding the timing of wind down, closure and the allocation of fund balances.

4.3. Standard of Care

a) Delegation of Authority

- i) Once Council approves reserves by resolution and reserve funds by by-law, the City Treasurer shall have overall authority for the reserves and reserve funds managed by the City.
- ii) The City Treasurer may delegate management authority over the reserves and reserve funds managed by the City to a designate.
- iii) The City Treasurer, or designate has the responsibility for setting reserve and reserve fund targets, it being noted targets will be periodically reported to Council through reserve and reserve fund reports (see Reporting Requirements below).
- iv) The City Treasurer, or designate shall have overall responsibility for this Policy, and the authority to implement a program for reserves and reserve funds and establish procedures consistent with the content of this Policy. Administrative responsibilities shall include, but are not limited to the following:
 - Determines need for reserves and reserve funds for operating and capital budgets.
 - Sets targets for reserves and reserve funds in line with directives contained in this Policy and other pertinent policies.
 - As part of the reporting to Council, reviews and reports on the adequacy and continuing need for reserves and reserve funds managed by the City.
 - Preparation and presentation of reports and/or by-laws associated with the establishment, monitoring, or termination of reserves and reserve funds.
 - Develops appropriate practices, procedures and processes for the investment of reserves and reserve funds in line with legislative requirements, the City's Investment Policy and other pertinent policies.
 - Prepares the City's long-term strategic financial plan with consideration of appropriate reserves and reserve funds to effectively meet the City's operating and capital budget financing needs.
 - Ensures reserves and reserve funds managed by the City are in line with senior government statutes and agreements and other pertinent policies.

b) Reporting Requirements:

- i) The City Treasurer, or designate shall prepare the following reports regarding reserves and reserve funds managed by the City:
 - Annual Audited Financial Statements - the annual audited financial statements shall be prepared in accordance with Public Sector Accounting Standards.
 - Reserve and Reserve Fund Report - a financial plan forecasting reserve and reserve fund balances and a comparison to target objectives shall be prepared periodically based on the most current information available; this report may include the establishment of new, modification of existing and termination of existing reserves and reserve funds.
 - Budget Reports - reserve and reserve fund balances, projected contributions and planned drawdowns for a ten year period shall be presented in each Multi-Year Budget. Annual changes to reserve and reserve fund balances shall be presented with each Annual Budget Update, or specifically by resolution if required.
 - DC Reserve Funds Report - an annual report detailing pertinent information regarding DC reserve funds shall be presented to Council as required by the *Development Charges Act, 1997, as amended*.
 - Other reports in line with this Policy shall be brought forward to Council as needed.

Appendix B32

Bill No.
2021

By-law No. CPOL.-368(_)-____

A by-law to amend By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, be amended to add clarifying language.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, be amended to add clarifying language;

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

1. By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

Policy Name: Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

Legislative History: Replaces Workplace Harassment and Discrimination Prevention Policy Enacted September 19, 2017 (By-law No. CPOL.-155-407) and amended July 24, 2019 (By-law No. CPOL.-155(a)-384); Adopted December 10, 2019, in force and effect March 1, 2020 (By-law No. CPOL.-396-7); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, People Services

1. Policy Statement

- 1.1 The Corporation of the City of London (“City”) is committed to providing a safe and supportive workplace in which the diversity, dignity, and perspectives of all individuals are valued and respected.
- 1.2 Harassment and discrimination in the workplace are prohibited by law. Under Ontario’s [Human Rights Code](#), every person has a right to equal treatment in employment without discrimination and the right to be free from harassment in the workplace. Workplace measures to prevent and address workplace harassment are also required by the [Occupational Health and Safety Act](#).
- 1.3 The City will not tolerate, ignore, or condone harassment, discrimination, or reprisal of any of its employees in the workplace by anyone, including other employees, elected officials, members of the public, customers/clients, volunteers, contractors, and consultants. Workplace harassment, discrimination, and reprisal are serious forms of misconduct that may result in corrective and and/or disciplinary actions, up to and including termination of employment.

2. Definitions

The following definitions are intended to assist employees in understanding terms referenced in this policy. To the extent definitions may not be identical to legal definitions, they shall be interpreted and applied in accordance with applicable legislation, including the *Human Rights Code* and *Occupational Health and Safety Act*.

- 2.1 **Discrimination** – Actions or behaviours that result in unfavourable treatment or which have a negative impact on an individual or group because of one or more of the prohibited grounds listed in the *Human Rights Code*. Discrimination may be intentional or unintentional. It may involve direct actions that are outright discriminatory, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people.
- 2.2 **Disrespectful Behaviour** – Failing or refusing, through words or actions, to treat others in a professional, courteous, civil, dignified, fair, and equitable manner.
- 2.3 **Harassment** – Engaging in offensive, hurtful, upsetting, or embarrassing comment or conduct that a person knows or ought reasonably to know is unwelcome. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it, does not mean the behaviour is welcomed, consented to, or is not harassing. Harassment usually involves more than one incident or a pattern of behaviour, but a single incident may be sufficiently serious, offensive, or harmful to constitute harassment.

Harassment may be:

- a) **Personal** – directed at an individual(s) but not based on any prohibited ground listed in the *Human Rights Code*; or
- b) **Code-based** – based on one or more of the prohibited grounds listed in the *Human Rights Code*. Code-based harassment is also a form of discrimination.

Harassment of a worker in the workplace, including sexual harassment of a worker in a workplace, is collectively referred to as “workplace harassment” for the purposes of the *Occupational Health and Safety Act*.

2.4 **Poisoned Work Environment** – A hostile, humiliating, or uncomfortable workplace that is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that intimidate, demean, or ridicule a person or group. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned work environment. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip are examples of comments and conduct that can “poison the workplace” for employees.

2.5 **Prohibited Grounds** – The *Human Rights Code* prohibits harassment and discrimination in employment based on one or more of the following grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed (religion, including atheism)
- sex (includes pregnancy and breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- record of offences (criminal conviction for a provincial offence or for an offence for which a pardon has been received)
- marital status (includes married, single, widowed, divorced, separated, living together in a conjugal relationship outside of marriage, whether in a same-sex or opposite sex relationship)
- family status (such as being in a parent-child relationship)
- disability (includes mental, physical, developmental, or learning disabilities)
- association or relationship with a person identified by one of the listed grounds
- perception that one of the listed grounds applies, whether or not it actually does

2.6 **Reprisal** – Any act of retaliation or revenge against a person for:

- Raising a concern or making a complaint under this policy (whether on their own behalf or on behalf of another)
- Participating or cooperating in an investigation or other complaint resolution process under this policy
- Associating with or assisting a person identified in the above bullets

2.7 **Sexual Harassment** – Harassment based on sex, sexual orientation, gender identity, or gender expression and includes:

- Engaging in offensive, hurtful, upsetting, or embarrassing comment or conduct because of sex, sexual orientation, gender identity or gender expression that a person knows or ought reasonably to know is unwelcome;
- Making a sexual solicitation (i.e., request) or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; and
- Retaliating against or threatening to retaliate against an individual for the rejection of a sexual solicitation or advance where the retaliation or threat of retaliation is by a person in a position to confer, grant or deny a benefit or advancement to the individual.

Sexual harassment of a worker in the workplace is referred to as “workplace sexual harassment” for the purposes of the *Occupational Health and Safety Act*.

2.8 **Supervisor** – When referenced in this policy means a management supervisor.

2.9 **Workplace** – Includes all sites, facilities, and other locations where the business, work, or social activities of the City take place. (See also the Applicability section below).

3. **Applicability**

3.1 This policy applies to:

- All City employees, including full-time, part-time, temporary, probationary, and casual employees
- Elected officials
- Volunteers (including members of Advisory Committees, Special Committees and Task Forces)
- Interns and students on placements
- Contractors and consultants acting on behalf of the City

3.2 Members of the public, including visitors to City facilities and individuals accessing services or conducting business with the City, are expected to adhere to the standards of conduct set out in this policy, including refraining from workplace harassment and discrimination of employees, elected officials, and persons acting on behalf of the City.

3.3 This policy applies at all City workplaces, whether during or outside of normal working hours and whether at or away from the worksite. This includes:

- All City facilities and worksites
- All City vehicles
- Any other location where City employees are performing work-related duties or carrying out responsibilities on behalf of the City, including work-related travel and off-site meetings, conferences, seminars, and training.
- Locations at which work-related social functions take place, including formal events officially sanctioned by the City and informal after-work social gatherings where behaviours could have an impact on the workplace.
- Social media sites (e.g., Facebook, Twitter, Instagram, etc.) and internet sites, where posts may be connected to the workplace or could have an impact on the workplace or working relationships.

3.4 This policy also applies to communications by telephone, cell phone, email, text message, or other electronic instant messaging platforms where the communication may be connected to the workplace or have an impact on the

workplace or working relationships, whether the computer, phone, or other electronic device used to make the communication is a personal or -corporate-issued device.

4. The Policy

4.1 Purpose

The purpose of this policy is to:

- a) Set expectations and standards of behaviour for a respectful, safe, and supportive workplace.
- b) Define behaviours that may be offensive and prohibited by law and/or this policy.
- c) Clarify roles and responsibilities with respect to interpersonal behaviour in the workplace.
- d) Outline measures to prevent and address prohibited behaviour, including harassment, discrimination, and reprisal.
- e) Address the City's obligations under applicable employment laws, including the *Human Rights Code* and *Occupational Health and Safety Act*.

4.2 Expected Behaviour

- a) Employees will interact with one another, members of the public, and all others in the workplace in a professional, courteous, civil, dignified, fair, and equitable manner.

4.3 Prohibited Behaviour

The following behaviours are prohibited in the workplace:

- Disrespectful Behaviour
- Discrimination
- Harassment (Personal and Code-based), including Sexual Harassment
- Reprisal

See [Appendix A](#) for examples of the prohibited behaviours listed above.

4.4 Roles and Responsibilities

- a) Creating and maintaining a respectful workplace is a shared responsibility. Every individual to whom this policy applies, as well as individuals who attend at City workplaces, or who access services or conduct business with the City, are expected and required to abide by the standards of behaviour set out in this policy.
- b) Employees who are subjected to or witness prohibited behaviour in the workplace should consult the Respectful Workplace Dispute Resolution and Complaint Procedures ("[Resolution/Complaint Procedures](#)" – [Appendix B](#)) which outline various options available to address and resolve such behaviour.

4.4.1 All Employees

Every employee has a responsibility to create and maintain a respectful workplace. This includes to:

- a) Ensure words and actions are consistent with this policy.

- b) Raise concerns as soon as possible of prohibited behaviour.
- c) Accept responsibility for their workplace behaviours and their impact on others.
- d) Cooperate in investigations and handling of alleged prohibited behaviour upon request.
- e) Maintain confidentiality related to investigations of alleged prohibited behaviour.
- f) Participate in training associated with this policy.

4.4.2 Managers/Supervisors

Managers and supervisors have additional responsibilities to create and maintain respectful workplaces and must act immediately on observations or allegations of prohibited behaviour.

A manager or supervisor may be held responsible if they are aware of an incident of prohibited behaviour but do not take steps to resolve or address it.

Managers and Supervisors must:

- a) Ensure work-related practices/procedures in their areas are free from barriers and do not discriminate against groups or individuals.
- b) Set a good example by ensuring their own words and conduct adhere to this policy.
- c) Be aware of what constitutes prohibited behaviour and the procedures in place for addressing and resolving such behaviour.
- d) Act promptly to address observations or allegations of prohibited behaviour.
- e) Consult and work cooperatively with Human Rights and People Services as needed.
- f) Keep a detailed record of any violations of this policy and corrective actions taken and report this information to Human Rights as required.
- g) Support training and awareness activities related to this policy.
- h) Ensure this policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace and ensure contractors and consultants who enter the workplace are aware of this policy.
- i) Implement disciplinary/corrective actions and workplace restoration measures as required.
- j) Monitor the workplace where prohibited behaviour has occurred to ensure it has stopped.
- k) Provide appropriate support to all those in their work area affected by prohibited behaviour, including witnesses.

4.4.3 Non-management Supervisors

Non-management supervisors must likewise set a good example by ensuring their behaviour complies with this policy and must report all observations, concerns, and/or complaints of prohibited behaviour to their supervisor/manager

or Human Rights immediately to be addressed in accordance with the Resolution/Complaint Procedures (Appendix B).

4.4.4 Enterprise Supports Service Area

4.4.4.1 Human Rights Division (Human Rights)

The focus of Human Rights is to assist in preventing, correcting, and remedying prohibited behaviours. Human Rights does not advocate for, act on behalf of, or represent any party in a dispute (complainant, respondent, or management). All complaints to Human Rights will be dealt with in an unbiased manner.

Human Rights is responsible for:

- a) Reviewing and recommending updates to this policy.
- b) Providing information to employees, including to managers and supervisors, regarding this policy and the various options available for raising, addressing, and resolving concerns and complaints of prohibited behaviour.
- c) Making referrals to agencies for counselling and assistance when required.
- d) Receiving complaints, including conducting intakes.
- e) Recommending appropriate interim measures, and complaint resolution and investigation options.
- f) Conducting independent investigations.
- g) Assisting in implementing resolutions of complaints.
- h) All tracking of concerns and complaints under this policy.

4.4.4.2 People Services Division (People Services)

People Services is responsible for:

- a) Removing barriers in hiring and employment policies, practices, and procedures that may have the effect of discriminating against groups or individuals.
- b) Reporting all complaints of prohibited behaviour to Human Rights, including grievances alleging harassment, discrimination and/or reprisal filed under a collective agreement.
- c) Consulting with Human Rights as required with respect to alleged prohibited behaviour.
- d) Ensuring this policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace and ensure contractors and consultants who enter the workplace are aware of this policy.
- e) Providing training on this policy and related practices and procedures.
- f) Providing support to managers and supervisors in responding to and addressing matters under this policy.

- g) Making referrals to agencies for counselling and assistance where required.

4.4.4.3 Emergency Management and Security Division (Security)

The focus of Security is to protect and promote the safety and security of City workplaces, employees, and the public by assisting in preventing and addressing prohibited behaviours where safety may be at risk. Security is responsible for:

- a) Providing advice and assistance to address concerns and complaints of prohibited behaviour against a member of the public or where the physical safety of employees or others may be at risk.
- b) Making referrals to agencies for counselling and assistance when required.
- c) Receiving complaints alleging a member of the public has engaged in prohibited behaviour, including conducting intakes and determining appropriate interim measures.
- d) Determining informal actions and conducting independent investigations of complaints of prohibited behaviour against a member of the public.
- e) Consulting and working cooperatively with Human Rights and People Services as required.
- f) Recommending and implementing appropriate corrective action involving members of the public when required.
- g) Reporting prohibited behaviour by members of the public and corrective actions taken to Human Rights as required.

