

2ND REPORT OF THE
CIVIC WORKS COMMITTEE

Meeting held on January 9, 2018, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor V. Ridley (Chair); Mayor M. Brown; Councillors P. Hubert, T. Park, P. Squire and H.L. Usher and J. Bunn (Acting Secretary).

ALSO PRESENT: Councillors J. Helmer, A. Hopkins, J. Morgan and M. van Holst; A. Dunbar, D. Gough, A. Macpherson, D. MacRae, S. Mathers, P. McKague, A. Rammeloo, L. Rowe, K. Scherr, E. Soldo, S. Spring and J. Stanford.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 1st Report of the Rapid Transit Implementation Working Group

That the following actions be taken with respect to the 1st Report of the Rapid Transit Implementation Working Group, from its meeting held on December 6, 2017:

- a) the Civic Administration BE REQUESTED to invite staff from one or more transit systems and/or municipalities that have implemented rapid transit, or are in the process of implementation, to speak to the Rapid Transit Implementation Working Group; and,
- b) clauses 1 to 5, 7 and 8, BE RECEIVED.

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

3. Exercise Renewal Options Curbside Collection and Material Recovery Facility Operations Contracts

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, on the advice of the Director, Environmental, Fleet and Solid Waste, the following actions be taken with respect to the provision of curbside collection and Material Recovery Facility Operations services provided by Miller Waste Systems Inc.:

- a) the renewable options of the contracts with Miller Waste Systems Inc., for the collection of recyclables in London and the collection of garbage and yard materials in the southwest portion of the city, including Lambeth, Riverbend and Settlement Trail, and Material Recovery Facility Operations, for one (1) year from October 30, 2018 to October 30, 2019, as provided in the existing, amended agreements in accordance with Procurement of Goods and Services Policy, Section 8.5 a. v, and Section 20.2, BE APPROVED; and,
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter. (2017-E07)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

4. Comments on Environmental Bill Of Rights Registry – Ontario’s Approach to Climate Change Adaption

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the comments and discussion, as appended to the staff report dated January 9, 2018, with respect to the Ministry of the Environment and Climate Change’s Environmental Bill of Rights Registry entitled Ontario’s Approach to Climate Change Adaptation, BE ENDORSED and BE SUBMITTED to the Ministry of the Environment and Climate Change. (2017-E05)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

5. Dundas Place Utility Construction Coordination

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Dundas Place Project:

- a) the proposed by-law, as appended to the staff report dated January 9, 2018, BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018, to:
 - i) approve a Memorandum of Understanding, included as Schedule 1 to the by-law, to be entered into between The Corporation of the City of London and London Hydro Inc., for utility coordination within the Dundas Place project;
 - ii) approve a Memorandum of Understanding, included as Schedule 2 to the by-law, to be entered into between The Corporation of the City of London and London and Bell Canada, for utility coordination within the Dundas Place project; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Memoranda of Understanding;
- b) the Managing Director, Environmental and Engineering Services and City Engineer, or written designate, BE AUTHORIZED to execute any reports required to administer the Memoranda of Understanding authorized and approved above. (2017-D19)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

6. Appointment of Consulting Engineer Mud Creek Flood Reduction and Rehabilitation Phase 1 Detailed Design

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consulting engineer for the Mud Creek Flood Reduction and Rehabilitation Phase 1 Detailed Design Project:

- a) CH2M HILL Canada Limited BE APPOINTED consulting engineers in accordance with the estimate, on file, at an upset amount of \$1,080,497 (including contingency and provisional allowances), excluding HST, in accordance with Section 15.2(e) of the City of London’s Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as appended to the staff report dated January 9, 2018;
- c) the Managing Director, Environmental and Engineering Services and City Engineer 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; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2017-E21)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

- 7. Kilally Road Improvements Phase 1 Contract Administration - 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 contract administration for Phase 1 of the Kilally Road Improvements Project:

- a) Development Engineering Ltd., BE AUTHORIZED to carry out the resident inspection and contract administration in the amount of \$208,367.50 (excluding HST) in accordance with Section 15.2 (g) 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 9, 2018;
- c) the Managing Director, Environmental and Engineering Services and City Engineer BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given herein, BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2017-T04)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

III. SCHEDULED ITEMS

- 8. Comments on Environmental Bill of Rights Registry – Proposed Food and Organic Waste Framework

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the discussion and comments, as appended to the staff report dated January 9, 2018, BE ENDORSED and BE SUBMITTED to the Ministry of Environment and Climate Change's Environmental Bill of Rights Registry posting related to the Proposed Food and Organic Waste Framework; it being noted that the Civic Works Committee received the attached presentation from J. Stanford, Director, Environment, Fleet and Solid Waste, with respect to this matter. (2017-E07)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

9. Comments on the Amended Blue Box Program Plan (Prepared by Stewardship Ontario)

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the request for comments on the Draft Amended Blue Box Program Plan report dated January 9, 2018:

- a) the following discussion and comments, as appended to the staff report dated January 9, 2018, BE ENDORSED and BE SUBMITTED to the Resource Productivity and Recovery Authority (RPRA) and Stewardship Ontario (SO) by January 15, 2018 with any additional comments submitted following the Council meeting on January 16, 2018;
- b) the submission date of February 15, 2018 for the amended Blue Box Program Plan to the Minister of the Environment & Climate Change from the RPRA BE SUPPORTED by Municipal Council provided that the Minister's Direction Letter (August 17, 2017) has been completely fulfilled;
- c) should deficiencies still exist between the Minister's Direction Letter and the amended Blue Box Program Plan, the Minister of Environment & Climate Change BE REQUESTED to require additional consultation and a complete review and analysis of all stakeholder comments, in particular submissions from the Association of Municipalities of Ontario (AMO), the Municipal 3Rs Collaborative, and the Ontario Waste Management Association (OWMA) to ensure deficiencies are addressed; and,
- d) Civic Administration BE DIRECTED to prepare both short term actions and a comprehensive plan, steps and recommendations for London as a transitioned municipality providing services to Stewardship Ontario as part of the transition phase (full producer responsibility) to a completely industry-led (individual producer responsibility) recycling program in Ontario;

it being noted that the Civic Works Committee received the attached presentation from J. Stanford, Director, Environment, Fleet and Solid Waste, with respect to this matter. (2018-E07)

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

10. One River Environmental Assessment Update: Phase II Stage I Report

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the One River Master Plan Environmental Assessment Phase II Stage I Report:

- a) the recommended option to decommission the Springbank Dam BE APPROVED;
- b) the following communications BE RECEIVED;
 - communications dated January 3, 2018 and January 7, 2018, from B. Wells expressing support for the decommissioning of the Dam;
 - a communication dated January 3, 2018, from C. Butler, 863 Waterloo Street, expressing support for doing nothing or decommissioning of the Dam;
 - a communication from P. Tack expressing support for the decommissioning of the Dam;
 - a communication dated January 4, 2018, from A. Caveney, 46 Kingspark Crescent, expressing support for the decommissioning of the Dam;
 - a communication dated December 28, 2017, from W. and C. Furst, 17 Westmorland Court, encouraging consideration of a Low Dam

concept that helps ensure safe passage for fish and other aquatic species;

- a communication dated December 27, 2018, from L.R. Symmes, expressing support for the decommissioning of the Dam;
- a communication from I. Rae, King's University College, expressing support for repurposing the Dam as a viewing platform with daytime access;
- a communication dated January 5, 2018, from M. Snowsell, UTRCA, expressing support for the decommissioning of the Dam;
- the attached revised communication dated January 9, 2018, from R. Huber, Thames River Anglers Association, expressing support for the decommissioning of the Dam;
- a communication from D. Wake, 597 Kildare Road, expressing support for the decommissioning of the Dam; and,

- c) the attached presentation from A. Rammeloo, Manager III, Environmental and Engineering Services 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 submissions in connection therewith. (2017-E21)

Voting Record:

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

Motion to Open the public participation meeting.

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

Motion to Close the public participation meeting.

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

IV. ITEMS FOR DIRECTION

None.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

11. Deferred Matters List

That the Deferred Matters List for the Civic Works Committee, as at December 12, 2017, BE RECEIVED.

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

12. (ADDED) 1st Report of the Cycling Advisory Committee

That the following actions be taken with respect to the 1st Report of the Cycling Advisory Committee, from its meeting held on December 20, 2017:

- a) the Municipal Council BE ADVISED that the Cycling Advisory Committee supports the provincial allocation of the 2017 Ontario Municipal Commuter Cycling Program monies, in the amount of \$3.3 million, toward projects such as the north branch of the Thames Valley Parkway; it being noted that the north branch is a Council-approved project that has been awaiting funding; and,

- b) clauses 1 to 14, 16 and 17, BE RECEIVED.

Motion Passed

YEAS: M. Brown, V. Ridley, P. Hubert, T. Park, P. Squire, H.L. Usher (6)

13. (ADDED) Enquiry – Councillor H.L. Usher – Snow Clearing

That it BE NOTED that Councillor H.L. Usher enquired if any changes had been made to the City's snow clearing process and if staff would be pursuing any opportunities for improvement. The Managing Director, Environmental and Engineering Services and City Engineer advised that there had been no changes to their general processes, the recent weather events had made it challenging to complete one "clean up" before being faced with the next one, and that staff are always evaluating their procedures to ensure optimal effectiveness and efficiency.

VI. CONFIDENTIAL

(See Confidential Appendix to the 2nd Report of the Civic Works Committee enclosed for Members only.)

The Civic Works Committee convened in camera from 7:22 PM to 7:41 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to litigation or potential litigation with respect to the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the appeals of Nortel Networks Limited ("Nortel") and Nagata Auto Parts Canada Co., Ltd. ("Nagata") to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; and for the purpose of voting for giving direction to officers, employees or agents of the municipality.

VII. ADJOURNMENT

The meeting adjourned at 7:42 PM.