

**13TH REPORT OF THE**  
**FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

Meeting held on April 16, 2012, commencing at 1:00 PM, in the Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor S. Orser (Acting Chair), Councillors J.L. Baechler, N. Branscombe, D. Brown and P. Hubert and L. Rowe (Secretary).

**ABSENT:** Mayor J.F. Fontana

**ALSO PRESENT:** Councillors W.J. Armstrong and D. Henderson; T. Dobbie, J. Braam, M. Hayward, J.P. Barber, J. Buchanan, J. Edward, E. Gamble, A. Hagan, G.T. Hopcroft, J. Logan, I. Mackay, A. Macpherson, V. McAlea Major, D. O'Brien, L. Palarchio, M. Ribera, A. Ripepi, C. Saunders and B. Whitelaw.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. Recommendation: It **BE NOTED** that Councillor Hubert disclosed a pecuniary interest in clause 4 of this Report having to do with the 2011 Compliance Report in Accordance with the Procurement of Goods and Services Policy by indicating that he is the Executive Director of one of the social services agencies listed which has a purchase of service agreement with the City of London.

**II. CONSENT ITEMS**

2. Green Municipal Fund - Combined Loan and Grant Agreement Update

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Green Municipal Fund Combined Loan and Grant Agreement;

- a) the issue of a twenty (20)-year amortizing debenture for \$2,000,000, reflecting an expected offering yield of 2.00% to the Federation of Canadian Municipalities (FCM), as Trustee of the Green Municipal Fund, to close on May 15, 2012, **BE CONFIRMED**; and
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting of May 1, 2012 for three readings to authorize the borrowing upon amortizing debentures for a 20-year term in the amount of \$2,000,000.00 towards the cost of the North London Community Facility Project of The Corporation of the City of London. (2012-F12-00/W11-00)

3. City-Initiated Assessment Appeals

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to City-initiated assessment appeals:

- a) City staff **BE AUTHORIZED** to proceed with appeals under the *Assessment Act* for the properties as set out in Schedule "A" to this report; and
- b) the information presented on internally and externally-initiated assessment appeals **BE RECEIVED** for information. (2012-F04-00)

4. 2011 Compliance Report in Accordance with the Procurement of Goods and Services Policy

Recommendation: That the City Treasurer, Chief Financial Officer's 2011 Compliance Report, in accordance with the Procurement of Goods and Services Policy, **BE REFERRED** back to the Civic Administration for report back at a future meeting. (2012-F13-00)

5. Agreement Between The City of London and The Fanshawe College of Applied Arts and Technology

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on May 1, 2012 to:

- a) approve an amending agreement between The Corporation of the City of London (City) and Fanshawe College of Applied Arts and Technology (Fanshawe), attached as Schedule "A" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the amending agreement approved in a), above. (2012-L15-01/L03-00)

6. Land Acquisition from Old Oak Properties Inc. for Sugar Creek Park

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken regarding a land acquisition from Old Oak Incorporated to complete Sugar Creek Park:

- a) the offer from Old Oak Properties Incorporated to sell 0.109 Ha of land, designated as Part 14 on Plan 33R-17797, to the City to complete Sugar Creek Park at a purchase price of \$79,685.00 **BE ACCEPTED** subject to the following conditions:
  - i) the purchase price being made up of a cash payment of \$40,401.00 and a "gift in kind" donation receipt in the amount of \$39,284.00; and
  - ii) the City granting an easement to the Vendor for existing storm and sanitary sewers crossing Sugar Creek Park over Part 14 and adjacent parkland;
- b) a gift in kind donation receipt **BE PROVIDED** to the vendor in the amount of \$39,284.00;
- c) the Sources of Financing **BE APPROVED** as detailed in Appendix "C" of the associated staff report dated April 16, 2012; and
- d) the attached proposed by-law (Appendix "D") **BE INTRODUCED** at the Municipal Council meeting to be held on May 1, 2012 to approve this acquisition and to authorize the Mayor and the City Clerk to execute the agreement. (2012-L15-02)

7. 1st Quarter Report - Information Technology Strategy: Enabling Growth and Service Excellence

Recommendation: That, on the recommendation of the Chief Technology Officer, the report dated April 16, 2012 with respect to the 1<sup>st</sup> Quarter Report for the City of London's Information Technology Strategy **BE RECEIVED** for information. (2012-V02-00)

8. Association of Municipalities of Ontario (AMO) Annual General Meeting, Conference and Trade Show 2014

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated April 16, 2012 with respect to the AMO Annual General Meeting, Conference and Trade Show for 2014 **BE RECEIVED** for information. (2012-A02-01)

