

**7TH REPORT OF THE**  
**FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

Meeting held on February 27, 2012, commencing at 1:03 PM, in Committee Room No. 3, Second Floor, London City Hall.

**PRESENT:** Mayor J.F. Fontana (Chair), Councillors J.L. Baechler, N. Branscombe, D. Brown and P. Hubert and L. Rowe (Secretary).

**ALSO PRESENT:** Councillors D.G. Henderson, S. Orser and B. Polhill; R.L. Fair, M. Hayward, J.P. Barber, B. Campbell, J.M. Fleming, E. Gamble, B. George, G.T. Hopcroft, T.A. Johnson, S. Matthews, V. McAlea Major, S. Miller, D. Munteer, D. O'Brien, C. Resendes, C. Saunders, S. Swance, M. Turner, B. Warner and J. Winston.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. No pecuniary interests were disclosed.

**II. CONSENT ITEMS**

2. *Public Sector Salary Disclosure Act* Detailed Report for Calendar Year 2011

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, the report dated February 27, 2012 regarding 2011 salaries, as required by the *Public Sector Salary Disclosure Act*, **BE RECEIVED** for information. (2012-H05-00)

3. Statement of Remuneration and Expenses - Elected and Appointed Officials

Recommendation: That the following actions be taken with respect to the Statement of Remuneration and Expenses for Elected and Appointed Officials:

- a) on the recommendation of the City Treasurer, Chief Financial Officer, in accordance with Section 284 of the *Municipal Act, 2001* the 2011 Statement of Remuneration and Expenses for Elected and Appointed Officials **BE RECEIVED** for information;
- b) on the recommendation of the City Treasurer, Chief Financial Officer, in accordance with the Council Travel and Expenses Policy, the 2011 Statement of Travel Expenses for senior administrative staff **BE RECEIVED** for information;
- c) the Mayor **BE REQUESTED** to report back at the next meeting of the Finance and Administrative Services Committee with a detailed report on 2011 expenditures pertaining to the Mayor's Office; and
- d) the Mayor **BE REQUESTED** to provide annual reports detailing the Mayor's Office's annual expenditures. (2012-G06-00)

4. Historical Restoration for Eldon House - Project No. Z08-PD2324-11 - Tender No. 12-15

Recommendation: That, on the recommendation of the Director of Planning and the Managing Director – Corporate Assets, the following actions be taken with respect to historical restoration of Eldon House:

- a) the bid submitted by SDI Builders 2010 Ltd., 224 Riverside Drive, London, Ontario N6H 1E6 at its tendered price of \$149,900.00 (HST excluded) for the historical restoration of Eldon House **BE ACCEPTED**; it being pointed out that the bid submitted by SDI Builders 2010 Ltd. was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase **BE APPROVED** as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;

- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2012-D13-00)

#### 5. Advisory Committee Review

Recommendation: That the following actions be taken with respect to Advisory Committees:

- a) the revised attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on March 20, 2012 to amend various Council policies related to advisory committees, in order to reflect policy changes approved by the Municipal Council as a result of the recent review of Advisory Committees, to incorporate all policies related to advisory committees into one comprehensive policy, and to include in Section 24, Subsection 1(a) of the proposed draft policy, reference to not only the Ontario Human Rights Code and City of London policies, but also any other applicable related statutes;
- b) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting on March 20, 2012 to amend Council Policy 5(9) entitled "Process for Seeking Applications for Committee Appointments and the Handling of Those Applications" to reflect current practices; and
- c) the terms of reference for the Municipal Council's advisory committees **BE APPROVED** as detailed in the revised attached Appendix "C" which reflects the separation of the Environmental and Ecological Planning Advisory Committee and the Agricultural Advisory Committee, as requested by the Finance and Administrative Services Committee. (2012-G02-00)

#### 6. Employee Absenteeism

Recommendation: That, on the recommendation of the Chief Human Resources Officer, the update report dated February 27, 2012 with respect to employee absenteeism **BE RECEIVED** for information. (2012-H02-00)

#### 7. Agreement of Purchase and Sale Between the City and Dancor Forest City Inc. for the Purchase of Parts 4 and 6, Plan 33R-15731 - Forest City Industrial Park

Recommendation: That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, the following actions be taken with respect to the request from Dancor Forest City Inc. to amend the Agreement of Purchase and Sale dated November 18, 2011 with respect to Parts 4 and 5, Plan 33R15731-Forest City Industrial Park:

- a) the Agreement of Purchase and Sale **BE AMENDED** to provide for the creation of 2 parcels of land (a 6 acre parcel and a 2 acre parcel as shown on the attached diagram, Schedule A), subject to the following conditions:
  - i) the Purchaser being responsible for all costs associated with providing services to the 2 acre parcel to the satisfaction of the City;
  - ii) the Purchaser preparing and depositing, at its expense, a reference plan showing the proposed parcels of land and any necessary servicing easements, to the satisfaction of the City Engineer; and
- b) the City's Disposal of Industrial Land Procedures **BE AMENDED** with respect to the 2 acre parcel to allow the Purchaser 3 years from the completion date of the transaction to commence construction, whereas the Procedures require construction to commence within 1 year;

it being noted that the purchase price will be allocated between the 2 parcels of land on the price per acre basis contained in the Agreement of Purchase and Sale. (2012-L15-01)

8. Argyle Arena Life Cycle Renewal Upgrades - Project No. PRK053-RC2201-12 - Tender No. 12-003

Recommendation: That, on the recommendation of the Managing Director – Corporate Assets, the following actions be taken with respect to the Agreement of Purchase and Sale between the City and Dancor Forest City Inc.:

- a) the bid submitted by Bronnenco Construction Ltd., 5625 Egremont Drive, RR#1, Ilderton Ontario, N0M 2A0 at its tendered price of \$942,000 (HST excluded) for the Argyle Arena Life Cycle Renewal Upgrades **BE ACCEPTED**; it being pointed out that the bid submitted by Bronnenco Construction Ltd. was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase **BE APPROVED** as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2012-A09-01)

9. Tender 12-26 - Electrical Services

Recommendation: That, on the recommendation of the Managing Director - Corporate Assets, the following actions be taken with respect to Tender 12-26:

- a) the bid submitted by Wilson & Associates, 453 Springbank Drive, London, Ontario N6J 1H3 for Electrical Services at various City facilities at their tendered hourly rates, **BE ACCEPTED** as follows:

Normal Working Hours

Master Electrician	\$ 40.00/hour
Electrician/Journeyman	\$ 40.00/hour
Apprentice	\$ 20.00/hour

Outside Normal Working Hours / Sunday / Holidays

Master Electrician	\$ 60.00/hour
Electrician/Journeyman	\$ 60.00/hour
Apprentice	\$ 30.00/hour

- b) the Civic Administration **BE AUTHORIZED** to undertake all of the administrative acts that are necessary in connection with this contract; and
- c) the approval hereby given **BE CONDITIONAL** upon the Corporation entering into formal contract or issuing purchase orders or contract record relating to the subject of this approval. (2012-F13-00)

10. Addition to No. 6 Fire Station - Project No. FO06-PP1176-11

Recommendation: That, on the recommendation of the Managing Director - Corporate Assets and the Fire Chief, the following actions be taken with respect to the addition to No. 6 Fire Station:

- a) the bid submitted by 668950 Ont. Inc. o/a Mycon Construction Ltd., 1615 N. Routledge Park #9, London Ontario, N6H 5L6 at its tendered price of \$487,750 (HST excluded) for the addition to No. 6 Fire Station **BE ACCEPTED**; it being pointed out that the bid submitted by 668950 Ont. Inc. o/a Mycon Construction Ltd., was the lowest bid received and meets

the City's specifications and requirements in all areas;

- b) the financing for this purchase **BE APPROVED** as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;
  - c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts which are necessary in connection with this project; and
  - d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2012-09-00)
11. Agreement with the Province of Ontario to Enhance the Marketing of the London and Middlesex Immigration Portal

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the attached proposed by-Law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of March 20, 2012 to:

- a) approve the agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain Provincial funding of \$11,899 to enhance the marketing of the London and Middlesex Immigration Portal; and
- b) authorize the Mayor and the City Clerk to execute the Agreement in a) above. (2012-C14-00)

12. Southwest Economic Alliance (SWEA)

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to the Southwest Economic Alliance (SWEA):

- a) the following individuals **BE APPOINTED** as the voting representatives of the City of London at the Annual General Meeting of the SWEA to be held in Stratford, June 13-14, 2012;
  - Joe Fontana, Mayor, City of London
  - Peter White, President and CEO, London Economic Development Corporation
  - Anne Marie DeCicco-Best, Government and Community Relations Advisor, Fanshawe College
  - Pam Waeland, Manager, Government Relations, 3M Company Canada
  - Tim Dobbie, Interim City Manager, or Designate, City of London
- b) the Civic Administration **BE AUTHORIZED** to continue paying the annual membership fee to SWEA; it being noted that the fee for 2012 is \$10,000 plus HST, with the cost to the corporation being offset by contributions of \$2,000 each from the London Economic Development Corporation and Fanshawe College; and
- c) the President of SWEA **BE INVITED** to a future meeting of the Finance and Administrative Services Committee to provide an update on the activities of SWEA. (2012-M16-00)