4.4.5 Respectful Workplace Ombudsperson (RWO)

The RWO is available as a neutral and confidential resource for employees to obtain information regarding their rights and obligations under this policy. The RWO advocates for fair and transparent processes under this policy and related practices and procedures but does not act as an advocate for or provide legal advice to individuals.

The RWO will:

- a) Receive and respond on a confidential basis to questions from employees regarding this policy.
- b) Provide assistance to employees as they proceed through the Resolution/Complaint Procedures.
- c) Review complaints from employees related to processes and procedures undertaken by the City under this policy and make recommendations to the City Manager for improvements.
- d) Report annually to the City Manager about their interactions with employees related to this policy and identify themes and potential options for action and improvement.

4.4.6 Joint Health and Safety Committees

The City's Joint Health and Safety Committees will be consulted and may provide input and feedback with respect to the implementation and maintenance of this policy and related processes and procedures in accordance with the *Occupational Health and Safety Act*.

4.4.7 Unions/Associations

Union/Association officials are available for confidential consultation and to provide representation to both complainants and respondents if they are Union/Association members. Union/Association officials can also make a referral to agencies for counselling and assistance where required.

4.4.8 Community Agencies

Community agencies are available to provide confidential advice to individuals affected by complaints.

4.5 Communication

- a) This policy shall be posted on the City's website, City's intranet, and in the City's workplaces.

4.6 Respectful Workplace Training

- a) Employees, elected officials, interns, and students on placement, will receive mandatory training on this policy upon assuming their respective roles in the workplace. Thereafter, as appropriate, they will receive refresher or in-service training with respect to specific rights and/or obligations arising from the *Human Rights Code* and/or the *Occupational Health and Safety Act* and will be reminded of the complaint mechanisms to enforce those rights and any substantial changes.

4.7 Policy Review Process

- a) The City is committed to continuing to enhance its respectful workplace policies, practices, and procedures. This policy will be reviewed as often as necessary, but at least annually, to ensure it remains current and is appropriately implemented. Employees and their representatives are encouraged to provide input and feedback to Human Rights, People Services, or the RWO.

4.8 Policy Implementation

- a) Implementation of this policy will be in accordance with applicable Council and/or City by-laws, policies and procedures, legislation, and collective agreement provisions.

4.9 Related Resources

- [Accommodation of Employees with Disabilities Procedure](#)
- [Code of Conduct for Members of Council](#)
- [Formal Investigation Process](#)
- [General Policy for Advisory Committees](#)
- Public Conduct Administrative Practice
- [Rzone Policy](#)
- [Time Off for Religious Observances Guideline](#)
- [Use of Technology Administrative Procedure](#)
- [Workplace Violence Prevention Policy](#)
- [Criminal Code](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)
- [Occupational Health and Safety Act](#)
- [Ontario Human Rights Code](#)

Appendix A: Examples of Prohibited Behaviours

The following are some examples of the prohibited behaviours listed in Section 4.3 above.

Disrespectful Behaviour

Examples could include:

- Teasing or joking that intimidates, embarrasses, or humiliates
- Belittling and use of profanity
- Using sarcasm or a harsh tone
- Deliberately expressing or exhibiting disinterest when an employee is speaking
- Spreading gossip or rumours that damage one's reputation
- Condescending or patronizing behaviour
- Actions that invade privacy or one's personal workspace
- Deliberately excluding an employee from basic civilities (e.g., saying "good morning"), relevant work activities, or decision making

Any of the behaviours listed above could also constitute discrimination (if based on one or more of the prohibited grounds) or harassment (if the behaviour is repeated, occurs in combination with other prohibited behaviours, or is severe).

Discrimination

If based on one or more of the prohibited grounds, examples could include:

- Excluding an employee from workplace activities
- Refusing to work with another employee
- Denial of hiring, promotion, work assignment, career development or training
- Failing or refusing to accommodate short of undue hardship
- Denial of services to any individual or group of individuals

Harassment

Examples of **Personal Harassment** could include:

- Angry shouting/yelling
- Abusive or violent language
- Physical, verbal, or e-mail threats or intimidation
- Aggressive behaviours (e.g., slamming doors, throwing objects)
- Targeting individual(s) in humiliating practical jokes
- Excluding, shunning, or impeding work performance
- Negative blogging or cyberbullying
- Retaliation, bullying, or sabotaging
- Unreasonable criticism or demands
- Insults or name calling
- Public humiliation
- Communicating via any means (e.g., verbal, electronic mail, voice mail, print, social media posts, or radio) that is demeaning, insulting, humiliating, or mocking

Examples of **Code-based Harassment** could include (if based on one or more of the prohibited grounds):

- Insulting, offensive, humiliating or mocking remarks, gestures, jokes, slurs, or innuendos.
- Name calling, including using derogatory or offensive terms or language.
- Refusing to work or interact with an employee.
- Attaining, viewing, retaining, or distributing insulting, derogatory, or offensive information from the internet or other sources.

- Vandalism of an individual's property.
- Interference with a person's ability to perform their work responsibilities.
- Offensive, derogatory, insulting, or demeaning communication via any means (e.g., verbal, electronic mail, voice mail, print, social media posts, or radio).
- Displaying pictures, graffiti or other materials that are derogatory or offensive.

Harassment Does Not Include:

- Reasonable performance of management or supervisory functions, including:
 - performance/probation reviews/appraisals
 - performance management (including coaching, counselling, discipline)
 - organizational changes/restructuring
 - shift/vacation scheduling
 - work direction
 - work assignments/work location
- Occasional disagreements or personality conflicts between co-workers.
- Stressful events encountered in the performance of legitimate duties.
- A single comment or action unless it is serious and has a lasting harmful effect.

Sexual Harassment

Examples could include:

- Comments, jokes, slurs, innuendos or taunting about a person's body, attire, sex, sexual orientation, gender identity, or gender expression.
- Comments or conduct of a sexual nature (verbal, written, physical).
- Jokes of a sexual nature which cause awkwardness or embarrassment.
- Negative stereotypical comments based on gender, sex, or sexual orientation.
- Gender related comments about an individual's physical characteristics or mannerisms.
- Displaying or distributing pornographic pictures or other offensive material.
- Inappropriate touching, gestures, leering, staring or sexual flirtations.
- Sexual assault (also an offence under the [Criminal Code](#)).
- Persistent unaccepted solicitations for dates (including unwelcome contact subsequent to the end of an intimate relationship).
- Unwelcome solicitation(s) made by a person in a position to confer or deny a workplace benefit or advancement on the recipient.
- Unwelcome comments or questions about a person's sex life.

Reprisal

Examples could include:

- Issuing discipline, changing work location or hours, demoting, denying of advancement or promotional opportunities, or threatening to carry out such actions if done as an act of retaliation or revenge.
- Bullying, threats, or other intimidating behaviour.
- Making false allegations of workplace misconduct.
- Pressuring an individual to withdraw or change a complaint or witness statement.

Appendix B: Respectful Workplace Dispute Resolution and Complaint Procedures

1. Purpose

These procedures are intended to:

- a) Outline internal options available for employees to raise concerns of prohibited behaviour for resolution and/or investigation.
- b) Inform managers and supervisors of actions required to address concerns and complaints of prohibited behaviour.
- c) Inform employees of what they can expect to occur in the event they raise a concern of prohibited behaviour, or are a witness to, or accused of such behaviour.
- d) Inform employees of available supports to assist them in raising concerns of prohibited behaviour or in the event they are accused of or witness such behaviour.
- e) Outline actions that will be taken to prevent, correct, and remedy incidents of prohibited behaviour.

2. Definitions

For the purposes of these procedures,

- 2.1 **Complainant** – A person(s) alleging they have been subjected to prohibited behaviour under this policy.

Note: Complaints of prohibited behaviour will be accepted from any source that provides reasonable grounds for concern (e.g., witnesses, unions/associations, or other third parties). These individuals will not be considered “complainants” for the purpose of these Resolution/Complaint Procedures or the City’s [Formal Investigation Process](#).

- 2.2 **Prohibited Behaviour** – Behaviour in the workplace that is prohibited by this policy (see Policy, Section 4.3 above).

- 2.3 **Respondent** – The person(s) who is alleged to have engaged in prohibited behaviour.

- 2.4 **Respectful Workplace Response Team** – Shall be comprised of the City Manager, relevant Deputy City Manager, Director, People Services, or their designate(s), and a member of the City Solicitor’s Office.

3. Complaints Involving the City Manager/Deputy City Managers/Director, People Services/Human Rights Intake Administrator

- a) Complaints received through these Resolution/Complaint Procedures alleging the City Manager has engaged in prohibited conduct (alone or in conjunction with another respondent(s)) shall be forwarded to the Director, People Services or the City Solicitor as soon as possible. Upon receipt of a complaint, the Director, People Services or the City Solicitor will immediately refer the complaint to an external third party.
- b) Complaints received through these Resolution/Complaint Procedures alleging a Deputy City Manager, the Director, People Services, or the Human Rights Intake Administrator (alone or in conjunction with another respondent(s) other than the City Manager) has engaged in prohibited behaviour shall be forwarded to the City Manager as soon as possible. Upon receipt of a complaint, the City Manager will immediately refer the complaint to an external third party.

- c) The external third party will perform all the functions assigned to People Services and/or Human Rights as described in this procedure and the Formal Investigation Process.
- d) In the case of the City Manager, if the external third party determines that a formal investigation is required, they will provide the investigation report and their recommendations, if any, to the Committee designated by the Municipal Council to deal with such matters. The Committee, after consultation with the external third party and such other external and/or internal resources as appropriate and required (e.g., external legal counsel, member of the City Solicitor's Office, Director, People Services), shall make recommendations to the Municipal Council relating to corrective and/or disciplinary actions, and the Municipal Council shall consider, adopt, or otherwise deal with the recommendations from the Committee.
- e) In the case of a Deputy City Manager, Director, People Services, and the Human Rights Intake Administrator, if the external third party determines that a formal investigation is required, they will provide the investigation report and their recommendations, if any, to the City Manager. The City Manager, after consultation with such other external and/or internal resources as appropriate and required (e.g., external legal counsel, member of the City Solicitor's Office, Director, People Services) will determine or, where required, will recommend to the Committee designated by the Municipal Council to deal with such matters, appropriate corrective and/or disciplinary action.

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

4. Complaints Involving a Member of Council (Including the Mayor)

- a) Complaints received through these Resolution/Complaint Procedures alleging a Member of Council has engaged in prohibited conduct shall be forwarded to the Director, People Services as soon as possible. In the event the Director, People Services, determines that a formal investigation of the complaint is required, they will immediately refer the complaint to the Integrity Commissioner to conduct an investigation in accordance with the Integrity Commissioner's procedures. Where such a request is made to the Integrity Commissioner, the Director, People Services shall be the complainant for the purposes of the Integrity Commissioner's procedures.
- b) Where the Integrity Commissioner conducts an investigation, the Integrity Commissioner will provide results to the Director, People Services in accordance with the Integrity Commissioner's procedures. Based on the Integrity Commissioner's reporting, the Director, People Services will provide the complainant with a written summary of the findings.
- c) Where there are findings of a violation of this policy, the Director, People Services will refer the findings to the Respectful Workplace Response Team to implement appropriate corrective action to ensure the behaviour stops in accordance with section 7.4 below.
- d) As noted in Section 7.10 below, other complaint avenues for raising concerns of prohibited behaviour by a Member of Council may be available, including directly to the Integrity Commissioner as provided for in the [Code of Conduct for Members of Council](#).

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

5. Complaints Involving Members of the Public Attending at City Workplaces and/or Accessing City Services

- a) The Director, Emergency Management and Security, or designate, in addition to the individuals listed in sections 6.1 and 6.2 below, is available to provide advice, guidance and assistance to employees and supervisors/managers regarding available options to raise and resolve concerns of prohibited behaviour by a member of the public.
- b) The Director, Emergency Management and Security, or designate, in consultation with Human Rights as needed, may also determine an appropriate informal course of action that may effectively resolve a complaint against a member of the public in a timely and fair manner as outlined in section 6.3 below. All findings of harassment, discrimination, and/or reprisal determined through informal action, as well as any corrective actions taken, shall be reported to Human Rights.
- c) In addition to the Director, People Services and in accordance with section 6.5 below, the Director, Emergency Management and Security or designate, in consultation with Human Rights as needed, may determine that further inquiry into a complaint of prohibited conduct against a member of the public is necessary and, if so, a formal investigation of the matter will be conducted in accordance with the City's Formal Investigation Process.
- d) Where there are findings of a violation of this policy, corrective action shall be determined in accordance with section 7.4 below.
- e) The Director, Emergency Management and Security or designate, shall report all findings of harassment, discrimination, and/or reprisal determined through formal investigation, as well as any corrective actions taken, to Human Rights.

In all other respects, the Resolution/Complaint Procedures set out below will apply to the processing of a complaint against a member of the public.

6. Resolution/Complaint Procedures

- a) There are a number of internal options available to raise and resolve concerns of prohibited behaviour under this policy, including:
 - 1) Consultation – Obtaining Advice and Assistance
 - 2) Individual Action – Talking to the Respondent
 - 3) Informal Action – Dispute Resolution without Formal Investigation
 - 4) Mediation
 - 5) Formal Investigation
- b) Whether all options are available or appropriate in a particular case will depend on the nature of the concerning behaviour and/or the parties involved. In all cases, concerns should be raised and addressed as soon as possible. Where appropriate, and especially when raised right away, individual, or informal actions can bring about a quick resolution and prevent escalation of workplace disputes.

6.1 Consultation – Obtaining Advice and Assistance

- a) Employees who believe they have witnessed or been subjected to prohibited behaviour may benefit from having access to information and advice before deciding how to proceed with a concern. Employees may consult any member of management or Human Rights or People Services staff. These individuals have responsibility to take action to resolve and stop prohibited behaviour (see Roles and Responsibilities – Policy, Section 4.4). They can provide advice, assistance, coaching, and referrals

to assist employees in addressing the dispute themselves where appropriate to do so. Depending on the nature and circumstances of the concern raised, these individuals may be obligated to initiate an investigation even if the complainant does not wish to pursue that option.

- b) The RWO is also available to provide neutral, confidential advice and information regarding available resolution and complaint options (see Policy, Section 4.4.5).
- c) Employees who are members of a bargaining unit may also consult their Union/Association representative.