9. Comprehensive Economic and Trade Agreement with the European Union

Recommendation: That the Federal and Provincial Governments **BE ADVISED** that The Corporation of the City of London wishes to "opt out" of the Comprehensive Economic and Trade Agreement with the European Union (CETA) so it can determine whether or not to support the Agreement in future, based upon an assessment of how the Agreement would affect this municipality; it being noted that the Finance and Administrative Services Committee received

a report dated April 16, 2012, from the Director of Intergovernmental and Community Liaison, with respect to this matter. (2012-M16-00)

### III. SCHEDULED ITEMS

#### 10. Amendments to Council Procedure By-law

Recommendation: That, on the recommendation of the City Clerk, the attached revised proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on May 1, 2012 for the purpose of amending By-law No. A-41 entitled "A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London" as it relates to reconsideration of matters, conduct of public at meetings, scheduling of Investment and Economic Prosperity Committee meetings and a housekeeping change to properly reflect the committee responsible for recommending the appointment of Chairs for standing committees; it being pointed out that the following individuals made oral submissions at the public participation meeting held in connection with this matter:

- Oliver Hobson, 45 Evergreen Avenue – indicating that the suggested measures related to public conduct are excessive; stating there is a need to allow public views to be expressed; and expressing concern over the lack of notice given with regard to the proposed changes.
- Vicki Van Linden, 431 Ridgewood Crescent – indicating strong disagreement with the proposed changes relating to public conduct; saying that she hopes her position on this does not negatively impact her relationship with Council Members; noting that it's not always the public who behave badly, some Council Members have behaved badly and decorum starts with the Council Members; suggesting that anyone running for office should sign a document which acknowledges that not every person will agree with them, but every person can speak their views loudly and clearly; and noting that this is "our" City, the Municipal Council is our leader but not our boss.
- Maureen Temme, 66 Palmer Street – indicating that this is the first time she has carried a sign; noting that she finds there are less disruptions in the gallery than there are on the Council floor; and suggesting that section 15.1.5 be deleted as there is a fine line between simply expressing one's views and being seen as being disrespectful.
- Kevin Van Lierop, 55 Carfrae Street – noting there are some positive amendments and some that are "over the top"; and suggesting that the City of London needs to create its own rules and not just look at what other cities do.
- Sean Quigley, 59 Pennybrook Crescent – noting there is a need to balance engagement with decorum, which is not an easy task; not suggesting one over the other, but rather a balance in order to allow engagement.
- David Dimitrie, 1128 Adelaide Street – noting that issues of security are valid for people gaining unauthorized access, however the way the matter was brought forward was wrong; and noting that he would never disrespect the Council and he doesn't think most other people would either.
- Cathy Klee, 75 Fiddlers Green Road – suggesting that these changes will provoke a response; and pointing out that some Council Members are as entertaining as the gallery.
- Derrick McBurney, 4-466 South Street – indicating that this is a matter of decorum; suggesting that a code of conduct be put on agendas or posted by meeting rooms; and stating that people who disrupt a meeting are the antithesis of engagement.
- Jared Zaifman, 605-836 Ridout Street – enquiring as to what municipalities were canvassed; expressing disappointment that this matter was being heard at a 1 PM meeting on a Monday, making it difficult for a lot of members of the public to come and express their views; noting that the changes are really "caretaking" and "entrenching" existing practices; suggesting that 15.1.1 and 15.1.3 seem redundant; stating that 15.1.2 is silly if we are trying to address quiet as signs are a quiet means of expressing views; expressing concern about a ban on food and drink given that some meetings go on for several hours so it's difficult for people to not have any food or drink; suggesting that the requirement to silence electronic devices is a fair expectation so the inclusion of this requirement is redundant; and suggesting that there should be a warning before someone is ejected from the Chambers.

