

23RD REPORT OF THE
FINANCE AND ADMINISTRATION COMMITTEE

Meeting held on September 28, 2011, commencing at 10:03 AM, in the Council Chambers, Second Floor, London City Hall.

Committee Members: Mayor J.F. Fontana (Chair), Councillors J.P. Bryant, D.G. Henderson and P. Hubert and L. Rowe (Secretary).

Also Present: Councillors J.L. Baechler, M. Brown, J. Swan and H.L. Usher; J. A. Fielding, R. L. Fair, M. Hayward, P. McNally, J. P. Barber, G. Barrett, J. Braam, B. Campbell, J. Clark, I. Collins, A. Dunbar, J. M. Fleming, S. Galloway, E. Gamble, M. Henderson, G. T. Hopcroft, T. A. Johnson, C. Killen, J. Logan, J. Lucas, S. Maguire, J. Martin, V. McAlea Major, D. Munteer, J. Page, L. Palarchio, C. Parker, C. Saunders, J. Smout, J. Sura, M. Turner, B. Warner, A. Weeden, P. White and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

Councillor Hubert disclosed a pecuniary interest in clause C-3 of the Confidential Appendix to the 23rd Report of the Finance and Administration Committee having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; financial information supplied in confidence pertaining to the proposed disposition and/or acquisition of land, the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed disposition and/or acquisition of land that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition and/or acquisition of land by indicating that he has contracts with the owner of one of the sites.

II. SCHEDULED ITEMS

1. The Finance and Administration Committee (FAC) heard a verbal delegation and received the attached presentation from John Fleming, Director, Land Use Planning and City Planner, G. Barrett, Manager-Land Use Planning Policy and J. Yanchula, Manager-Community Planning and Urban Design regarding the Downtown Vision, including a summary of the Downtown Summit. The FAC requested that the presentation be made before the Committee of the Whole at its meeting on October 4, 2011.

III. CONSENT ITEMS

2. City Treasurer, Chief Financial Officer and Managing Director-Corporate Assets - Request for Review of Tricar Group Parking Proposal

Recommendation: That the Civic Administration **BE DIRECTED** to proceed to the next phase of negotiations concerning the draft proposal submitted by the Tricar Group for the lease of a parking garage at King Street and Ridout Street; it being noted that the Finance and Administration Committee also received the attached communications from J. MacDonald, Executive Director, Downtown

London and R. T. Usher, Chair, London Downtown Business Association and J. Carapella, President, The Tricar Group regarding this matter. (2011-S04-00)

3. City Treasurer, Chief Financial Officer - Foreign Sub-Contractors

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, the September 28, 2011 report entitled "Foreign Sub-Contractors" **BE RECEIVED** for information. (2011-03-00)

4. Chief Administrative Officer - Business Enterprise Centre and Centre for Commercialization of Digital Interactive Game Technology

Recommendation: That, on the recommendation of the Chief Administrative Officer, the following actions be taken with respect to the proposed Business Enterprise Centre and Centre for Commercialization of Digital Interactive Game Technology:

- (a) the concept, as detailed in the report of the Chief Administrative Officer, dated September 28, 2011, **BE ENDORSED** in principle; and
- (b) the Civic Administration **BE DIRECTED** to enter into discussions with the proposed partner organizations to develop a formal business case for the Municipal Council's consideration as a part of the broader Service London implementation strategy. (2011-M07-00)

5. Chief Administrative Officer - Service London

Recommendation: That, on the recommendation of the Chief Administrative Officer, further to the discussion of the Service Review Committee at its meeting on August 31, 2011, the Service London initiative **BE IDENTIFIED** as a Council priority and that \$2.1 million from the Efficiency, Effectiveness and Economy Reserve **BE COMMITTED** as a source of financing subject to the submission and approval of a three-year implementation plan. (2011-M07-00)

6. Chief Human Resources Officer - Report on the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of June 30, 2011

Recommendation: That, on the recommendation of the Chief Human Resources Officer, the September 28, 2011 report regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of June 30, 2011 **BE RECEIVED** for information. (2011-M10-00)

7. City Clerk - Amendments to Civic Administration By-law A-39

Recommendation: That, on the recommendation of the City Clerk, the revised attached proposed by-law (Appendix "A") to amend By-law No. A-39, as amended entitled "A By-law respecting the Civic Administration" to change the titles of Chief Administrative Officer and Deputy Chief Administrative Officer to City Manager and Deputy City Manager, respectively **BE INTRODUCED** at the Municipal Council meeting on October 3, 2011. (2011-D05-00)

8. Managing Director-Corporate Assets; City Treasurer, Chief Financial Officer; Director of Water and City Engineer; and Chief Technology Officer - Request for Proposals for Consultant Support - Corporate Asset Management

Recommendation: That, on the recommendation of the Managing Director - Corporate Assets, City Treasurer, Chief Financial Officer, the Director of Water and City Engineer, and the Chief Technology Officer, the following actions be taken regarding Corporate Asset Management:

- (a) the September 28, 2011 status report, and the Draft Scope of Work appended thereto, for Corporate Asset Management implementation and the systemization of Tangible Capital Assets reporting processes **BE RECEIVED** for information; and

- (b) an initial 2011 Capital Budget of \$150,000 **BE ESTABLISHED** from the Operating Budget Contingency Reserve to undertake a Request For Proposal (RFP) to engage a consultant to initiate the first two Units of the Corporate Asset Management program; it being noted that the funding for the remaining Units will be requested through the Business Plan and 2012 Capital Budget process as required;

it being also noted that Corporate Asset Management is an integrated set of processes to minimize the lifecycle costs of owning, operating and maintaining assets, at an acceptable level of risk, while continuing to deliver established levels of service. (2011-F18-00)