6.2 Individual Action – Talking to the Respondent

- a) If an employee believes they are being subjected to prohibited behaviour and there are no immediate health or safety concerns, it is recommended the respondent be told as soon as possible that their behaviour is unwelcome and must stop.
- b) It is not necessary for the employee to advise the respondent directly. The communication may be done verbally, via e-mail, transcribed, or other suitable means. It is recommended that if the communication is done verbally, what was said, as well as the date, time, and place, be documented. Human Rights and People Services staff, a Union/Association representative, any member of management, or a trusted friend may assist.
- c) It is recommended that the complainant maintain a detailed record of incidents of prohibited behaviour, including the number of occurrences, date(s), time(s), place(s), nature of the offensive behaviour(s), names of individuals who may have observed the incidents and all actions taken.
- d) If addressing the respondent directly could raise health or safety risks, escalate the dispute, or is not appropriate, complainants may take other resolution options outlined in these procedures.

6.3 Informal Action – Dispute Resolution without Formal Investigation

- a) If individual action is not appropriate or if the prohibited behaviour continues after asking the person to stop, the employee shall advise their manager/supervisor or Human Rights of their complaint, preferably in writing. Where the employee's manager/supervisor is involved in the complaint, the employee may advise a more senior member of management. Managers and supervisors will report all complaints of behaviour that may constitute harassment, discrimination, or reprisal to Human Rights as soon as possible. When uncertain, managers/supervisors should consult Human Rights for guidance.
- b) Where the prohibited behaviour alleged is not harassment, discrimination, or reprisal, the manager or supervisor in consultation with Human Rights, as needed, and with the parties to the dispute, if appropriate, may determine an appropriate informal course of action that will effectively resolve the complaint in a timely and fair manner without the need for formal investigation. If the prohibited behaviour warrants disciplinary action, the supervisor or manager must consult with Human Rights or People Services staff before issuing discipline. The manager or supervisor shall document and report to Human Rights any informal action taken, including any corrective/disciplinary action(s) implemented, to resolve the complaint.
- c) Where the alleged prohibited behaviour may constitute harassment, discrimination, or reprisal, the Director, People Services, or designate, in consultation with Human Rights, and with the complainant if appropriate,

will determine whether an informal course of action may be appropriate.

- d) Circumstances in which an informal course of action may be appropriate include the following:
 - i) Where the alleged misconduct is minor in nature.
 - ii) Where all the facts necessary for resolution are known without the need for further inquiry.
 - iii) Where no other resources or special expertise are required for an impartial and timely resolution.
 - iv) Where the alleged misconduct is acknowledged by the respondent, the parties to the complaint are in agreement as to how to effectively resolve the issues, and the agreed upon resolution is acceptable to the appropriate manager(s) and the Director, People Services or designate.

Informal action may include, among other actions:

- i) Consulting, advising, meeting with and/or interviewing those involved in the complaint (i.e., an informal review/investigation).
- ii) Reviewing documentary evidence (e.g., emails).
- iii) Communication of findings to the parties to the complaint and making recommendations to remedy concerns.
- iv) A facilitated discussion to resolve the issues.
- e) The *Occupational Health and Safety Act* requires employers to conduct an investigation that is appropriate in the circumstances of all incidents and complaints of workplace harassment. Therefore, options for informal action that do not include investigation will not be available for complaints of workplace harassment until after an appropriate investigation has been completed.
- f) Where there are findings of prohibited behaviour determined through informal action, communication of those findings will be in accordance with the Communication of Findings section of the City's Formal Investigation Process.

6.4 Mediation

- a) Mediation is a form of informal action. It is a voluntary process whereby the complainant and respondent meet with a trained mediator to determine whether the complaint can be resolved in a mutually satisfactory manner.
- b) Mediation is not appropriate in all circumstances. For example, when there are allegations of severe discrimination or harassment which, if substantiated, would result in disciplinary action, or where there are potential health or safety concerns. If the Director, People Services or designate, in consultation with Human Rights, deems mediation appropriate, it will be offered to the parties but will only be conducted with the consent of both the complainant and the respondent.
- c) It is preferable that mediation be attempted prior to a formal investigation but will remain available to the parties throughout the investigation process. Where workplace harassment is alleged, mediation will only be available, if deemed appropriate, after an investigation is completed as required by the *Occupational Health and Safety Act*.

- d) During the mediation process, the complainant and the respondent may, if desired, be accompanied by a Union/Association representative or a trusted friend.
- e) If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and signed by the complainant, respondent, and the mediator. If the settlement requires any action on the part of the City, the agreement of the Director, People Services or designate will be required.
- f) Discussions at the mediation will be treated as carried out with a view to coming to a settlement. Discussions will be treated as privileged and confidential to the full extent permitted by law.

6.5 Formal Investigation

- a) If mediation or other informal options to resolve the complaint are not appropriate or are unsuccessful or where the Director, People Services or designate, in consultation with Human Rights, determines that further inquiry is necessary, a formal investigation into the matter will be conducted.
- b) Corporate-initiated Investigations: In circumstances where a complaint is made by someone other than the alleged victim, the City may conduct a formal investigation where the Director, People Services or designate, in consultation with Human Rights, deems it appropriate, including where allegations of harassment or discrimination warrant further action/investigation or where the alleged victim does not wish to submit a complaint. The City may also conduct a formal investigation where there is information to suggest the existence of an outstanding specific or systemic problem in the workplace.
- c) Formal investigations and communication of the findings from such investigations will be conducted in accordance with the City's Formal Investigation Process.

7. General Provisions

7.1 Refusal to Act or Investigate

- a) The City may refuse to act or investigate or may discontinue an informal action or investigation where:
 - The behaviour alleged, if true, would not be a breach of this policy.
 - The complaint is anonymous and there is insufficient information to warrant any or further steps.
 - The complaint is vexatious or made in bad faith (see Section 7.5 below).
 - Another complaint avenue has been pursued or engaged regarding the same or a related concern/complaint.
 - Having regard to all of the circumstances, further investigation of the matter is unnecessary.

7.2 Interim Measures

- a) In certain circumstances such as where health or safety is at issue, it may be necessary to take immediate measures. In such a case, interim measures shall be determined by the Director, People Services, or designate, in consultation, where appropriate, with Human Rights, other members of the Respectful Workplace Response Team, Director, Emergency Management and Security, and/or the London Police Service. Interim measures may include relocating a party or placing a party on a non-disciplinary suspension with pay pending the resolution of the complaint or outcome of the investigation. The Director, Emergency

Management and Security, or designate, in consultation, where appropriate, with Human Rights, other members of the Respectful Workplace Response Team, and/or the London Police Service, shall determine interim measures with respect to members of the public. The implementation of interim measures does not mean that conclusions have been reached relating to the allegations.

7.3 Support for Parties

- a) The City recognizes that involvement in a workplace investigation may be stressful and emotionally upsetting. Complainants, respondents, witnesses, and other affected employees may access the counselling services and support provided by the City's employee assistance provider. Additionally, complainants may wish to access counselling and support through outside agencies.
- b) Parties to a complaint also have the right to be accompanied by a support person of their choice during meetings relating to a complaint made pursuant to these procedures, including their Union/Association representative, if applicable, or a trusted friend (e.g., another manager if they are a management employee). Where the Human Rights Intake Administrator/investigator is of the opinion that the presence of the support person is inappropriate (e.g., they have a conflict) or is hindering the process, the relevant party may select another support person provided that doing so does not hinder or unduly delay the meeting/process.
- c) As these procedures are intended as an internal means of addressing prohibited behaviour outside of more formal legal proceedings, parties are not entitled to select legal counsel as their support person.

7.4 Corrective Action and/or Disciplinary Action

- a) Where a finding of a violation of this policy that does not constitute harassment, discrimination, or reprisal has been made, the applicable Division Manager, in consultation with the Director, People Services, or designate, will determine appropriate corrective and/or disciplinary actions.
- b) Where a finding of harassment, discrimination, or reprisal in violation of this policy has been made, the Respectful Workplace Response Team will determine appropriate corrective and/or disciplinary actions.
- c) Where it is determined that corrective or disciplinary action is to be taken against an employee of the City, such action may include the following:
 - An apology
 - Coaching or counselling
 - Education or training
 - Warning
 - Suspension or leave without pay
 - Demotion
 - Transfer
 - Termination of employment
- d) The appropriate manager or supervisor will implement corrective or disciplinary actions to be taken against an employee.
- e) Where it is determined that corrective action is to be taken against members of Council, volunteers (including members of Advisory Committees, Special Committees, and Task Forces), students on placements, contractors, consultants, members of the public, including City clients or customers, the City will take such corrective action as is reasonable in the circumstances and permitted by law to ensure the

prohibited behaviour stops. This may include barring the person from City facilities or discontinuing business with contractors or consultants. The Director, Emergency Management and Security or designate will be consulted with respect to determining any corrective action to be taken against members of the public.

- f) The City may also implement any systemic remedies it deems appropriate.

7.5 Vexatious/Bad Faith Complaints

- a) Where it is determined that the complainant has made a vexatious or bad faith complaint or an individual makes allegations knowing them to be false, the Respectful Workplace Response Team will take appropriate corrective and/or disciplinary action which may include the same corrective and/or disciplinary actions noted above.
- b) A complaint is vexatious or made in bad faith if it is made for the purpose of annoying, embarrassing or harassing the respondent, out of spite or vindictiveness, or the complainant is engaging in improper behaviour such as fraud, deception, or intentional misrepresentation.
- c) A complaint that is made in good faith but is not substantiated does not constitute a vexatious or bad faith complaint.

7.6 Timing of Complaint

- a) A complaint under these procedures should be made as soon as possible after the prohibited behaviour occurred and no later than one year after the last incident occurred unless there are reasons why it was not possible to bring it forward sooner. Where failure to make a complaint in a timely fashion affects the ability of the City to conduct a full and complete investigation, the City may decline to deal with the complaint.

7.7 Timing of Completion of Actions/Investigation

- a) The City will complete any informal actions or formal investigations pursuant to these procedures in a timely manner and within three (3) months from the date of receiving a complaint/initiating an investigation, unless there are extenuating circumstances (e.g., illness, complex investigation) warranting a longer period. The Human Rights Intake Administrator/investigator, supervisor, or manager responsible for handling a complaint under these procedures will update the parties to the complaint on a regular basis (approximately every two to three weeks) as to the status of their complaint and anticipated next steps.

7.8 Confidentiality

- a) The administration of these procedures will be in accordance with the [Municipal Freedom of Information and Protection of Privacy Act](#) ("MFIPPA"). All complaints received under these procedures will be considered strictly confidential subject to the City's obligation to safeguard employees, to conduct a thorough investigation, take appropriate corrective and/or disciplinary action, or to otherwise disclose information as required by law. The parties to the complaint and any witnesses are also expected to maintain confidentiality. Unwarranted breaches of confidentiality will result in corrective and/or disciplinary action.

7.9 Complaint Records

- a) Where an investigation results in corrective and/or disciplinary action against an employee, a record of such action will be placed in the employee's People Services file. Where there is insufficient evidence to prove that prohibited conduct occurred, no record of the complaint shall be placed in the respondent's People Services file.
- b) All records pertaining to enquiries and complaints under this policy will be kept in confidential storage separate from employees' People Services files. All records will be subject to the provisions of *MFIPPA* as noted above.

7.10 Other Avenues of Complaint

- a) In addition to these internal resolution and complaint procedures, there may be other avenues available to pursue complaints of prohibited behaviour. Depending on the nature of the behaviour at issue and the parties involved, other complaint avenues may include an Application to the Human Rights Tribunal of Ontario, a complaint to the Ministry of Labour, an application to the Ontario Labour Relations Board, a civil action, a criminal complaint, a complaint to the Integrity Commissioner, and a grievance pursuant to the terms of an applicable collective agreement.
- b) These resolution/complaint procedures are not intended to interfere with or restrict employees' rights to pursue any other available avenue(s) of complaint, including pursuant to the Ontario *Human Rights Code* and the *Occupational Health and Safety Act*. Where appropriate and/or required by law, the City will conduct its own independent investigation into the allegations and make its own determination in accordance with this policy even when another avenue of complaint is pursued. This includes circumstances where there may be a related criminal proceeding.

Appendix B33

Bill No.
2021

By-law No. CPOL.-46()-____

A by-law to amend By-law No. CPOL.-46-242, as amended, being “Surplus/Deficit Policy”, be amended to add clarifying language in the policy section and renumber accordingly.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-46-242, as amended, being “Surplus/Deficit Policy”, be amended to add clarifying language in the policy section and renumber accordingly;

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

1. By-law No. CPOL.-46-242, as amended, being “Surplus/Deficit Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Surplus/Deficit Policy

Policy Name: Surplus/Deficit Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-46-242); Amended October 16, 2018 (By-law CPOL.-46(a)-500); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of any operating surpluses and funding for any operating deficits.

2. Definitions

- 2.1 **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.
- 2.2 **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.3 **Deficit:** In the operating budget, when there is an excess of expenditures over revenues.
- 2.4 **Multi-Year Budget:** Approval of a four year operating and capital budget.
- 2.5 **Operating Budget:** A budget that funds day to day operations. Some of the expenses could include personnel, utilities, and reserve fund contributions.
- 2.6 **Property Tax Supported Budget:** A budget that includes property taxes as a primary source of revenue used to fund City programs and services.
- 2.7 **Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a reserve fund. Municipal Councils may set up reserves for any purpose for which they have the authority to spend money.
- 2.8 **Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. Municipal Councils may set up reserve funds for any purpose for which they have the authority to spend money.
- 2.9 **Reserve Fund Policy:** A policy governing the management and administration of reserve and reserve funds, establishing guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for reserves and reserve funds managed by the City.
- 2.10 **Surplus:** In the operating budget, when there is an excess of revenues over expenditures.
- 2.11 **Wastewater & Treatment Rate Supported Budget:** A budget to fund services exclusively related to the collection and treatment of wastewater and stormwater through rates charged to users of the system.
- 2.12 **Water Rate Supported Budget:** A budget to fund services exclusively related to

the distribution of potable water through rates charged to users of the system.

3. Applicability

This policy applies to the annual operating budgets for the Property Tax Supported Budget, Water Rate Supported Budget, and Wastewater & Treatment Rate Supported Budget, unless otherwise stated.

4. The Policy

4.1. Principles

4.1.1. All surpluses and deficits be treated as one-time in nature.

4.1.2. The year-end operating surplus or deficit for the Property Tax Supported Budget, Water Rate Supported Budget, and Wastewater & Treatment Rate Supported Budget will only be allocated (surplus) or funded (deficit) within the operations and reserves and reserve funds of each respective Budget.

