

2ND REPORT OF THE
CIVIC WORKS COMMITTEE

Meeting held on January 5, 2016, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor J. Helmer (Chair), Councillors M. Cassidy, A. Hopkins, J. Morgan and M. van Holst and J. Martin (Secretary).

ALSO PRESENT: Councillors T. Park, V. Ridley, P. Squire, H. L. Usher and J. Zaifman; J. Braam, A. Drost, A. Dunbar, N. Hall, G. Irwin, S. Koshowski, G. Kotsifas, J. Lucas, D. MacRae, S. Maguire, M. Ribera, L. Rowe, J. Simon, J. Smout, E. Soldo, J. Stanford and A. Vandervoort.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor A. Hopkins declared a pecuniary interest in clause 3 of this Report, having to do with an update on the utilization of local improvement charges for energy and water efficiency improvements, by indicating that her husband is employed as a Home Comfort Advisor for a London HVAC company.

II. CONSENT ITEMS

2. Red Light Camera Program Implementation

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Red Light Camera Program Implementation:

- a) Traffipax LLC BE AWARDED the contract for the provision of red light cameras, associated equipment, maintenance and data transfer services for the period 2017-2021, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the City of London and other participating red light camera municipalities in accordance with Section 14.4 (g) of the Procurement of Goods and Services Policy, noting that there is an option to extend the contract at the discretion of the City of London for an additional five years (January 1, 2022 to December 31, 2026);
- b) the Civic Administration BE AUTHORIZED to enter into an agreement with the City of Toronto to undertake centralized municipal processing of red light camera offence notices;
- c) the Civic Administration BE AUTHORIZED to enter into agreements with the Ministry of the Attorney General and the Ministry of Transportation related to the operation of a Red Light Camera Program;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;
- g) the Civic Administration BE DIRECTED to create a reserve fund from the net revenue from the Red Light Camera Program to be used for future road safety initiatives and to fund future Red Light Camera Program revenue shortfalls, if necessary;

- h) the attached presentation from E. Soldo, Director Roads and Transportation BE RECEIVED; and,
- i) the communication dated January 4, 2016, from A. Penney and J. Edwards, London Middlesex Road Safety Committee, with respect to this matter, BE RECEIVED;

it being noted that potential changes to the Provincial Offences Act court system may result in decreased violation revenue, which is not included in the 2016 – 2019 Budget. (2015-T08)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan (4)

NAYS: M. van Holst (1)

- 3. Update: Local Improvement Charges for Energy and Water Efficiency Improvements

That, on the recommendation of the Director of Environment, Fleet and Solid Waste, the following actions be taken with respect to the use of local improvement charges for energy and water efficiency improvements:

- a) the staff report dated January 5, 2016, BE RECEIVED for information; and,
- b) the staff report dated January 5, 2016, BE FORWARDED to the Advisory Committee on the Environment (ACE) for information and discussion. (2015-D24)

Motion Passed

YEAS: J. Helmer, M. Cassidy, J. Morgan, M. van Holst (4)

RECUSED: A. Hopkins (1)

- 4. Response Plan for Frozen Water Services

That, on the recommendation of the Director, Water and Wastewater, the staff report dated January 5, 2016, with respect to the City of London's response plan for frozen water services, BE RECEIVED for information. (2015-E08)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

- 5. Adelaide Street/Canadian Pacific Railway Grade Separation Environmental Assessment - Appointment of Consulting Engineer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Adelaide Street/Canadian Pacific Railway (CPR) Grade Separation project:

- a) MMM Group Limited BE APPOINTED Consulting Engineers to complete the Environmental Assessment (EA) for the said project in the amount of \$375,078.00, excluding H.S.T., in accordance with Section 15.2 (d) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated January 5, 2016, as Appendix A;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;

- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail-related agreements, if required, to give effect to these recommendations. (2015-A05)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

