

24TH REPORT OF THE
CORPORATE SERVICES COMMITTEE

Meeting held on October 20, 2015, commencing at 12:00 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Deputy Mayor M. Cassidy (Chair) and Councillors A. Hopkins, J. Morgan, H.L. Usher and J. Zaifman and C. Saunders (Acting Secretary).

ALSO PRESENT: Councillors J. Helmer, P. Squire and M. van Holst; A. Zuidema, J. Barber, A. Barbon, J. Braam, M. Daley, J. Devito, A. Dunbar, J. Fleming, J. Freeman, P. Gardner, K. Graham, M. Hayward, P. Kokkoros, S. Mathers, V. McAlea Major, D. Munteer, L. Palarchio, M. Ruddy, S. Spring, T. Thompson, B. Warner, T. Wellhauser and B. Westlake-Power.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Helmer disclosed a pecuniary interest in clause 7 of this Report, having to do with the Province's review of the Municipal Act, 2001 and the Municipal Conflict of Interest Act, in so far as discussions arise regarding the City providing public notice via Canada Post, by indicating that his spouse is employed by Canada Post.

II. CONSENT ITEMS

2. Normal School Renovations - Capital Budget Update Project #GG1558

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken:

- a) the existing construction contract with Tonda Construction Limited BE INCREASED by \$1,842,918.29 to an upset limit of \$8,038,875.29, excluding HST, in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the existing contract with The Ventin Group Ltd. (+VG Architects) BE INCREASED by \$113,186.25 to an upset limit of \$577,186.25, excluding HST, in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated October 20, 2015 as Appendix "A"; and
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with the project;

it being noted that the Corporate Services Committee received the attached presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with respect to this matter.

Motion Passed

Voting Record:

Motion to defer discussion to later in the meeting, in order to receive advice from the City Solicitor in closed session prior to consideration of a decision regarding this matter.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

Motion to adopt the staff recommendation.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

3. Ranked Balloting Process

That, on the recommendation of the City Clerk, the following actions be taken with respect to ranked balloting:

- a) the proposed by-law, as appended to the staff report dated October 20, 2015 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2015, to update Council Policy 5(1) – Appointment of Deputy Mayors, to provide for the use of a ranked voting process with respect to the selection and appointment of the Deputy Mayor selected by the Municipal Council;
- b) the proposed process, attached as the revised Appendix "B" for the appointment of the Deputy Mayor selected by the Municipal Council BE APPROVED;
- c) the proposed by-law, as appended to the staff report dated October 20, 2015 as Appendix "C" BE INTRODUCED at the Municipal Council meeting on October 27, 2015, to repeal and replace Council Policy 5(34) – Appointment of Council Members to Standing Committees of Council, Audit Committee, and Various Civic Boards and Commissions to provide for the use of a ranked voting process for appointments of Council Members to Standing Committees of Council, Audit Committee, and various civic boards and commissions and to reflect the current Standing Committee structure; and
- d) the proposed process, attached as the revised Appendix "D" for the appointment of Council Members to Standing Committees of Council, Audit Committee, and various civic boards and commissions BE APPROVED;

it being noted that the Civic Administration is currently in the process of exploring various technologies that are available to support a ranked balloting process.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

4. Request for Proposal 15-02 Telecommunications Fibre and Cable Installation and Repair Vendor of Record

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken:

- a) the proposal submission submitted by NetCheck Corporation, 185 Exeter Road, Unit C, London, Ontario N6L 1A4 for Telecommunications Fibre and Cable Installation and Repair at their submitted rates with an estimated annual expenditure of \$125,000.00, HST extra, for a five (5) year period, BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this contract; and
- c) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract relating to the subject matter of this approval.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

5. SS15-40 Single Source for the Computer Equipment Leasing Services

That, on the recommendation of the Managing Director, Corporate Services, City Treasurer & Chief Financial Officer the following action be taken with respect to the Computer Equipment Leasing Services:

- a) approval hereby BE GIVEN to enter into a new six (6) month Single Source contract at a cost of approximately \$900,000.00 for the Computer Equipment Leasing Services from Hewlett-Packard Financial Services. PO Box 4090, Station A, Toronto, ON, M5W 0E9;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Hewlett-Packard Financial Services to the satisfaction of both the City Treasurer and the Director, Information Technology Services; and,
- d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

6. Approval to Demolish - City-Owned Property - 6 Oxford Street East, 51 Wharncliffe Road South, 5067 Cook Road and 3290 Manning Drive

That, on the recommendation of the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Manager of Realty Services, the following action be taken with respect to the City-owned properties at 6 Oxford Street East, 51 Wharncliffe Road South, 5067 Cook Road and 3290 Manning Drive, as shown on Schedule "A", as appended to the staff report dated October 20, 2015:

- a) the subject properties BE APPROVED for demolition; and
- b) the Civic Administration BE DIRECTED to take all necessary steps to demolish the buildings, including completing a request for quotation for work to be completed, obtaining a demolition permit, and any other activities to facilitate demolition of the improvements on the sites detailed in the report.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

III. SCHEDULED ITEMS

None.

IV. ITEMS FOR DIRECTION

None.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

7. ADDED - Provincial Review of the Municipal Act, 2001 and the Municipal Conflict of Interest Act, 2009

That, the submission to the province related to the review of the Municipal Act 2001 and the Municipal Conflict of Interest Act, as previously provided to the Corporate Services Committee (CSC), be amended to approve the following additional consideration:

“b) iv) consideration of expanding the sanctions available to municipal councils and courts of law to better address situations involving misconduct of members of council;”

it being noted that the CSC received an information report from the City Clerk, dated October 20, 2015, with respect to this matter;

it being further noted that the submission to the province, as amended, reads as follows:

“That, on the recommendation of the Director of Community and Economic Innovation, the following actions be taken with respect to the provincial review of the Municipal Act, 2001 and the Municipal Conflict of Interest Act:

- a) the submission from the Association of Municipalities of Ontario (AMO), appended to the staff report dated October 6, 2015 as Appendix 1, BE ENDORSED;
- b) the additional comments by the City of London, appended to the staff report dated October 6, 2015 as Appendix 2, BE APPROVED for submission to the Province of Ontario subject to the following amendments:
 - i) exclusion of the section on community councils;
 - ii) inclusion of the previous position of Council regarding the regulations pertaining to local improvements;
 - iii) inclusion of clarification that notice provisions should have greater flexibility in order to enable a municipality to determine the most effective means of reaching out to engage and inform the community; and
 - iv) consideration of expanding the sanctions available to municipal councils and courts of law to better address situations involving misconduct of members of council;
- c) the City of London comments BE FORWARDED to local Members of the Legislative Assembly of Ontario.

Motion Passed

YEAS: M. Cassidy, A. Hopkins, J. Morgan, H.L. Usher, J. Zaifman (5)

VI. CONFIDENTIAL (Confidential Appendix enclosed for Members only.)

The Corporate Services Committee convened in camera from 12:04 PM to 12:27 PM and from 2:15 PM to 3:04 PM after having passed motions 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 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-2. A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a lease amendment; 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 lease amendment; commercial and financial information supplied in confidence pertaining to the proposed lease amendment, 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 lease amendment whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed lease amendment 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 lease amendment.
- C-3. A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a lease amendment; 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 lease amendment; commercial and financial information supplied in confidence pertaining to the proposed lease amendment, 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 lease amendment whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed lease amendment 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 lease amendment.
- C-4. ADDED - A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning employee negotiations; personal matters about an identifiable individual, including municipal employees including former employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; advice that is subject to solicitor-client privilege and communications necessary for that purpose.
- C-5. ADDED - A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, relating to contracts concerning Normal School renovations.

VII. ADJOURNMENT

The meeting adjourned at 3:07 PM.