Property Tax Supported Budget – In a Year of Surplus

- a) The City Treasurer, or designate is authorized to contribute an amount to the Operating Budget Contingency Reserve (OBCR) not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the OBCR being confirmed by the Municipal Council.
- b) The City Treasurer, or designate is authorized to contribute an amount to the Unfunded Liability Reserve Fund not to exceed:
 - i) The Reserve Fund target balance established through the Reserve and Reserve Fund Policy; and
 - ii) Operational savings realized from personnel and contingency budgets at year-end.
- c) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the OBCR to balance year-end operations. The remaining surplus allocations shall be drawn down from the OBCR and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocations specified in 4.1.2 (c)(ii) and (c)(iii).
 - ii) 25% of any operating surplus shall be contributed to the Community Investment Reserve Fund to be allocated at the discretion of Municipal Council.
 - iii) 25% of any operating surplus shall be contributed to the Capital Infrastructure Gap Reserve Fund (or other reserve fund to mitigate infrastructure needs at the discretion of the City Treasurer) to address future infrastructure needs.

Property Tax Supported Budget – In a Year of Deficit

- d) The City Treasurer, or designate is authorized to drawdown from the OBCR to balance year-end operations.

Wastewater & Treatment Rate Supported Budget – In a Year of Surplus

- e) The City Treasurer, or designate is authorized to contribute an amount to the Wastewater Budget Contingency Reserve not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the Wastewater Budget Contingency Reserve being confirmed by the Municipal Council.
- f) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the Wastewater Budget Contingency Reserve to balance year-end operations. The remaining surplus allocations shall be drawn down from the Wastewater Budget Contingency Reserve and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce Wastewater & Treatment authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocation specified in 4.1.2 (f)(ii).
 - ii) 50% of any operating surplus shall be contributed to the Sewage Works Reserve Fund to address future infrastructure needs.

Wastewater & Treatment Rate Supported Budget – In a Year of Deficit

- g) The City Treasurer, or designate is authorized to drawdown from the Wastewater Budget Contingency Reserve to balance year-end operations.

Water Rate Supported Budget – In a Year of Surplus

- h) The City Treasurer, or designate is authorized to contribute an amount to the Water Budget Contingency Reserve not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the Water Budget Contingency Reserve being confirmed by the Municipal Council.
- i) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the Water Budget Contingency Reserve to balance year-end operations. The remaining surplus allocations shall be drawn down from the Water Budget Contingency Reserve and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce Water authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocation specified in 4.1.2 (i)(ii).
 - ii) 50% of any operating surplus shall be contributed to the Waterworks Reserve Fund to address future infrastructure needs.

Water Rate Supported Budget – In a Year of Deficit

- j) The City Treasurer, or designate is authorized to drawdown from the Water Budget Contingency Reserve to balance year-end operations.

4.2 Reporting

The City Treasurer, or designate shall provide the following reports related to year-end projected or actual surplus or deficit positions:

- i) Operating Budget Mid-Year Monitoring Report (January 1st to June 30th)
- ii) Operating Budget Year-End Monitoring Report (January 1st to December 31th)

Appendix B34

Bill No.
2021

By-law No. CPOL.-167()-_____

A by-law to amend By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, be amended to add language to include virtual processes and to clarify selection process for People’s Choice Award (Student).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, be amended to add language to include virtual processes and to clarify selection process for People’s Choice Award (Student);

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

1. By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



Urban Design Awards

Policy Name: Urban Design Awards

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-167-419); Amended June 26, 2018 (By-law No. CPOL.-335-326); Amended June 11, 2019 (By-law No. CPOL.-167(a)-162); Amended August 10, 2021 (By-law No. CPOL.- ____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Community Planning, Urban Design & Heritage

1. Policy Statement

The City of London Urban Design Awards Program is intended to recognize, celebrate and inspire design excellence in the City of London. Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London.

Urban Design Awards will be granted once every two years. Planning & Development will be responsible for administering this program in accordance with the Terms of Reference.

At the conclusion of the Awards process, a ceremony will be held for the purpose of recognizing and celebrating winners of the Urban Design Awards and for promoting the urban design agenda in the community as a whole.

The winning submission(s) of the London Urban Design Awards will be automatically submitted to the RAIC (Royal Architectural Institute of Canada) National Urban Design Awards program, which are held in the year between of the biennial London Urban Design Awards. This will be an opportunity for local developers, architects, urban designers, as well as the City to showcase their developments and compete for Urban Design Awards at the national level.

2. Definitions

Not applicable.

3. Applicability

Projects are eligible for an Urban Design Award where they are developed up to 5 years prior to the awards year. Submissions for Awards can be submitted by a project owner, a member of the team that is associated with the project, a member of Council, a member of municipal staff, or a member of the general public. To be eligible for an Award, submissions must be received by the City of London Planning & Development office within the prescribed deadline date and all entries must meet submission requirements. It should be clear that public projects, including those developed by the City of London, are eligible for awards.

4. The Policy

4.1. SUBMISSION REQUIREMENTS

Submissions will only be accepted where they meet the following requirements:

- An abstract of the project is provided to explain its design qualities and how this project significantly adds to the quality of the public realm in London. The abstract should also touch on those items that are outlined in the relevant awards category descriptions below (Section 7). This abstract is to be provided in the

electronic format specified by the City.

- Two display boards maximum (sizes will be specified).
- A photo slide show, not exceeding 50 photographs, illustrating the design qualities of the project described in the abstract. This slide show is to be provided in the electronic format specified by the City.

These submissions will allow for submissions to be presented on the City's web site, and also allow for innovative display techniques for the awards ceremony and circulation of the awards.

All materials submitted to the City of London become property of the City of London and will not be returned to the applicant. Furthermore, submission of materials implies consent for the City of London to disseminate such materials at the sole discretion of the City.

4.2. AWARDS PROCESS

A call for submissions will be issued in spring of an Awards year. Planning & Development will engage in a rigorous process to raise awareness in the community that the City has issued a call for Urban Design Awards submissions. This may include, but is not limited to, advertising in newspapers, use of the City's web site, mail-outs to members of the design, architecture, landscape architecture, planning, and development industry. It may also include other vehicles, such as the preparation of a poster or other such materials, to raise awareness of the Awards, and the agenda for urban design excellence in London.

Judging of the projects will occur in summer of the Awards year. This will allow for judges to view projects including vegetation in a state of full bloom. The jury will compile a short list of projects from amongst the entries submitted. Planning & Development staff will arrange for the jury to visit the sites of the projects on the short list. This may include virtual site visits.

It shall be at the sole discretion of the jury to determine whether or not Awards will be recommended in any or all of the awards categories in a given year. A maximum of 5 urban design awards will be granted, except in exceptional circumstances. Awards will be granted in autumn of the Awards year.

Planning & Development staff will disseminate information relating to the award winning projects through the use of various mediums, including, but not limited to: web site posting, posters or other publications relating to the next design awards call for submissions, displays in prominent public spaces, etc.

4.3. AWARDS PRESENTATION

Awards will be presented to the Urban Design Award winners at a ceremony, which may combine other activities intended to advance the agenda for urban design excellence in London. Ceremonies may be held in person or virtually. Those earning honourable mention will also be congratulated at this ceremony. Two awards will be given to each award winning team. Additional awards can be ordered by winners for additional members of the team, at a cost to the winners which covers the expense of the City purchasing these awards.

4.4. URBAN DESIGN AWARDS JURY

An Urban Design Awards Jury, made up as follows, will be established annually by the City.

Voting Members:

- The Chair of the Planning Committee of Council or an appointed designate
- The President of the London Society of Architects or an appointed designate
- The Chair of the Southwestern Ontario District of the Ontario Professional Planners Institute or an appointed designate
- The President of the London Branch of the Ontario Association of Landscape Architects or an appointed designate
- An Urban Designer from outside the community (who is not involved with any

projects under consideration)

Limitations:

- No member of the Jury shall serve for more than 3 consecutive design award terms.
- No member of the jury shall be related, in any substantive way, to any projects under consideration.

Chair:

- The jury will elect from amongst its Members a Chair and a Vice-Chair at its first meeting each year.

Designates:

- Designates from any of the above groups will be accepted where jurors disqualify themselves from serving on the jury, where a jury member has already served three consecutive awards terms, or where the above-identified person cannot make himself/herself available for serving on the jury.

4.5. AWARDS CATEGORIES

The following Awards Categories and Awards are hereby established:

4.5.1. Buildings

An individual building, or a composition of buildings, which achieves urban design excellence through its relationship to the public realm, its massing, detailing and pedestrian amenity. Entrants should document and highlight how the building, or group of buildings, contributes to the quality of place. All types of buildings are eligible whether "landmark" or "background," new construction or a restoration/transformation. Building types could include: Main Street Mixed Use, Residential (multi-unit, apartment), Commercial, Institutional or Industrial.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the public realm/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.2. Buildings (Small Scale Residential)

A residential building, which achieves urban design excellence through its relationship to the surrounding neighbourhood, its massing, siting and detailing. Entrants should document and highlight how the building, contributes to the overall character as well as to the quality of place in the neighbourhood in which it is located. All types of small scale non-apartment residential buildings are eligible whether new construction or restoration/transformation. Building types could include single detached residential, townhouses, semi's, 2-, 3-, or 4-plexes.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the character of the existing neighbourhood/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.3. Public Realm Enhancements

Elements can be defined as a stand-alone object, or landscape element which contributes significantly to the quality of the public realm. It should provide a memorable image, reinforce the human scale and enhance the character of the surrounding area. Examples include:

- Benches

- Gateways
- Light fixtures
- Walkways
- Fences
- Work of art

4.5.4. Public Spaces and Landscapes

Public space - generally related to, and defined by, adjacent buildings or natural/manmade elements -- which provides an extension to the public realm in an exemplary way.

Examples are:

- Courtyards
- Plazas
- Forecourts
- Gardens
- Trails
- Mews
- Parks

4.5.5. Large places and neighbourhoods

This includes designs for a new or renovated large-scale areas of the city. The project must be completed to such extent as to allow the jury to clearly understand and evaluate the plan.

The submissions in this category should clearly state the existing conditions and demonstrate how the plan creatively resolves and addresses multiple objectives and competing interests. The submission should also provide evidence of community involvement and acceptance.

Examples are:

- Area plans
- Subdivisions
- Industrial parks
- Campus plans
- Streetscapes

4.5.6. Restoration, Rehabilitation and Adaptive Reuse

This includes renovated, restored and adaptively reused buildings and groups of buildings. Submissions should demonstrate urban design excellence through their relationship to the surrounding neighbourhood, interface with the public realm and ability to highlight the original character and historic elements of the building. The transformation should be visible on the exterior of the building(s).

The submissions in this category should clearly state the history and pre-construction conditions and uses of the building(s) and demonstrate the scope of work that was involved in the restoration, renovation or adaptive reuse.

Winning submissions in this category will be submitted under the most appropriate National Urban Design Awards category.

4.5.7. People's Choice Award

One winner will be chosen from all of the submissions in all categories to receive a People's Choice Award. All submissions will be considered for this award and a formal entry into this category is not required.

The winning entry will be selected by public voting held prior to the awards ceremony. City Planning staff will disseminate information relating to the People's Choice Award through the use of various mediums, including, but not limited to: web site posting,

posters, social media, etc. Voting will be conducted through online, in person and accessible methods. Voting will be open to all City of London residents.

Winning submissions in this category will not be eligible for the National Urban Design Awards hosted by RAIC, unless they have won in another category.

4.5.8. People's Choice Award (Student)

Post-secondary students will be invited to submit urban design projects. Student projects may be hypothetical, but must be designs related to locations within the city of London. Submissions should demonstrate urban design excellence through their relationship to the surrounding neighbourhood, interface with the public realm, massing, detailing and pedestrian amenity. Submissions must include elements of the public realm as well as buildings.

The winning entry will be selected by public voting held prior to, or during the awards ceremony. City Planning staff will disseminate information relating to the People's Choice Award (Student) through the use of various mediums, including, but not limited to: web site posting, posters, social media, etc. Voting will be conducted through online, in person and accessible methods. Voting will be open to all City of London residents. Dependent on the number of submissions, the jury may elect to shortlist the top entries, or forego this category.

Winning submissions in this category will not be eligible for the National Urban Design Awards hosted by RAIC.

It should be clear that these categories ARE INTENDED TO:

- Explain what types of projects are eligible for an Urban Design Award;
- Describe, in very general terms, how these projects will be evaluated; and
- Help to encourage submissions that are of a very high quality.

It should be equally clear that these categories ARE NOT INTENDED TO:

- Limit the number of awards that can be granted within a single category;
- Require that an award be granted in every category where there is not a submission that warrants an award; and
- Limit a submission to competing only against those projects that are within their category.

Where the Jury deems it to be appropriate, honourable mention will be given to those projects that did not win an award, but exhibited many excellent design traits worthy of recognition.

4.6. NATIONAL URBAN DESIGN AWARDS (HOSTED BY ROYAL ARCHITECTURAL INSTITUTE OF CANADA)

Following the Urban Design Awards ceremony the winning submissions will be given instructions as to how their projects can be submitted to the National Urban Design Awards program. The Submission requirements for the National Urban Design Awards can be found on the RAIC website.

Appendix C1

Bill No.
2021

By-law No. CPOL.-xxx-xxx

A by-law to repeal By-Law No. CPOL.-132-384, as amended, being “Leasing Parkland”, as this Policy has been incorporated into the Policy titled “Leasing and Licensing of City Owned Land”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-132-384, as amended, being “Leasing Parkland”, as this Policy has been incorporated into the Policy titled “Leasing and Licensing of City Owned Land”, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-132-384, as amended, being “Leasing Parkland” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix C2

Bill No.
2021

By-law No. CPOL.-xxx-xxx

A by-law to repeal By-Law No. CPOL.-138-390, being “Parkland Accounts”, as the Policy is redundant as the information is contained in other legislation or other policies.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-138-390, being “Parkland Accounts”, as the Policy is redundant as the information is contained in other legislation or other policies, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-138-390, being “Parkland Accounts” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix C3

Bill No.
2021

By-law No. CPOL.-xxx-xxx

A by-law to repeal By-Law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London", as the Policy is redundant as the London Plan policies 1099A-1099F are now in force and effect.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London", because the Policy is redundant as the London Plan policies 1099A-1099F are now in force and effect, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London" is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix C4

Bill No.
2021

By-law No. CPOL.-xxx-xxx

A by-law to repeal By-Law No. CPOL.-132-384, as amended, being the Policy titled “Value of Parkland Dedication”, as the Policy is redundant as the information is contained in the Policy titled “Parkland Dedication Cash in lieu”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-132-384, as amended, being the Policy titled “Value of Parkland Dedication”, as the Policy is redundant as the information is contained in the Policy titled “Parkland Dedication Cash in lieu”, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-132-384, as amended, being the Policy titled “Value of Parkland Dedication” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix D1: to be repealed



London
CANADA

Leasing Parkland

Policy Name: Leasing Parkland

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-131-383);
Amended June 26, 2018 (By-law No. CPOL.-290-281)

Last Review Date: February 7, 2019

Service Area Lead: Managing Director - Parks and Recreation

1. Policy Statement

This policy ensures parkland will be used appropriately.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the leasing or permitting of parkland.