6. Western Road/Wharnccliffe Road North Widening Appointment of Consulting Engineer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Western Road/Wharnccliffe Road North Widening:

- a) AECOM Canada Ltd. BE APPOINTED Consulting Engineers for the detailed design and tendering of the project, in the amount of \$737,044.00, excluding H.S.T., in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated January 5, 2016, as Appendix A;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail-related agreements, if required, to give effect to these recommendations. (2015-A05)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

7. Appeal of Certain Amendments to the Greenway WWTP Environmental Compliance Approval

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to take such steps, including retaining such external expert advice as may be necessary, to appeal Condition 10 of the Amended ECA No. 8081-9Z4H48, issued by the MOECC on October 20, 2015, to the Environmental Review Tribunal.(2015-E02)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

8. Overnight Parking Update

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official and the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to report back to the Civic Works Committee during the first quarter of 2016, with respect to overnight permit options, for its consideration. (2015-T02)

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

III. SCHEDULED ITEMS

9. Proposed Street Encroachment Policy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the implementation of a Street Encroachment Policy:

- a) the proposed by-law appended to the staff report dated January 5, 2016, as Appendix 'A', BE INTRODUCED at the Municipal Council meeting to be held on January 12, 2016, to implement a Street Encroachment Policy which outlines the application, approval and termination processes regarding encroachments onto municipal streets and road allowances;
- b) the proposed by-law appended to the staff report dated January 5, 2016 as Appendix 'B', BE INTRODUCED at the Municipal Council meeting to be held on January 12, 2016, to amend By-law No. A-49, being "A by-law to provide for Various Fees and Charges" in order to update the street encroachment agreement application fees and rental charges to reflect actual costs; and,
- c) the communication dated January 4, 2016 from M. Temme BE RECEIVED;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions in connection with this matter. (2015-D16)

Voting Record:

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

Motion to Open the Public Participation Meeting.

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

Motion to Close the Public Participation Meeting.

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

IV. ITEMS FOR DIRECTION

10. 1st Report of the Transportation Advisory Committee

That the following actions be taken with respect to the 1st Report of the Transportation Advisory Committee (TAC) from its meeting held on December 1, 2015:

- a) the following actions be taken with respect to the Report dated December 1, 2015, from the Director, Roads and Transportation, related to an update on the Red Light Camera Program:
 - i) the Civic Administration BE ADVISED that the Transportation Advisory Committee (TAC) expressed its support of the red light camera initiative; and,
 - ii) the Civic Administration BE REQUESTED to consider the above-noted initiative to target revenue neutrality for budgetary purposes;

- b) the revised attached 2016 Work Plan for the Transportation Advisory Committee BE APPROVED; and,
- c) clauses 1 to 3 and 6 to 7, BE RECIEVED.

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

11. Deferred Matters List

That the Civic Works Committee Deferred Matters List, as at December 8, 2015, BE RECEIVED.

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

12. (Added) Request for Delegation

That consideration of the attached request for delegation status BE DEFERRED to the next meeting of the Civic Works Committee to allow staff sufficient time to attempt to resolve this matter in the intervening period.

Motion Passed

YEAS: J. Helmer, M. Cassidy, A. Hopkins, J. Morgan, M. van Holst (5)

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

The Civic Works Committee convened in camera from 4:47 PM to 4:58 PM and again from 6:19 PM to 6:27 PM after having passed motions to do so, with respect to the following matters:

- C-1 A matter pertaining to litigation or potential litigation with respect to an appeal by the Corporation to the Environmental Review Tribunal arising out of certain conditions of Amended Environmental Compliance Approval for the Greenway Wastewater Treatment Plant; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to an appeal by the Corporation to the Environmental Review Tribunal arising out of certain conditions of Amended Environmental Compliance Approval for Greenway Wastewater Treatment Plant.
- C-2 A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose as it relates to the potential implementation of a Red Light Camera Program.

VII. ADJOURNMENT

The meeting adjourned at 8:35 PM.