9. Director of Intergovernmental and Community Liaison - 2011 Ontario Provincial Election Candidate Questionnaire

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the September 28, 2011 report regarding the 2011 Ontario Provincial Election Candidate Questionnaire **BE RECEIVED** for information. (2011-G08-00)

10. Director of Intergovernmental and Community Liaison - Update on Trade Agreements

Recommendation: That the following actions be taken with respect to Trade Agreements:

- (a) on the recommendation of the Director of Intergovernmental and Community Liaison, the September 28, 2011 report on Trade Agreements **BE RECEIVED** for information;
- (b) the attached communication from George Crowell, Economic and Trade Committee Chair, London Chapter of the Council of Canadians, regarding Trade Agreements **BE REFERRED** to the Director of Intergovernmental and Community Liaison for review and report back at the Special Meeting of the Finance and Administration Committee being held on October 3, 2011 as to appropriate actions to be taken in response to the communication; it being noted that the Finance and Administration Committee heard a verbal delegation from Mr. Crowell with respect to this matter. (2011-M16-00)

11. Executive Director, Planning, Environmental and Engineering Services - 2011 United Way Campaign

Recommendation: That the September 28, 2011 report regarding the initiative supported by the Senior Management Team (SMT) and the Fire management team, wherein a total of 15 personal vacation days have been donated by management staff for prize purposes as a fundraiser for the City of London's United Way Campaign, **BE RECEIVED** for information. (2011-M09-00)

12. Executive Director, Planning, Environmental & Engineering Services - Downtown Parking Lots

Recommendation: That, on the recommendation of the Executive Director – Planning, Environmental & Engineering Services, the September 28, 2011 report regarding Downtown Parking Lots **BE RECEIVED** for information. (2011-S04-00)

IV. ITEMS FOR DIRECTION

13. Deputy City Clerk - Municipal Council resolution adopted at its meeting held on August 29 and 30, 2011 with respect to Residual Local Government Funding Arising from the Recent Governance Restructuring

Recommendation: That the Mayor's Office **BE ALLOCATED** one-time funding in the amount of \$30,000 from the residual Local Government funding arising from the recent governance restructuring, subject to the submission of full details at the Municipal Council meeting of October 3, 2011, as to how those monies will be spent.

14. D. Vandenberg, email - Transfer Fee with respect to the Property Tax Roll

Recommendation: That the communication dated September 12, 2011, from D. Vandenberg, with respect to the fee charged by the City of London for changes to the tax roll arising from property transfers, **BE REFERRED** to the Civic Administration for response to Mr. Vandenberg. (2011-F17-00)

15. George Crowell, Economic and Trade Committee Chair, London Chapter of the Council of Canadians re Update on Trade Agreements

Recommendation: See clause #10.

16. City Clerk – REVISED BY-LAW – Amendments to Civic Administration By-law A-39

Recommendation: See clause #7.

17. Director of Intergovernmental and Community Liaison – 2011 Ontario Provincial Election Candidate Questionnaire Added Report

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the attached added report regarding the 2011 Ontario Provincial Election Candidate Questionnaire **BE RECEIVED** for information.

18. J. MacDonald, Executive Director, Downtown London and R. T. Usher, Chair, London Downtown Business Association – Downtown Parking Lots; and J. Carapella, President, The Tricar Group – Downtown Parking Lots

Recommendation: See clause #2.

19. Options for City Hall

The Finance and Administration Committee (FAC) heard a verbal delegation from the Managing Director, Corporate Assets and received the attached presentation from J. Amoils, Managing Director, Real Estate Management Consulting Services, with respect to options for City Hall. The FAC also heard a presentation and received the attached communication from A. Chakma, President and Vice Chancellor, the University of Western Ontario (UWO), with respect to UWO's interest in a future presence in Downtown London. The FAC requested that Ms. Amoil's presentation be made before the Committee of the Whole at its meeting on October 4, 2011 and that additional information be provided to assist the Municipal Council in better understanding the current analyses relating to options for City Hall.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None

VI. CONFIDENTIAL

(See Confidential Appendix to the 23rd Report of the Finance and Administration Committee enclosed for Members only.)

The Finance and Administration Committee convened in camera from 1:17 p.m. to 2:47 p.m., after having passed a motion to do so, with respect to the following matters:

- C-1 A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; financial information supplied in confidence pertaining to the proposed disposition and/or acquisition of land, the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is

in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed disposition and/or acquisition of land that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition and/or acquisition of land.

- C-2 A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.
- C-3 A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed or pending acquisition or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition or disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition or disposition.
- C-4 A matter pertaining to a proposed or pending acquisition of land by the municipality related to the proposed Business Enterprise Centre/Centre for Commercialization of Digital Interactive Game Technology.

C-5 A matter pertaining to litigation commenced by Zerin Development Corporation in the Ontario Superior Court of Justice bearing Court File No. 07-CV346265PD3 in respect of lands municipally located at 303 Commissioners Road West; advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding litigation commenced by Zerin Development Corporation in the Ontario Superior Court of Justice bearing Court File No. 07-CV346265PD3 in respect of lands municipally located at 303 Commissioners Road West; and for the purpose of giving directions to employees of the municipality.

VII. ADJOURNMENT

The meeting adjourned at 3:09 p.m.