4. The Policy

That a policy be established whereby any land designated as parkland by by-law will not be leased for any purpose other than those stipulated in subsection 13(5), of the *Public Parks Act, R.S.O. 1990*, Chapter P.46, which reads as follows:

"Where a park has been purchased or has been acquired by the board or by the corporation of the municipality, otherwise than by gift or devise, or by dedication to the public by the owner of the land, freely, or at a nominal price or rental, the board may set apart a sufficient part thereof for athletic purposes or for the purposes of sport, exhibitions or other lawful amusements or entertainments, and may lease it for such purposes, for such times and on such terms as the board may see fit, but the powers conferred by this subsection are not exercisable with respect to any park unless the board has applied for and received the approval of the council."

Appendix D2: to be repealed



Parkland Accounts

Policy Name: Parkland Accounts

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-138-390)

Last Review Date: April 11, 2019

Service Area Lead: Division Manager, Parks Planning and Operations

1. Policy Statement

This policy establishes a parkland reserve fund.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the maintenance of a reserve fund for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.

4. The Policy

That the following policy be established for creation of a parkland reserve fund.

- a) Funds received from cash-in-lieu payments for parkland dedication will be maintained in a separate fund and used for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.
- b) The account shall maintain with a minimum balance of \$300,000 for advantageous acquisitions as they may arise.
- c) The City Treasurer will present to Council a public financial statement containing the following:
 - i) the opening and closing balances,
 - ii) any land or machinery acquired with the funds,
 - iii) any buildings erected, improved or repaired with the funds,
 - iv) details of the amount spent, and
 - v) how capital costs for the land, machinery or buildings described above will be funded if the costs are not fully covered by the special fund

Appendix D3: to be repealed



London
CANADA

Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London

Policy Name: Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London

Legislative History: Enacted January 30, 2018 (By-law No. CPOL.-233-50); Amended June 26, 2018 (By-law No. CPOL.-340-331)

Last Review Date: April 11, 2019

Service Area Lead: Manager, Long Range Planning and Sustainability

1. Policy Statement

This policy is to define a Supervised Consumption Facility (SCF) and Temporary Overdose Prevention Site (TOPS), to provide criteria for the siting of these facilities, and to establish an engagement process for proponents of an application to permit these facilities.

2. Definitions

2.1. Supervised Consumption Facility - means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities may offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

2.2. Temporary Overdose Prevention Site - means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. Unlike supervised consumption facilities, these facilities are to be temporary in nature, existing for two years or less.

3. Applicability

The policy applies to proponents of an application to permit a Supervised Consumption Facility (SCF) or Temporary Overdose Prevention Site (TOPS).

4. The Policy

4.1. Siting of Supervised Consumption Facilities

It is a policy of the City of London to ask that any proponent of a supervised consumption facility (SCF) implement the following location, design and engagement measures through the process of siting their facility:

4.1.1. Location Criteria to Benefit Those Who Use Such Facilities

For the benefit of those who use supervised consumption facilities, they should be sited in a location that is:

- Within close proximity to, or near, communities where drug consumption is prevalent

- Well serviced by transit
- Discrete, allowing for reasonable privacy for those using the facility
- Separated from busy pedestrian-oriented commercial areas
- Separated from public spaces that generate pedestrian traffic or may generate crowds from time to time
- Close to an area with other drug addiction related support services

4.1.2. Location Criteria to Avoid Land Use Conflicts

In addition to those criteria listed in Part 1, above, to avoid land use conflicts, supervised consumption facilities should be sited in a location that is:

- Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving these facilities after consuming
- Separated from parks
- Separated from key pedestrian corridors in the Core Area
- Separated from public elementary or secondary school properties
- Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- Not within the interior of a residential neighbourhood

4.1.3. Site Design Criteria

In addition to those location criteria listed in Part 1 and Part 2 of this policy, supervised consumption facilities should be designed to:

- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Meet municipal bylaws and provincial regulations for accessibility
- Orient building entrances to allow for reasonably discrete entry and exit
- Ensure that building waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- Allow for easy visual surveillance of the facility and its surrounding site from the street
- Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating.

4.1.4. Engagement Measures

Consultation processes required by the Federal and Provincial governments must be met. In addition, proponents of supervised consumption facilities should host a meeting with property owners, business owners, and residents within a minimum of 120m of the proposed site to describe the proposal and operational procedures planned for the facility, hear the neighbouring property owners concerns, allow for consideration of measures that could be taken to mitigate these concerns, and establish a system for ongoing communication with the community.

4.2. Siting of Temporary Overdose Prevention Sites (TOPS)

It is recognized, through this policy, that temporary overdose prevention sites are intended to address a public health emergency. In addition, they are intended to be temporary in nature. Accordingly, it is understood that all of the siting and design criteria identified in Part A, above, may not be achievable. However, any proponent of a temporary overdose prevention site should ensure that the majority of these location and design criteria are met and that the facility is not located within the interior of a residential neighbourhood or near a public elementary or secondary school.

The engagement measures identified for supervised consumption facilities in Part A, above, should be implemented for temporary overdose prevention sites, but may occur after the facility has been established.

The Province has indicated that, to address a public health emergency, temporary overdose prevention sites may be approved by the Ministry of Health and Long Term Care on a time limited basis (3 to 6 months) with the possibility of extension. To recognize this temporary status, Council requests that applications to the Province for extensions of temporary overdose prevention sites not be approved if they result in such uses existing for more than two years.

Rather, the need for such services should be addressed through a supervised consumption facility.

Appendix D4: to be repealed



Value of Parkland Dedication

Policy Name: Value of Parkland Dedication

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-132-384);
Amended June 26, 2018 (By-law No. CPOL.-328-319)

Last Review Date: April 11, 2019

Service Area Lead: Division Manager, Parks Planning and Operations

1. Policy Statement

This policy establishes the method for determining the value of land for 5% land dedications or the payment of cash in lieu.

2. Definitions

Not applicable.

3. Applicability

This policy establishes the value of parkland for dedication or the payment of cash in lieu to the City of London.

4. The Policy

That the following policy for establishing a value for 5% land dedications or the payment of cash in lieu be established:

- a) Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City's choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b) Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Planning Services to make recommendations to Council on the appropriate amendments; and
- c) For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

From: butler.chris

Sent: Thursday, July 22, 2021 3:48 PM

To: csc <csc@london.ca>

Subject: [EXTERNAL] Added Agenda Submission - CSC Meeting - July 26 - Agenda Item 2.6 Council Policy Manual Changes

Please consider this E – Mail as an added agenda item to be distributed to the CSC members with respect to the Consent Request for Item 28 – Page 3 of Cathy Saunders report – PUBLIC NOTICE POLICY amendments.

Chair Cassidy , Major Holder – CSC Council members .

Words matter and these amends do not appear to be supported by a Public Meeting that I'm aware of that authorizes the request for Consent to change the wording in our current Public Meeting Policy . Any changes to Public Meeting Policy must be supported by a public meeting . I have submitted a request to Cathy Sunders today to confirm a record of such a meeting.

Examples :

- Changing the wording from “ shall “ to “ may “ with regards to publishing in a newspaper (Londoner or LFPress) completely changes our already watered down notification process to taxpayers and or the public on upcoming “ Public Meetings “ .(check your own Council Meetings Website to see how hard this link is to find)
- Deleting references to “ annual “ (budget) and replacing with “ multi-year “ (budget) with respect to Public Notices could result in a Public Meeting Announcement for our budget process only once ever 4 years . The taxpaying public is already excluded from Public Notice on much of our City of London budget process due to “ wording “ of this notice process and this should be watered down further. See Item # 4 on Page one of this agenda “ Assessment Value Growth “ which typically adds \$10 million to our annual operating costs to carry over to our “ BUDGET “ for all years forward is not a “ Public Notice “ requirement to provide input to Council on priorities and guidance.

Please re-consider providing consent on this item # 28 until this is fully aired out @ the Public.

THXS – Chris Butler – 863 Waterloo St.

AYMAN ABU SHARKH

MBA, P.Eng., PMP

Date: May 1, 2019

Re: Board of Directors Vacancy – London Hydro Inc.

Please accept my attached resume and my interest in filling a Board of Director position with London Hydro Inc.

With 10+ years of management experience in utilities, specifically 3 years as an IT Program Manager with London Hydro, and 8 years as a Manager with Bell in Network Provisioning and Services, I believe I can serve the position by offering a unique skill set:

- Independent director status. As I am not a present employee London Hydro or the City of London, I represent a degree of independence critical to good governance;
- Engineering & technical capability. As a past employee of London Hydro, I understand its core business. Moreover, my entire career has been based upon my ability to understand, adapt to, and implement new technological concepts and apply them to business goals. I am also a licensed Professional Engineer in Ontario (P.Eng.)
- Knowledge and understanding of current board governance best practices. I have attained a level of expertise in board governance policy and procedure that I have subsequently utilized as a governance resource in recent board and committee assignments (see CV);
- Board diversity. Representing a cultural background and age group that are often under-represented in boardrooms, I bring a unique perspective to the boardroom, which can prove beneficial in limiting “group-thinking” and increasing board performance.

I believe that I bring a diverse technical capability in a world that is increasingly looking to achieve business goals. I have the unique ability to understand board governance and best practices from working in public, private, and publicly- traded organizations, as well as from an educational background with electrical engineering and Executive MBA education.

In addition to continuing to work in technology in day-time capacity, I have a good understanding of OEB and CRTC regulations from my years with London Hydro and Bell.

I look forward to discussing your needs with the nominating committee in due time. If there is anything you require in the interim, please don't hesitate to give me a call. I am happy to provide references when requested.

Sincerely yours,

Ayman Abu Sharkh

Enclosure: Resume

Committee: **London Hydro Inc.**

Organization/Sector represented:

Name: **Ayman Abu Sharkh**

Occupation: **Senior Project Manager/ College Professor**

Work experience: **I have been working for Canada Life since June 2018 as a Senior Project Manager. I also have been a part-time business professor with Fanshawe College since Jan 2018. I am also regularly invited as a speaker in engineering and technology conferences. In the past I have worked for the following organizations: • London Hydro: Program Manager, IT Infrastructure Jun 2015 – Jun 2018 • Bell: Senior Program Manager Jul 2007 – Jun 2018 • IBM: Quality Assurance Analyst May 2005 – Sep 2006**

Education: **Education • Executive MBA – Ivey School of Business Jun 2018 • B.A. Economics – Western University Oct 2008 • B.Sc. Electrical Engineering – Western University Jun 2007 Professional Credentials • Licensed Professional Engineer of Ontario (P.Eng.) 2010 – Present • Professional Project Manager (PMP) 2010 – Present • Information Technology Infrastructure Certified (ITIL v3) 2015 – Present • Licensed Scum Master 2018-Present**

Skills: **I bring 10+ years of management experience where I supported, coached, and directed teams of more than 10 members with various backgrounds and skillsets. I have also worked with multifunctional teams and numerous technology vendors and professional services providers. I am a Professional Engineer (P.Eng.) and have years of experience in strategy development, capital and expense budget management, labour planning, and IT Operations. I also teach college-level business courses such as Economics, Risk Assessment, Supply Chain Operations, and Quality Management. I believe that my motivation, collaboration skills, and understanding of importance of effective governance will help me in assisting London Hydro toward a sustainable future. I bring subject matter expertise in technology and overall management and I have excellent listening and negotiation skills.**

Interest reason: **I firmly believe that well-qualified members of our society have a duty to contribute positively to the advancement of our city. As my career path has progressed in utilities and technology, I am interested in giving back to the City of London through serving London Hydro again. Working for London Hydro as a manager in the recent past was a great addition to my career and I would enjoy the opportunity once again to give back to London Hydro through a board seat this time.**

Contributions: **I believe that I bring a diverse technical capability in a world that is increasingly looking to leverage technology to achieve business goals. I have the unique ability to understand board governance and best practices from working in public, private, and publicly- traded organizations, as well as from an educational background with my Executive MBA education. In addition to working in technology in day-time capacity, I am also involved in the education sector as an adjunct professor of business for Fanshawe College. This experience has given me a broad view of opportunities and challenges facing the Ontario and the City of London.**

Past contributions: **In the recent past, I contributed as a committee member of the Ivey School of Business's Social Impact committee where I played a role defining the committee's social impact mission (which was focused on education) and where I helped in organizing fund raising, donations, and food drives. In 2019, I continue to contribute to the non-profit sector by working as a Government Relations and Advocacy ambassador for the Multiple Scoliosis Society of Canada, an organization focused on research and improving the quality of life for people living with Multiple Scoliosis. I also have been recently nominated as a board member for WIL employment connections, a publicly-funded organization focused on empowering new immigrants to finding job placements in Canada. I get a first-row seat to how our economy and society are progressing into a prosperous direction.**

Interpersonal: **Respect is paramount – no question. As a leader in various professional areas any multiple organizations, my ability to work with a variety of personalities is proven. I have a track record of communicating and negotiating with colleagues, partners, and leaders in a cohesive and respectful matter that results in the betterment of the organization.**

Interview interest: **Yes**

AYMAN ABU SHARKH

MBA, P.Eng., PMP

PROFILE SUMMARY

Seasoned **technology leader & college professor** with 10+ years of experience with prominent Canadian organizations in insurance, utilities, telecommunications, and technology with a focus on strategic management and information technology. Concurrently involved as a volunteer board member in local non-profit organizations.

