

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON APRIL 25, 2017
FROM:	SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME
SUBJECT:	AGREEMENT WITH THE PROVINCE OF ONTARIO TO SUPPORT THE DEVELOPMENT OF AN IMMIGRATION STRATEGY

RECOMMENDATION

That, on the recommendation of the Managing Director of Housing, Social Services and Dearness Home, the attached proposed By-Law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of May 2, 2017:

- a) **TO 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 \$20,000 to support the financing of research to aid in the creation, implementation and evaluation of London's new Immigration Strategy; and
- b) **TO AUTHORIZE** the Mayor and City Clerk to execute the Agreement in (a) above.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Agreement with the Province of Ontario to Develop Multilingual Marketing Materials for the London and Middlesex Immigration Portal, (BOC, Sept 29, 2010);
- Agreement with the Province of Ontario to Enhance the London and Middlesex Immigration Portal, (Finance and Administration Committee, July 20, 2011);
- Agreement with the Province of Ontario to Enhance the Marketing of the London and Middlesex Immigration Portal, (Finance and Administrative Services Committee, Feb. 27, 2012);
- Agreement with the Province of Ontario to Enhance the London and Middlesex Immigration Portal by Creating a Section on International Learning, (FASC, August 27, 2012);
- Agreement with the Province of Ontario to Market the London and Middlesex Immigration Portal; Agreement with the Province of Ontario to Enhance the London and Middlesex Immigration Portal Labour Market Section, (Corporate Services Committee, February 26, 2013);
- Immigrants and the Labour Market: A London Perspective, (CPSC, May 20, 2015);
- London's Community Economic Road Map 2015-2020 - A top quality workforce (Nov. 2015);
- Update: Workplace and Community Diversity and Inclusion (CSC, February 16, 2016);
- Update on "Immigrants and the Labour Market: A London Perspective"(CPSC, March 30, 2016);
- London & Middlesex Local Immigration Partnership 2016-2019 Strategic Plan, (April 2016);
- Immigration Strategy Update (CPSC, February 22, 2017).

BACKGROUND

The purpose of this project agreement is to offer financial support to hire a researcher to aid in the creation, implementation, and evaluation of London's new Immigration Strategy. This request aligns with the program objectives of the provincial Municipal Immigration Programs Call for Proposals which includes as one of its priorities, strategic planning for the purposes of the development of a local immigration policy framework based on economic development objectives. London's project will focus on the development of an attraction and retention strategy with the purpose of strengthening London's workforce. This work will be new for London and is not being undertaken or considered by other agencies but has been expressed as a priority for many stakeholders. This project will focus on the innovation of existing and new activities while working with local agencies and employers to attract professionally trained immigrants and retain international post-secondary students to strengthen London's workforce. This project is in line with the Strategic Plan of the City of London; to be a leader in commerce, culture and innovation - our region's connection to the world which focuses on growing our economy through diverse employment opportunities. In particular, Council has requested the creation of an immigration strategy to focus on the attraction, recruitment, retention of international students, foreign trained professionals, and multi-generational immigrants to strengthen London's workforce.

There is a demographic and workforce imperative to attracting newcomers. The growth rate of London Census Metropolitan Area (CMA) was only 3.7% between 2006 and 2011, just over half that of the average growth rate for CMAs across the country. The London Economic Development Corporation has said that at any one time, there are at least 5,000 openings in the local labour market which could be filled by immigrants. This is substantiated by the Ontario Immigration Strategy which has emphasized the importance of increasing the employment rates of highly skilled immigrants in their field to Ontario's economic future. The Ontario Immigration Strategy also referenced employers reporting jobs going unfilled and the detrimental effect to their business growth. The skills gaps that have been articulated in these national and provincial reports, have also been emphasized locally with 38% of employer respondents to a regional 2016 Employer One survey indicating they posted "hard-to-fill" positions in the last 12 months, which was an 11% increase from the year prior.

Indemnity

As with previous agreements with the Province, agreed to by Council, the indemnity clause reads as follows:

A10.1 Indemnification. The Recipient hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.2 Recipient's Participation. The Recipient will, at its expense, to the extent requested by the Province, participate in or conduct the defence of any proceeding against any Indemnified Parties and any negotiations for their settlement.

A10.3 Province's Election. The Province may elect to participate in or conduct the defence of any proceeding by providing Notice to the Recipient of such election without prejudice to any other rights or remedies of the Province under the Agreement, at law, or in equity. Each Party participating in the defence will do so by actively participating with the other's counsel.

A10.4 Settlement Authority. The Recipient will not enter into a settlement of any proceeding against any Indemnified Parties unless the Recipient has obtained the prior written approval of the Province. If the Recipient is requested by the Province to participate in or conduct the defence of any proceeding, the Province will co-operate with and assist the Recipient to the fullest extent possible in the proceeding and any related settlement negotiations.

A10.5 Recipient's Co-operation. If the Province conducts the defence of any proceedings, the Recipient will co-operate with and assist the Province to the fullest extent possible in the proceedings and any related settlement negotiations.

Insurance

Similarly, as with previous agreements with the Province, agreed to by Council, the insurance clause reads as follows:

A11.1 Recipient's Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B + or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The policy will include the following:

- (a) the indemnified Parties as additional insured with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) 30-day written notice of cancellation.

The Manager of Risk Management has advised that the City of London does meet the requirements of the Province of Ontario as the City's insurer is appropriately rated by A.M. Best.

CONCLUSION

The City of London is entering into an agreement with the Province of Ontario to obtain funding of \$20,000 in support to help cover the costs of research to aid statistical research as well as a modest part of the community consultations costs. All funding for this work will be provided by the Province of Ontario. In addition, Council has committed \$100,000 through Assessment Growth to support an Immigration Specialist position. In total, the province has provided over \$500,000 in funding towards the London and Middlesex Immigration Portal and its various upgrades. The project funding will begin March 1st, 2017 and will end by March 31, 2019.

This report was reviewed by Lynn Marshall, Solicitor, and Jason Wills, Manager, Risk Management.

PREPARED BY:	SUBMITTED BY:
EMILY LOW IMMIGRATION SPECIALIST	JILL TANSLEY MANAGER, STRATEGIC PROGRAMS AND PARTNERSHIPS
RECOMMENDED BY:	
SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME	

C. Lynn Marshall, Solicitor II, City Solicitor's Office
Jason Wills, Manager, Risk Management

Appendix A: By-Law.
Schedule 1: Ontario Funding Agreement

APPENDIX "A"

Bill No.
2017

By-law No.

A By-law to approve the Ontario Funding Agreement for the development of the London Immigration Strategy I with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement.

WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 8 provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 7. Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS section 22 of the *Municipal Act, 2001* provides that a municipality may provide a system that it would otherwise not have power to provide within the municipality if it does so in accordance with an agreement with the Province of Ontario under a program established and administered by the Province of Ontario;

AND WHEREAS subsection 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;

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

1. The Ontario Transfer Payment Agreement to be entered into between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, for the development of the London Immigration Strategy, attached as Schedule "1" to this By-law, is approved.
2. The Mayor and the City Clerk are authorized to execute the agreement approved under section 1 above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading -
Third reading -