- Gary Brown, Council of Canadians, 59 Ridout Street – the issues at hand relate to freedom of speech and citizen engagement; suggesting that we are trying to legislate common sense; noting that we are trying to engage youth and if we don't let them use signs, this could curtail their involvement, citing the use of signs by youth in the bottled water debate.
- Rebecca Growden, 389 Salisbury Street – stating if these rules are approved, people may as well attend meetings with tape over their mouths; and asking that Council not approve these changes.
- Patrick Rumsey, 85 Fiddlers Green – noting that it is the 30<sup>th</sup> Anniversary of the Charter of Rights and Freedoms; stating that Mark Emery put signs on utility poles and the Supreme Court upheld the placement of signs on public property and that there was another case in Chatham where the wearing of t-shirts was upheld by the constitution; suggesting as a Ward 8 taxpayer that the City cannot not include these prohibitions.
- Sandy Levin, 54 Longbow Road – noting that lots of good things have been said by the delegations; suggesting that signage assisting the public needs to be more easily seen; asking that applause, t-shirts and signs not be banned as these are all means of public engagement, and public engagement should be supported; and stating that democracy is messy. (2012-G05-00/G06-00)

#### 11. Tax Adjustment Agenda

Recommendation: That the recommendations in the Tax Adjustment Agenda dated April 16, 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 the Finance and Administrative Services Committee.

### IV. ITEMS FOR DIRECTION

#### 12. 8th Report of the Governance Working Group

Recommendation: That the following actions be taken with respect to the 8th report of the Governance Working Group:

- a) that, on the recommendation of the City Clerk, with the concurrence of the interim City Manager, the attached Three-Year Implementation Plan (Appendix A) to establish a Council Service London Team to enhance support to Members of Council **BE ENDORSED** subject to the submission and approval of the following matters:
- i) a protocol with respect to communications support;
  - ii) job descriptions for the Council Service London Team;
  - iii) a protocol with respect to the utilization of the Council Service London Team, after normal working hours;
  - iv) a protocol with respect to the sharing of co-op students;
  - v) an understanding on how technical students from Fanshawe College can be utilized;
  - vi) the establishment of a central email account for Councillors; and,
  - vii) an evaluation of the Plan, six months after implementation;

it being noted that the attached Plan will be incorporated into the broader Service London implementation plan to be presented to the Finance and Administrative Services Committee in Spring 2012;

it being further noted that the Governance Working Group received the attached presentation from T. Dobbie and K. Graham, with respect to this matter.

- b) the Civic Administration **BE DIRECTED** to report back on potential models that could be established to assist with conflict resolution between Members of Council.
- c) clauses 1 through 5, inclusive, **BE RECEIVED**.

13. Request for Delegation Status with Respect to Funding for the Argyle Business Improvement Association

Recommendation: That the request of the Argyle Business Improvement Association (ABIA) for funding in the amount of \$55,240 **BE REFERRED** to the City Treasurer, Chief Financial Officer to review and report back on whether or not a suitable funding agreement could be put in place to accommodate the request. (2012-F12-00)

14. Request for Designation of Fall Fest as a Municipally Significant Event

Recommendation: That the Fall Fest to be held August 31 – September 3, 2012 in Victoria Park **BE DESIGNATED** a Municipally Significant Event in the City of London. (2012-M09-00)

15. Report on the Federation of Canadian Municipalities Board of Directors Meeting - Kitchener, Ontario - March 7 - 10, 2012

Recommendation: That the communication dated March 19, 2012 from Councillor H.L. Usher and Councillor J.L. Baechler regarding the Federation of Canadian Municipalities Board of Directors meeting held on March 7 – 10, 2012 in Kitchener, Ontario **BE RECEIVED**. (2012-A02-02)

16. Complaints to the Ombudsman's Office

Recommendation: That the communication dated March 26, 2012, from Councillor J.B. Swan, regarding complaints to the Ombudsman's Office **BE REFERRED** to a future meeting of the Strategic Priorities and Policy Committee, to which the Ombudsman is being invited to discuss the role of his office.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

17. Food and Beverage Access for Public Attending Council and Committee Meetings

Recommendation: That the City Clerk **BE REQUESTED** to look at alternatives for providing access to "Grab and Go" food and drink for members of the public who are attending Council and Committee meetings over the dinner hour, and to report back on this matter.

18. Input Regarding Notice Provisions by Community Engagement Task Force

Recommendation: That the Director of Corporate Communications, in consultation with the City Clerk, **BE REQUESTED** to seek the input of the Community Engagement Task Force with respect to the City of London's public notice provisions.

**VI. CONFIDENTIAL**

*(See Confidential Appendix to the 13th Report of the Finance and Administrative Services Committee enclosed for Members only.)*

The Finance and Administrative Services Committee convened in camera from 3:05 PM to 3:15 PM after having passed a motion to do so, with respect to the following matter:

C-1. A matter pertaining to labour relations and employee negotiations, advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose relating to the Corporation's association and unions.

**VII. ADJOURNMENT**

The meeting adjourned at 3:16 PM.