- Influential Leadership
- Financial Acumen
- Strategic Management
- Relationship Builder
- Results Driven
- Performance Management

EDUCATION

Executive MBA, Ivey School of Business (2018)
BA Economics, Western University (2008)
B.Sc. Electrical Engineering, Western University (2007)

INDUSTRY SECTOR EXPERIENCE

Education	Telecommunications
Finance Services & Insurance	Technology Professional Services
Electrical Utilities	Government and Public Relations

CORE COMPETANCIES

- IT Strategy
- Project Management & Business Analysis
- Capital and Operational budgets
- IT Procurement & Vendor Management
- Building teams & Managing performance
- IT Service Delivery & Operations
- End to End Solution Delivery
- New Technology Introduction
- Managing Change & User Satisfaction
- Cyber Security & Disaster Recovery

BOARD EXPERIENCE

Board Member (2019 – 2021)
WIL Employment Connections (www.wil.ca)

Ambassador for Government Relations and Advocacy (2019-2021)
Multiple Scoliosis Society of Canada (www.mssociety.ca)

Social Committee Member (2017-2018)
Ivey School of Business Executive MBA Cohort Social Impact Committee (<https://www.ivey.uwo.ca/emba/>)

EMPLOYMENT HISTORY

Fanshawe College, Professor of Business

Jan 2018 - Present

- Demonstrated strong effectiveness as a professor by receiving an overall effectiveness score of 4.83 out of 5 in 2018 (College mean score was 4.29 out of 5).
- Extend in-class lectures on a weekly basis using engaging teaching methods to deliver on designed course learning outcomes.
- Design and use appropriate strategies and tools for facilitating and evaluating student progress and achievement.
- Create and maintain a positive learning environment which supports the diversity of students' cultures, educational backgrounds and learning styles.

Canada Life, Senior Project Manager, Group Technology

Jun 2018 - Present

- Managed the migration of 1.1M group plan members from a legacy benefits portal to a new platform.
- Managing the roll out of a new tele-medicine benefit and the required system impact changes as part of the roll-out strategy.
- Working with third party vendors to evaluate new technology implementations into Great-West Life's technology stack.

London Hydro, IT Manager

Jul 2015 – Jun 2018

- Designed a competitive organizational structure by effectively filling gaps in technical roles and repatriating IT support services (level 1) from an ineffective outsourced model to a more robust in-house model.
- Partnered with business unit leaders to gather project requirements, manage hardware acquisition and integration, and track financial spending and forecasts of IT operations.
- Regularly lead and create procurement requirements (RFP/RFI/RFQ) for all IT projects, including functional requirements, evaluation criteria, bid evaluations, vendor selection, and Statement of Work development.
- Successfully saved \$75K annually through effective market scans and negotiating new rates by leading the migration of cellular, ISP, M2M, and telephony services to new vendor agreements and modern platforms.

Bell, Senior Program Manager, Business Transformation

Jul 2007 – Jun 2015

- Integrated departmental strategic plan into the corporate strategic plan and packaged strategic objectives and financial analysis into C-Suite quality presentations.
- Managed Engineering budgets where duties include budgeting, forecasting, analyzing unit cost, and collaborating with operational teams to steer financial portfolio to target.
- Successfully re-designed the financial model for a \$45 million demand-driven program and improved budget forecasting and reporting by 25%.
- Led the design and implementation of a lean future mode of operation for the department workforce (700+ employees) and enabled the introduction of a new fiber strategic program.

IBM, Quality Assurance Analyst

May 2005 – Sep 2006

- Provided technical support to Quality Assurance Analysts from IBM DB2 international software labs with test environments setup, network and server maintenance, and system upgrades.
- Scripted SQL & Perl workflows to automate tests and track defects in critical database functions; compiled and distributed test results to associated developers.

PROFESSIONAL MEMBERSHIPS & CERTIFICATIONS

Professional Engineer (P.Eng.) Professional Engineers Ontario (www.peo.on.ca)	(2010-Present)
Professional Project Manager (PMP) Project Management Institute (www.pmi.org)	(2010-Present)
Information Technology Infrastructure Certified (ITIL v3) AXELOS (www.axelos.com)	(2015-Present)
Licensed Scum Master scruminc. (www.scurminc.com)	(2018-Present)

PERSONAL

Married to wife Dena, 2 children Khaled and Omar

Hobbies: soccer, boxing, yoga, swimming, walking, reading, investing

City of London - Application for Appointment to a City of London Board or Commission

Application

Please choose the Board or Commission you are interested in serving on: **London Hydro**

Contact Information

Name: **Tania Goodine**

Phone Number: Address:

City: **London** Province: **ON** Postal Code: **N6B 2T5**

E-mail Address (Confirmation e-mail of your application will be sent):

Experience and Qualifications

If you have experience on a London Board or Commission, please provide dates and details. (max. 3000 characters): **n/a**

What do you hope to contribute or learn as part of a Board or Commission? (max. 3000 characters):

Contributions

- **London is the place we call home – it is the centre for family, community commitment, career, and recreation**
- **Passion for a progressive community that is socially, environmentally and economically thriving. Our collective use of resources, including electricity, needs to consider all of these issues comprehensively to be truly effective.**
- **Professional experience over my 30+ year career with Libro Credit Union in marketing, human resources, strategy & innovation**
- **Officer of Libro Credit Union since 2008 as a member of the executive leadership team – experience at Board table, supporting and working with robust governance structure, oversight, highly regulated environment, understanding of finance, budgeting, strategic and business planning, talent management, brand, corporate communications, crisis management**

Lifelong learner

- **Excited for the opportunity to commit to and embrace what I expect would be a steep learning curve for the technical knowledge required within London Hydro and public utilities**
- **Learn more about the history, successes, priorities, opportunities, challenges, so I can offer the best possible generative input**

How will you support the work of a Board or Commission? (max. 3000 characters):

Supporting the work of the London Hydro board includes:

- My commitment to learning, being prepared for topics and issues, asking generative questions, offering insights to expand conversation and thought
- Understanding and fulfilling governance responsibilities to the organization, City of London, customers - including oversight and foresight
- Supporting management by offering perspective based on my unique knowledge and experience
- Being an ambassador in the community to listen, share, represent the interests of London Hydro and its stakeholders

Please describe additional experience, training, or community involvement that will help you in your role as a Board or Commission Member. (max. 3000 characters):

SENIOR EXECUTIVE at Libro Credit Union, a highly regulated financial institution

-Officer of the Corporation

- o Responsible for compliance with various legislation
- o Regular reporting to and engagement with Board & HR Committee for oversight and foresight

-Strategy & Innovation

- o Merger – led business case development, strategy and people & culture effort for business combination of multiple credit unions,
- o Business model evaluation and innovation through industry disruption
- o Human centred design approach to innovation to meet customer needs, grow business

-Human Resources

- o Culture and talent management integration through extensive merger
- o Led modernization and integration of human resources information system to improve effectiveness and efficiency of HR function
- o Ensure strong oversight and compliance with HR legislation, talent & compensation philosophy

-Marketing

- o Brand building
- o Led digital evolution of marketing strategy and tactics
- o Corporate communications & crisis management

TRAINING & EDUCATION

MBA, Marketing & Organizational Behaviour, York University (Schulich), 1990

BA, Honours Psychology, Western University, 1988

Professional Certificates & Courses

- Business Model Innovation, MIT, 2021
- Institute of Corporate Directors, HR Compensation & Committee Effectiveness, 2018
- Executive Certificate in Innovation, Wharton School of Business, 2011
- Professional Certificate in Leadership, Western University, 2003
- Executive Certificate in Marketing, Queen's School of Business, 2000
- Associate Designation, Credit Union Institute of Canada, 1997
- Executive Certificate in Sales Management, Schulich School of Business, 1994

Various conferences and internal courses

Marketing & Communications, Leadership & Supervision, Coaching, Negotiation, Sales Skills

COMMUNITY INVOLVEMENT

- Boys and Girls Club of London, Board of Directors 2012-current (finishing fall 2021)
- Community CarShare Board of Directors, 2014-2016
- London Chamber of Commerce, Marketing Committee, 2009-2014
- Western University, Student Success Centre Advisory Committee, 2011-2014
- Credit Union Industry – various regional and national committees on marketing, business banking, strategy

Attach resume or other document here, if needed: **Tania Goodine resume June 2021.pdf**

Attach more files here, if needed:

Confirmations

I declare the following: **I am a resident of London. ; I am at least 18 years old.; I am not a City employee or Council member.; I understand that my application will be included on a public agenda that is published on the City website.**

To help inform our outreach activities, please tell us how you heard about this opportunity:
(optional): **Word of mouth**

If you selected 'Other', please specify:

Submitter E-mail:

Submitted on: **7/7/2021 4:40:36 PM**

Tania Goodine, MBA

Executive Portfolio



Overview

Personal Style and Qualifications

- **Strategic:** As a strategic executive, I contribute to our Libro team by seeing and expressing connections across many different business issues, contributing to robust plans, processes and solutions that meet objectives.
- **Develops Others:** Our credit union brand is authentic – we want people to be better off for doing business with us, and I work to support a passionate group of people communicate and deliver what we promise. By engaging so many people and harnessing their collective will to help, we ensure relevance and sustainability in southwestern Ontario.
- **Problem Solver:** Highly focused, I most enjoy using my creativity to explore and build solutions for all kinds of problems and opportunities that will help our member-owners, staff and communities.

Education and Professional Development

- **MBA**, York University, 1990 – major in marketing and organizational behaviour
- **BA**, Western University, 1988 – major in honours psychology
- Commitment to continuous education and learning on topics such as leadership and coaching, innovation, marketing, sales management
- Leadership role with credit union committees at the provincial and national level
- Volunteer in the community with youth-oriented and business organizations

Experience

- Executive Vice President, Strategy & Innovation, Libro Credit Union, 2020-present
- Executive Vice President, Engagement, Libro Credit Union, 2014-2019
- Vice President, Brand, Libro Financial Group, 2008-2013
- Career team member, marketer and leader with Libro

Business Philosophy

“I believe the best way to create value is by harnessing the power of people’s creativity, energy, and desire to contribute. If I am able to help people see and understand a clear vision of success, remove barriers, offer support, and then provide freedom for others to develop creative solutions and their skills, I am being an effective leader who will help team members and Libro succeed.”

Areas of Expertise

Strategy

- Naturally intuitive, and a big-picture, conceptual thinker who is able to translate ideas into actionable tactics – project plans, programs, campaigns, communications plans.
- Have contributed to and led development of strategic planning at Libro for several years as we address fast-changing competitive and technological environment.
- In a team environment, have developed others and helped innovate, lead and refine strategies for different lines of business over time, including the contact centre, web development, mobile, social media, wealth management, and youth segment.
- Regularly contribute to ensuring strategic and brand alignment across lines of business, such as development of *I am Libro* service standards, measurement and reward program.

Brand Management

- Responsible for strategic project to change credit union's name in 2006 – including organization-wide stakeholder consultation, marketing strategy and implementation.
- Engaging team to evolve from promotional to content-based brand building, by finding engaged owners to share stories, and developing advice and community focused content to leverage word of mouth and support conversations.
- Provide leadership to develop a team of professionals to link conceptual strategy to specifics of execution and delivery for results. The Share the Future campaign is an example of linking the brand to tactics for new business growth. With this campaign, Libro has generated record-setting new owner growth during 2013.
- Established and continually evolved measurement and evaluation of brand metrics, including quantitative external market research, owner satisfaction and periodic mystery shopping.

Leadership

- Three decades of experience on Libro's leadership team, including at executive level since 2008.
- Lead teams of marketing & communications, human resources and wealth management staff.
- Have completed 360 degree feedback to understand strengths and areas for development – peers and staff recognize strategic leadership contributions.
- Have held a variety of leadership roles within the credit union system on marketing committees and within local community organizations.
- Have remained committed to continuing education and training to improve leadership skills and ability to lead, develop and support staff at various levels.
- My leadership style is empowering – I focus on gaining a shared understanding of what is required and why, so team members have the freedom to learn, test and develop their management and leadership skills.
- Confident and experienced speaking on behalf of credit union with media and in a variety of public forums.

Areas of Expertise, *continued*

Innovation

- Apply human-centred design concepts to solve problems and leverage opportunities to generate mutual success for customers and the business
- Evolve business model to ensure sustainability through technology-driven industry disruption
- Engage teams and outside partners to research and pilot innovative ideas to ensure desirability, feasibility, and viability. This involves both a higher degree of risk in exploring unproven ideas, balanced with mitigating risks by proceeding with a measured approach.

Marketing

- Experienced with all aspects of the marketing function, honed over three decades.
- Have supported team members to develop increasingly complex marketing, communications and brand plans that include tactics to achieve credit union growth goals, promotional campaigns, research, and corporate communications.
- Team's work has been recognized with multiple awards for corporate brand campaigns, web site design – including CASSIE, International Association of Business Communicators Award of Excellence, and Marketing Association of Credit Union Achievement in Marketing Excellence.
- Completed regular market research to assess brand health and business opportunities.
- Have developed and updated products and lines of business using a product development process that engages staff teams through a committee and change management approach.

Project Management

- Have led strategic projects that involved developing new lines of business or implementing key initiatives that required broad organizational input and support for success, including
 - contact centre development (1997)
 - web development (1997, 2011)
 - credit union name change (2006)
 - retail demand accounts (1996, 2012)
 - significant merger and business combination (2013-2014)
 - commitment to social purpose, vision and bold strategic plans (2014, 2020).

Role Chronology

Executive Vice President, Strategy & Innovation, Libro Credit Union 2020 – present

- Overall leadership for strategic planning and innovation for long range success through disruption – to grow prosperity in southwestern Ontario by transforming banking.
- Responsible for evolving the credit union business model in pursuit of our core purpose.
- Ensure we evolve and deliver a unique value proposition to our communities and Owners, by inspiring financial happiness.
- Support strong management relations with Libro Board of Directors.

Executive Vice President, Engagement, Libro Credit Union 2014 – 2019

- Overall leadership for stakeholder engagement – staff, Owners, communities – to grow prosperity in southwestern Ontario by transforming banking.
- Lead and develop teams responsible for marketing and communications, human resources and strategy and innovation.
- Responsible for evolving the credit union brand and culture in pursuit of our core purpose.
- Ensured attraction, development and retention of strong talent as an employer of choice.
- Ensured development and delivery of unique value proposition to communities and Owners.
- Supported strong management relations with Libro Board of Directors.

Vice President, Brand, Libro Financial Group 2008 – 2013

- Led teams responsible for marketing, communications, digital channels, and wealth management.
- Responsible for credit union brand strategy and marketing plans to support achievement of business objectives including growth and profitability.
- Represented Libro with media and at various community events.
- Oversaw \$3.4 million marketing budget.
- Oversaw strategy for growth and retention of \$350 million wealth management portfolio, up 55% from \$225 million in 2008.
- Contributed to credit union strategy and results as a member of the executive leadership team.
- Supported strong management relations with Libro Board of Directors.
- Ensured effective communication with various teams across Libro.

Sales & Marketing Manager, Libro Financial Group (St. Willibrord CU) 1990 – 2008

- Responsible for project to review and recommend credit union name change and brand refresh.
- Provided leadership to a growing marketing and communications team
- Developed annual marketing plan and budget.
- Responsible for market research, brand strategy, campaign development to meet business goals.
- Developed and led contact centre channel and team, managed digital channels.