13. Desk Phone Communications Services Single Source

Recommendation: That, on the recommendation of the Chief Technology Officer with the concurrence of the City Manager, the following actions be taken with respect to the provisioning of telephone communications services for The Corporation of the City of London (City) and the London Public Library (Library):

- a) the proposal submitted by Telus Communications Inc., 148 Fullarton Street, London, ON N6A 5P3 for a one-time buy out of our existing contract at their proposed price of \$126,047 for City equipment and

\$13,219 for Library equipment (HST extra) **BE ACCEPTED**;

- b) the Civic Administration **BE AUTHORIZED** to undertake all the necessary administrative acts that are necessary in connection with this matter; and
- c) 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. (2012-F13-00)

### III. SCHEDULED ITEMS

- 14. Oliver Hobson, 45 Evergreen Avenue - Resubmitting - Indemnification and Defence of Members of Council Against Liability Incurred While Acting on Behalf of the Municipality

Recommendation: That the following actions be taken with respect to the indemnification of Council Members:

- a) the City Solicitor **BE REQUESTED** to review the indemnification provisions of other municipalities and report back at a future meeting of the Finance and Administrative Services Committee (FASC) with proposed changes to the City of London's Indemnification By-law for Council Members with a view to developing a by-law which speaks to adverse versus non-adverse behavior; and
- b) the communication dated January 19, 2012 from O. Hobson, 45 Evergreen Avenue, London **BE REFERRED** to the City Solicitor for consideration as part of his review of indemnification provisions;

it being noted that the FASC heard a verbal delegation from O. Hobson with respect to this matter.

- 15. Apportionment of Taxes

Recommendation: That the recommendation of the Deputy City Treasurer, with respect to the taxes on the blocks of land described in the attached Schedules, **BE REFERRED** back to the Civic Administration for a report back prior to the Municipal Council meeting on March 20, 2012, with further details regarding the basis for the tax apportionment as indicated on the Schedules pursuant to Section 356 of the *Municipal Act, 2001*; it being noted that at the public hearing associated with these matters there were no members of the public in attendance to speak to these matters before the Finance and Administrative Services Committee. (2012-F16-00)

- 16. Tax Adjustment Agenda

Recommendation: That the recommendations in the Tax Adjustment Agenda dated February 27, 2012 **BE APPROVED**; it being noted that at the public hearing associated with these matters there were no members of the public in attendance to speak to these matters before the Finance and Administrative Services Committee.

### IV. ITEMS FOR DIRECTION

- 17. Request for Designation of International Food Festival as a Municipally Significant Event

Recommendation: That the International Food Festival to be held June 22-24, 2012 in Victoria Park **BE DESIGNATED** a Municipally Significant Event in the City of London. (2012-M09-00)

- 18. Request for Designation of London Rib Fest as a Municipally Significant Event

Recommendation: That the London Rib Fest to be held August 2 – 6, 2012 in Victoria Park **BE DESIGNATED** a Municipally Significant Event in the City of London. (2012-M09-00)

19. Sound and Light Show - World Figure Skating Championships

Recommendation: That the following actions be taken with respect to the Sound and Light Show for the World Figure Skating Championships:

- a) the City of London maximum contribution to this project **BE REDUCED** by \$150,000 to \$450,000 (excluding HST); it being noted that Tourism London, through the application of \$100,000 from its Special Initiatives Reserve Fund (approved by the Tourism London Board Executive and pending full Board approval March 20, 2012) and a \$50,000 re-allocation of its overall operating budget, will commit to a financial contribution of \$150,000 (excluding HST), to fulfill the requisite financial requirements in order to stage the Sound and Light Show; and
- b) Tourism London **BE REQUESTED** to press forward with the organization of a sponsorship committee in an attempt to raise \$200,000 through third party financial contributors, to offset the City's maximum contribution, in accordance with the attached sponsorship package and work plan.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

20. 2011 London Convention Centre Operating Surplus

Recommendation: That, on the recommendation of the London Convention Centre (LCC) Board of Directors, the LCC 2011 Operating Surplus in the amount of \$315,731 **BE TRANSFERRED** to the LCC Capital Reserves as follows:

- a) 25% (\$78,933) to the LCC Special Projects Reserve, held by the LCC; and
- b) 75% (\$236,798) to the LCC Capital Reserve, held by the City of London;

it being noted that the Finance and Administrative Services Committee received a verbal overview with respect to this matter from L. Da Silva, General Manager, LCC. (2012-F05-00)

**VI. CONFIDENTIAL**

*(See Confidential Appendix to the 7th Report of the Finance and Administrative Services Committee enclosed for Members only.)*

The Finance and Administrative Services Committee convened in camera from 3:00 PM to 3:02 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to personal matters, including information regarding identifiable individual(s), including municipal employees, with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose.

**VII. ADJOURNMENT**

The meeting adjourned at 3:03 PM.