Education & Professional Development

Master of Business Administration

Marketing & Organizational Behaviour, York University (Schulich) 1990

Bachelor of Arts

Honours Psychology, Western University 1988

Professional Certificates & Courses

Business Model Innovation, MIT 2021
 Institute of Corporate Directors, HR Compensation & Committee Effectiveness 2018
 Executive Certificate in Innovation, Wharton School of Business 2011
 Professional Certificate in Leadership, Western University 2003
 Executive Certificate in Marketing, Queen's School of Business 2000
 Associate Designation, Credit Union Institute of Canada 1997
 Executive Certificate in Sales Management, Schulich School of Business 1994

Various conferences and internal courses

Marketing & Communications, Leadership & Supervision, Coaching, Negotiation, Sales Skills

Community & Professional Affiliations

Boys & Girls Club of London

Board of Directors 2012-present

Community CarShare

Board of Directors 2014-2016

Western University

Student Success Centre Advisory Committee 2011-2014

London Chamber of Commerce

Marketing & Communications Committee (Chair, 2012-2014) 2009-2014

Children's Health Foundation

Financial Institutions Fundraising Committee 1991-2004

Central 1 Credit Union

Strategy Advisory Committee 2021-present

Research Advisory Committee 2010-2014

Canadian Credit Union Association

National Marketing Advisory Council 2013-2016

National ATM Accessibility Marketing Advisory Committee 2010-2014

Alliance of Large Ontario Credit Unions

Awareness Working Group 2012-2016

Credential Financial Services

Wealth Management Advisory Council 2008-2011

Committee: **London Hydro Board of Directors**

Organization/Sector represented: **Management Education**

Name: **Trevor Hunter**

Occupation: **Associate Professor of Management**

Work experience: **I have taught management, international business and governance at King's for nearly 20 years. During that time, I have also provided governance training and consulting to many for and not-for-profit organizations in and around London and taught governance courses through organizations like Western's Faculty of Continuing Studies, London Community Foundation, London and Middlesex United Way Emerging Leaders program and Pillar Non-profit Network.**

Education: **BA (Honours Sociology) - King's University College MBA - Ivey School of Business PhD - Ivey School of Business**

Skills: **I am a recognized expert governance consultant, practitioner and thought leader within the London community. Other than an engineering background, I possess all the characteristics being sought for this position and I truly believe I am the best fit. As professor of management I have made a career teaching the functional areas of management including finance, accounting, human resources and strategic planning. I provide strategic planning and governance consulting to businesses and non-profits. My reputation as an educator and consultant is based on integrity and honesty. I have a strong understanding of both the utility industry, the core business of London Hydro and economic development in the City of London, as I have researched and written about the industry and London Hydro specifically in numerous studies. I have investigated and identified the impact London Hydro has on London's economic development and how it compares to other regional utility companies in three studies I wrote for the London Economic Development Corporation. This work was specifically cited in a study the City commissioned from KPMG in March 2014, as being "used to establish the strategic direction that LEDC is following" and that changing that strategy would be "detrimental to the City's economic development interests." I have held many leadership positions over my career. I have led my academic unit for more than six years. I have been chair or vice-chair of three non-profit organizations, including one I co-founded. Over the years, in these roles, I have interacted and worked with city officials and other arms-length governmental organizations regularly. I have practiced corporate stewardship and risk management in heavily regulated and competitive environments. The notions of compliance obligations and transparency are part of how I think as a board member.**

Interest reason: **To say that London Hydro plays an important role in the London community is an understatement. As one of London's largest assets, London Hydro is the linchpin to so many vital activities and processes. It quite literally powers the City's social and economic development. London Hydro helps unleash the potential of our citizens and organizations. It provides security and comfort. It powers the gateways to learning, knowledge creation and innovation. Who wouldn't want to be part of an organization that touches nearly every aspect of our city? I have a lot of board experience and expertise and I feel I have a responsibility to help our community by using the skills I possess. If I am selected to be a director I could help London Hydro be the best it can be for the City and, indirectly, help multiple constituencies achieve their social and economic goals. Good governance by the board of London Hydro contributes to a lot of good done in our City and being part of that is exciting to me.**

Contributions: **As a director of London Hydro I will bring scrupulous oversight, stewardship and integrity. I understand the commitment that is needed to be a board member and as I always do, I will take governance and the role of a director very seriously. I will be an involved and active director who knows the line between governor and manager and does not step across it. I will ask management and fellow directors tough questions to hold us accountable to our stakeholders and put in the kind of research and homework to be prepared and informed. I am a very good fit for the London Hydro board since I share the same commitment to governance excellence as the current directors, however, I bring a range of skills and expertise that is different from but complimentary to that which currently exists. I spend the bulk of my professional life researching and applying governance best practices and I will bring these insights to the board to maintain the continuous improvement the board has undertaken over the years. Additionally, along**

with what I have learned from my research, I bring nearly two decades of practical governance experience from serving on multiple boards from many sectors. I have developed insight and leadership that can only be gained from having “been there, done that.” I have served on boards in sectors that are highly regulated (public health, child welfare, economic development) and understand how to govern in the kind of dynamic environment in which London Hydro operates. With my understanding of governance, London Hydro itself and the City’s economic plan, I will have a short learning period and be able to contribute quickly.

Past contributions: I have consistently been recognized as a resource for governance best practices by the boards on which I have served. I have regularly been a member of or chaired the governance committee or been a member of the executive of these boards. In those positions, in addition to my stewardship role, I have ensured that the boards were following proper practices and aiming for improved board effectiveness. Below is the list of the boards on which I have served and a few of the major contributions I made: • Airshow London, (2015-2017), Co-founder and vice-chair: Created the organizational mission, vision and strategic plan. Developed the governance structure from scratch, wrote the by-laws, policies and created the committee mandates and reference terms while also defining the roles and responsibilities of the board and management. • Middlesex-London Board of Health, (2015-2018), Governance Committee chair: Managed the executive performance evaluation process. Led and oversaw a total organizational policy review in a heavily regulated sector. Oversaw and instigated board evaluation and reporting processes as well as board development plans. Identified board recruitment skills/needs, the promotion of director diversity among many other plans and oversaw board recruitment activities. • Governance Capacity Building Committee, Ontario Association of Children's Aid Societies, (2014 -present): I assist in the development and delivery of sector-wide director education tools and director evaluation procedures. My role on this committee has been to provide advice regarding cutting edge governance practices that are disseminated throughout the province. • Institute of Canadian Directors SWO region, (2012 - 2017): Provided oversight of the regional chapter of a national governance education/training organization. Led the presentation of and gave governance training sessions to board members from various sectors. • King’s University College Foundation, (2011 – present): Oversee the management and dissemination of endowed funds for a university. Provide oversight of the fund’s assets, appoint and oversee auditors and the monitor the Foundation’s investment policy. • London Small Business Centre, (2009 – 2014), chair 2012-2013: As board chair, I instituted a formalized management performance evaluation process that tied accountabilities and compensation through objective metrics. I also instituted an executive and board member succession planning process. Prior to becoming chair I was tasked with revamping the entire board structure developing a system of committees and wrote the mandates, terms of reference and reporting structure. Additionally, I reworked, improved and formalized the on-boarding and director orientation process. • Youth Opportunities Unlimited, (2001 – 2006): Was asked to take a direct role in providing business, planning and operations guidance and oversight to the fledgling Youth Enterprise division

Interpersonal: Teaching is the act of exchanging views with people who have different skills, abilities and knowledge and I am a very good teacher. Teaching requires the ability to listen, understand and interpret and I am really good at it. I have taught thousands of people since 2002. My students have been business people, directors or employees of non-profits, university and high-school students from many countries with varied backgrounds. With such a diverse student body I have had to develop the ability to integrate disparate levels of knowledge and experience into a coherent whole wherein all participants could communicate, learn and work together to accomplish goals. I have worked with different organizations with different agendas and values and I have learned from them all. My life is completely devoted to respecting the skills, abilities and knowledge of others because I love to learn and you can't learn if you are not willing to hear opinions with which you don't agree or understand. One cannot learn if one thinks they know it all. I work hard to know a lot about what I teach, but I recognize that there is always more to learn from many people. Since I recognize that I can learn more, I always try to. I listen to people who do things or see things differently than I to try to understand the reasons why they see things differently. Because I don't know everything and I want to be the best teacher I can, I am open and respectful of people who see the world differently than I. I offer the following two professional references who are willing to speak to my expertise and “fit” with this board position. Kapil Lakhotia President & CEO, LEDC 380 Wellington Street, Suite 701 London, Ontario N6A 5B5 Dr. Christopher Mackie Medical Officer of Health

and CEO Middlesex London Health Unit 50 King St, London, Ontario N6A 5L7

Interview interest: **Yes**

Committee: **London Hydro**

Organization/Sector represented: **Senior Partner MacNeill Edmundson P. C.**

Name: **James MacNeill**

Occupation:
FCPA

Work experience:

Managing Partner MacNeill Edmundson PC Specialist in Taxation Instructor in Taxation at UWO Chairman of Board in many London organizations Education: Bachelor of Mathematical Science, University of Waterloo, 1977 Received CA Designation in 1978 Received CPA Designation in 2012 Received FCA, FCPA in 2018 Received CFP Designation in 1997

Skills:

Strong communication skills in dealing with complex matters. Negotiation skills on complex transactions. Corporate finance skills in the area of business valuations, and related financings. Knowledge of Governance matters, and Board Structures.

Interest reason:

At this stage in my career, I would like to apply my skill sets to the work of London Hydro. I am a long time, proud Londoner, and I feel I can make a meaningful contribution at the Board level.

Contributions:

Financial analysis from a Board perspective, and the audit function. Guidance on potential, if any, corporate purchases

Past contributions:

Chairman of the Board Westminster College Chairman of the Board Museum London Chairman of the Board the London Club Chairman of the Board Centre Stage Theatre Treasurer of the London Home Builders Assoc

Interpersonal:

Numerous Board experience, and knowledge of proper Policies and Procedures, and general governance matters, and in particular on Roberts rules of order. Lecturer at UWO, and Fanshawe College. Hiring Executive Directors at various organizations. My personal style, is to seek as much input from other people before making important decisions, that will affect the future of the organization.

Interview interest: **Yes**

JAMES B. MACNEILL
CURRICULUM VITAE

- CHARTERED ACCOUNTANT:** Inducted Fellow of the Chartered Professional Accountants of Ontario in 2018
Received C.P.A. designation in 2012
Received C.A. designation in 1978
Received C.F.P. designation in 1997
Graduate of University of Waterloo in 1977
Bachelor of Mathematical Science
CICA In Depth Tax Course
CICA In Depth Tax Course - GST
CICA In Depth Tax Course - U.S. Tax
CICA In Depth Tax Course - International Tax
CICA In-Depth Tax Course – Corporate Reorganization
- AREA OF EXPERTISE:** Taxation, corporate reorganization, cross-border tax planning, international tax
- ACADEMIC INVOLVEMENT:** Lecturer, Personal and Corporate Taxation, Western University, 2001-2009
Lecturer, Accounting, Fanshawe College, 1986-1989
- CURRENT COMMUNITY INVOLVEMENT:** Committee Member, The London Club
Member, Campaign Cabinet, Fanshawe College
- COMMUNITY INVOLVEMENT:** Construction Crew in Cambodia, Tabitha Foundation Canada 2014
Chairman of the Board, The London Club
Chairman of the Board, Museum London
Chairman of the Board, Westminster College
Chairman of the Board, Centre Stage Theatre
Chair, Finance Committee, RCGA, Canadian Mid-Amateur Championship
Chair, Property and Finance Committee, Museum London
Chair, Finance Committee, Museum London Foundation
Member – Treasurer, Executive, The London Club
Member, Board of Museum London Foundation
Treasurer of London Home Builders' Association
Treasurer of Westminster College
London Free Press Editorial Board
Treasurer, Colborne Street United Church
Treasurer of Dance London
- MEMBERSHIPS:** Canadian Tax Foundation
London Tax Discussion Group
Film and Electronic Media Association (FEMA)
The London Hunt and Country Club
The London Club
Griffith Island Hunting Club
Oaks Golf Club
- PUBLICATIONS:** Frequent Appearances on CFPL T.V. on Matters of Tax and Finance
Lecturer in Taxation Chartered Life Underwriter
Lecturer, Law Society Bar Admissions Course – Family Law Section
Articles to Western Ontario Business and London Free Press
Lecturer for Federal Business Development Bank on Taxation
Lecturer at Fanshawe College, London, Ontario
Developed Personal and Taxation Courses for the Purposes of UWO Senate Approval and ICAO Approval

Committee: **London Hydro Inc. Board of Directors**

Organization/Sector represented: **Technology / Business**

Name: **Margaret (Marg) A. Parks**

Occupation: **Recently Retired IBM Business Executive**

Work experience: **I have both Board and Work experience as outlined here.**

Board Experience

- 1) I am currently on the Board for Children's Aid of London London and Middlesex, serving on the Executive Board, and as currently as Vice President. I am going into year 4 on this Board and have developed my Governance skills. I have engaged with Children's Aid on all Committees (Finance, Executive and Quality) and have Chaired the Quality Committee for 3 years.
- 2) Additionally I am a past Board member of Big Brothers Big Sisters of London – 7 years Experience including Board Governance, having worked on all committees and served as Vice President for 2 years
- 3) My Sisters Place – I have served with My Sisters' Place - CMHA Middlesex for 3 years in several capacities – including Fundraising, Organization and Strategic Consulting as part of the Sustainability Committee
- 4) I have completed Board Governance Training through Capacity Canada. This training has been invaluable in providing a basis to understand the roles and responsibilities for a Board of Directors.

IBM / Work Experience - Career with IBM in the technology business.

I am a results oriented executive with strong people skills and success in tackling transformation challenges. I have the ability to work in environments with multiple stakeholders.

I Consulted with clients in areas of Mergers & Acquisitions, Strategic Planning, Business & Financial Operations. I was personally responsible for complex contract negotiations of over \$10 M annually. I had increasing responsibilities in Sales, Strategic Planning, Executive Management, Consulting, HR, Operations and Change Management. I managed teams of 35+ employees.

Education: IBM Education & Training every year (over 30 years) – including Harvard Courses, Executive Management Development, and Sales Training. Laurier Business Certificate in Entrepreneurial Studies, Governance Board Training with Capacity Canada

Skills: I understand the Hydro business. I have worked with London Hydro, plus several other Hydro businesses in Ontario – including Bruce Power, Ottawa Hydro, Hamilton Hydro and others. The experience I bring will allow me to assimilate efficiently and become part of the Board process. I offer good personal energy and a professional approach to accomplish results.

Interest reason:

I have interest in Board work to stay engaged and contribute to our Community. I would like to spend time on one Corporate Board, and continue with one Charitable Board to balance this.

I have been part of the London Community for 25 years. I have strong business and personal relationships in this community. I understand the Vision and Values of London Hydro and I believe I can contribute to continued success. The skills and experience that I have gained in areas of M&A, contract negotiations, HR and business operations will help me be successful

and contribute to the London Hydro Board. I have a strong work ethic and high energy, and work very well as part of a team.

Contributions: I would work hard to be a contributing member on the Board. I have good communication skills and I am very interested to see the continued success of London Hydro. The experience that I have in areas such as M&A, strategic planning, technology, and financial management are all part of my experience.

Past contributions:

Boards:

I have Board experience with 3 organizations here in London. I am currently active at Children's Aid and My Sisters Place. I have had extensive Board Training.

As noted above I have the following Board experience:

- 1) Children's Aid Society London and Middlesex – Currently serving as Board VP
- 2) Big Brothers Big Sisters of London – 7 years Experience
- 3) My Sisters' Place - CMHA Middlesex – 3 years

Business

My corporate work life has provided strong experience and training opportunities for me to grow and develop, and I would like to use this experience to contribute back into our community. My experience and education while I worked at IBM, honed my skills in the business environment.

Interpersonal:

I have Board experience where I always work collaboratively with team members. Additionally, my career experience was successful in great part because I am very strong when I am working as part of a team. I believe my work effort and the diligence that I show are major contributing factors to my success. My personal style is collaborative. As a business executive it was a key part of my responsibilities to collaborate both with senior executives of our clients, and with the IBM teams to manage and implement change processes within those same businesses. I have over 20 years of management experience, managing complex projects and large teams.

Interview interest: **Yes**

Committee: **London Hydro Inc. Board of Directors**

Organization/Sector represented: **Industry knowledge, strategic planning, finance, regulatory, etc.**

Name: **Mark F. Rosehart**

Occupation: **CEO/General Manager Tillsonburg Hydro Inc. until June 30, 2016**

Work experience: **Primary functions have included participation within the corporate senior management team on various strategic planning initiatives, managing various regulatory compliance and customer issues, business and resource planning, administration and budgeting. Management of customer service, information system, strategic planning, utility support services team; key accounts and energy management, business systems support, wholesale and retail settlements, meter data management, and retailer management, regulatory compliance.**

Education: **THE UNIVERSITY OF WESTERN ONTARIO, London, Ontario. B.A. in Administrative & Commercial Studies, Financial Studies & Economics, 1980 -1983 FANSHAW COLLEGE OF APPLIED ARTS & TECHNOLOGY, London, Ontario. Diploma, Graduated Land Survey (Civil) Technician Program., 1977 -1979 Activities and Societies: Student Council representative for the CIVIL Technology Division ONTARIO ASSOCIATION OF CERTIFIED ENGINEERING TECHNICIANS AND TECHNOLOGISTS Designation as a C.E.T. and C.S.T.**

Skills: **Strategic planning, Regulatory Interpretation, Finance deputy Treasurer, Business Communications and Report Writing, Stabilization & Complex Issues Management, Electric & Water Conservation/CDM Manager, Team Building and Mentorship, Regulatory Interpretation & Requirements, Energy Management, Smart Metering Business Process, Project Management Change Management and Leadership, Strategic Planner/Visionary, Award Winner, Program Developer, Marketing**

Interest reason: **My aspiration is to continue to serve the Public in a team environment experiencing new challenges and growth, and at the same time utilize my skills and past experiences to meet the organizations mission and objectives.**

Contributions: **Vision, leadership, commitment, hard worker, strategic thinker, diverse knowledge and experience, senior leadership team player, experienced manager, complex issues manager, team builder and leader, etc.**

Past contributions: **Senior leadership team at two Hydro Distribution companies, Middlesex Elgin Board of Director, etc.**

Interpersonal: **Senior leadership team at two Hydro Distribution companies, Middlesex Elgin VON Board of Director, Smart Energy Oxford Committee member, key advisor to the Ontario Energy Board (OEB), Ministry of Energy (MOE), Independent Electric System Operator (IESO), etc. I have personally worked with the MOE in writing two legislations and multiple regulations, the OEB in writing and defining multiple Codes and the IESO in defining compliance and initiatives. Considerable senior leadership team experience, etc.**

Interview interest: **Yes**

Mark F. Rosehart B.A., C.E.T., C.S.T.

Linkedin: www.linkedin.com/in/mf-rosehart

Experience

CHIEF EXECUTIVE OFFICER/GENERAL MANAGER AT TILLSONBURG HYDRO INC.

2015 – 2016

Stabilize business operations, create a path of sustainability, and/or review alternative business model options, enhanced governance, represent THI on various stakeholder matters e.g. Regional Planning, Smart Energy Oxford, Ministry of Energy, etc. Through presentation and Hydro Board approval several changes were made including implementation of an operational resource plan, organizational restructuring, sustainable budget approvals, short and long-term business strategies, etc.

DIRECTOR, UTILITY SUPPORT SERVICES & ENERGY MANAGEMENT AT LONDON HYDRO INC.

1999 - 2012

Employed as the Director, Utility Support Services & Energy Management within the Customer Services & Strategic Planning (CSSP) Department. Primary functions have included participation within the corporate senior management team on various strategic planning initiatives, managing various regulatory compliance and complex business issues, business and IT resource planning, administration, and budgeting. In addition, management of the utility support services team consisting of business systems support, key accounts and energy management, wholesale and retail settlements, meter data management and retailer management.

Past Positions: *Director, Utility Support Services & Energy Management (2005-2012) *Manager of Strategic Planning and Energy Analysis (2002-2004) *Strategic Planner (2001) *Key Account Executive (1999).

Special projects have included: project management and business lead for the design of transmission and distribution rates, strategic business and regulatory compliance plans, and the design and implementation of the wholesale, retail settlement, and interval metered data management systems. Other important roles included development of CIS (ODS/MDM/MDUS/MV90/IEE) architecture and strategies, and senior participation on the provincial change management teams, rate hearings representative, and member of the London Hydro Union Management Job Evaluation Committee.

MANAGER OF CUSTOMER SERVICE & INFORMATION SYSTEMS AT TILLSONBURG PUBLIC UTILITY COMMISSION

1986 - 1999

- ❖ Customer Service Manager: 30% allocation.
- ❖ Deputy Treasurer and Financial Analyst: 30% allocation.
- ❖ Key Accounts Manager: 20% allocation.
- ❖ Computer & Information Systems Manager: 20% allocation.

Page 1 of 2.

Skills & Expertise

*Leadership, Team Building and Mentoring *Business Communications and Report Writing *Strategic Planning/Visionary *Stabilization & Complex Issues Management *Resource & Business Planning *Change & Project Management *Wholesale & Retail Settlements *Research, Rate and Price Analytics *Electric & Water Conservation *Business Process Improvement *Regulatory Interpretation & Business Requirements *Energy Management, Renewables & Smart Metering *Award Winner, Program Development, Marketing.

Education & Associations

THE UNIVERSITY OF WESTERN ONTARIO, LONDON, ONTARIO.

B.A. in Administrative & Commercial Studies, Financial Studies & Economics, 1980 - 1983

FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY, LONDON, ONTARIO.

Diploma Land Survey (Civil) Technician Program, 1977 - 1979

Activities and Societies: Student Council representative for the CIVIL Technology Division.

CONTINUING EDUCATION:

Completed several Municipal, Accounting and Human Resources Management Certificate program credits, Front Line Leadership, Organizational Behaviour, Visual Basic, AutoCAD, etc.

ONTARIO ASSOCIATION OF CERTIFIED ENGINEERING TECHNICIANS AND TECHNOLOGISTS

Designation as a C.E.T. and C.S.T.

BOARD MEMBERSHIP:

*London-Middlesex Housing Corporation Board of Directors (2017) *Tillsonburg Hydro Board of Directors (2015) *Smart Energy Oxford Committee Member (2015-16) *VON Elgin Middlesex Board of Directors (2014).

Awards and Honours:

- M.E.A. Marketing and Consumer Information Award for medium sized Utility (1988) - Heat Pump Package.
- Ontario Hydro - Award for Excellence in Customer Service and Promotion of Energy Efficiency (1992).
- M.E.A. Marketing and Consumer Information Award for medium sized Utility (1997) - "Home Energy Audit" program.

Committee: **London Hydro Board of Directors**

Organization/Sector represented: **Small Business Sector**

Name: **Lee Smithson**

Occupation: **CFDC General Manager/Franchise owner**

Work experience: **I have varied work experience including, Account director and Regional Sales management, Managing Director of The Stiller Centre and Western Research Park, Director of Life Sciences and Entrepreneurship with LEDC General Manager of Middlesex CFDC a federally funded small business support centre with a lending pool for rural entrepreneurs. I am also a small business owner of a FranNet Franchise for Southwestern ONtario**

Education: **I have a BSc in Cell Biology from Western and a number of Sales and management training certificates from a number of public and private training centres**

Skills: **I have a good understanding of financial and legale knowledge including accounting and limited tax as it pertains to small businesses; • I have a solid understanding of the core business and objectives of the Corporation; • I have experience in strategic planning, including human resource planning • My research park and Stiller Centre positions included considerations of corporate stewardship and risk management; • 15 plus year of B2B sales and small business ownership have provided plenty of experience in a competitive business environment; • As a customer both residential and business I am very aware of client needs of the business • I am actively engaged with local issues • I have a reputation for integrity and solid leadership in the city; • My time at LEDC and with the CFDC have provided me with the opportunity to connect to London industry and understand their needs and what drives them. I have also been involved in, supported or led numerous economic development activities including Foreign direct investment missions and local entrepreneur summits**

Interest reason: **I am looking for an opportunity to serve the community and bring my unique experience and skill sets to bear for the good of the city. I have lived and worked in London for more than 3 decades and would like to lever that experience back into London.**
Contributions: **I feel I can contribute as both business community member and as a client of London Hydro. I have a positive vision for London's future and can contribute to Strategic planning through measured discussion and risk mitigation actions to enable London Hydro have clear and decisive board direction.**

Past contributions: **I seerve on the Foundation board for Museum London, I was on the founding board for Emerging leaders, I served on the founding committee for innovation works, I serve as president of the London Chapter of Keiretsu Forum (an angel investing platform) and have enabled London companies over the years to raise more than \$100m for their companies through access to my network or investment professionals**

Interpersonal: **I have 15 years of sales and sales management experience and 12 years in a variety of senior management roles in very technical areas and in evaluating peoples business plans and investment requests. All of these experiences require one to respect the skills abilities and knowledge of others around the table. Not to do so would yeild less than ideal results.**

Interview interest: **Yes**

Committee: **London Hydro Board of Directors**

Organization/Sector represented: **N/A**

Name: **Steven Stefanko**

Occupation: **Currently retired.**

Work experience: **I was a Member and Vice Chair of the Ontario Municipal Board ("OMB") from 2005-2016, an Associate Lawyer and Partner with the law firm of Lerner LLP ("Lerner") from 1976-2005, the Chair of the Board of Directors of London Hydro ("LH") from 2000-2005 and a Commissioner with LH's predecessor, the Hydro Electric Commission of the City of London ("HEC") from 1998-2000.**

Education: **I have a B.A.(Economics) and an LL.B from Western University.**

Skills: **Prior experience with LH as Chair and my legal background, knowledge and experience at Lerner and the OMB.**

Interest reason: **It allows me the opportunity to again give back to a community which has been very generous to me over the years.**

Contributions: **Based on my legal knowledge and experience as well as my previous experience at LH, I believe I am able to identify, address and resolve the various issues, both legal and otherwise, which LH must deal with, on an ongoing basis.**

Past contributions: **As mentioned above I was the former Chair of the Board of Directors of LH and a Commissioner with HEC.**

Interpersonal: **My time as a Partner with Lerner, as a Member and Vice Chair of the OMB, as the Chair of LH and, my tenure as Chair of the Board of Directors of King's University College.**

Interview interest: **Yes**

Committee: **London Hydro Board of Directors**

Organization/Sector represented: **General Public**

Name: **Mary Helen Walsh**

Occupation: **Teacher**

Work experience: **I have been involved in many different areas in my life. I have been a business and cooperative education teacher for 20 years. I have also been involved in real estate and the set up of several small businesses as well as being a responsible homeowner and London resident.**

Education: **I graduated from Western University in 1981 and went into the insurance business. I returned part time to university and eventually graduated from Teacher's College in 1992.**

Skills: **I am very interested and involved in Environmental Issues. I have a lot of business experience and a tremendous amount of experience dealing with people of all ages.**

Interest reason: **I think I can make a difference to both London Hydro and its customers. I am a real life working person and have worked very hard to get where I am. I would like to be able to give back to the city I have lived in my entire life.**

Contributions: **I can contribute new, fresh ideas on how to improve service and motivate customers to lower consumption.**

Past contributions: **I have not been on a body like London Hydro, however I have been involved on many school committees, our neighbourhood association, Amabile choirs of London amongst others.**

Interpersonal: **I have lots of experience from the school perspective as well as the Amabile perspective. Listening to others and respecting their opinions is crucial to effective meetings.**

Interview interest: **Yes**

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	"Bullying Elimination Week"
Date Proclamation Required	May 23rd - 30th 2022
Proclamation Name	"Bullying Elimination Week"
Proclamation Type (day, week or month)	"Bullying Reduction Week"
Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations)	"Bullying Prevention/ Elimination Campaign"
Requester Name	Ryan Doyle
Requester Telephone Number	[REDACTED]
Requester Email Address	Ryanddo [REDACTED]
Requester Address	[REDACTED] Street, Oshawa Ontario Canada
Provide details of your Organization's Connection to London	Bullying takes place in London and in every other location in Canada which is why this proclamation is connected to London and the rest of Canada
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 <i>Ryan Doyle</i>	Date Monday, June 14th, 2021


NOTICE OF COLLECTION OF PERSONAL INFORMATION

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

Proclamation Request Form

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Request details

Name of Organization Caribbean Women's Society
Date Proclamation Required October 1 - 31, 2021
Proclamation Name October is Caribbean Heritage Month in Canada.
Proclamation Type (day, week or month) Month
Category (public awareness campaigns), (charitable fundraising campaigns), (arts and cultural celebrations) Cultural Celebrations
Requester Name Camille Kerr
Requester Telephone Number 416-671-7219
Requester Email Address info@ourchm.ca
Requester Address 4605 Charleston Sideroad, Caledon ON L7K 0S7
Provide details of your Organization's Connection to London We serve the residents of London who self-identify as 'Caribbean-Canadians'.
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 6/18/2021
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