

25TH REPORT OF THE
FINANCE AND ADMINISTRATION COMMITTEE

Meeting held on October 19, 2011, commencing at 10:02 AM, in the Council Chambers, Second Floor, London City Hall.

Committee Members: Mayor J.F. Fontana (Chair), Councillors J.P. Bryant, N. Branscombe, D.G. Henderson and P. Hubert and L. Rowe (Secretary).

Also Present: Councillors Baechler, Usher and Swan; M. Hayward, P. McNally, J. P. Barber, G. Belch, J. Braam, J. Clark, A. Drost, A. Dunbar, J. Edward, P. Foto, E. Gamble, K. Graham, A. Hagan, S. Hanley, M. Henderson, G. T. Hopcroft, I. Mackay, V. McAlea Major, E. Mogck, L. Palarchio, C. Saunders, J. Smout, R. Standish, R. Sutton, B. Warner and J. Wills.

I. DISCLOSURES OF PECUNIARY INTEREST

Councillor Branscombe disclosed a pecuniary interest in clause 16 of this Report having to do with the Airport Cargo Terminal by indicating that her spouse operates a business in close proximity to the Terminal.

II. SCHEDULED ITEMS

1. That, on the recommendation of the City Clerk, the following actions be taken with respect to the Council Procedure By-law:
 - (a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on October 24, 2011 for the purpose of amending By-law No. A-38, the Council Procedure By-law, to change references to the title of Chief Administrative Officer to City Manager;
 - (b) the attached revised proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting on October 24, 2011 for the purpose of repealing and replacing By-law No. A-38, the Council Procedure By-law, with a new Council Procedure By-law to take effect on December 1, 2011, to:
 - (i) incorporate the new standing committee structure;
 - (ii) reflect the introduction of electronic agendas;
 - (iii) reflect the introduction of electronic voting;
 - (iv) extend the time for the holding of a Council meeting that has been postponed for emergency situations from 3 days to 7 days;
 - (v) provide additional clarification as to consent agendas; and
 - (vi) make reference to the Council Code of Conduct;

it being pointed out that there were no submissions made at the public participation meeting held in connection with this matter. (2011-G05-00)

2. That the following actions be taken with respect to the attached presentation from London Hydro and EPCOR with respect to a Hydro Shared Utilities Model:
 - (a) the presentation from Peter Johnson, Chair, London Hydro Inc. and Don Lowry, President and CEO, EPCOR **BE RECEIVED**; and
 - (b) the City and London Hydro **BE AUTHORIZED** to enter into a "Cooperation Agreement" with EPCOR, allowing the parties a period of time to explore a partnering arrangement on an exclusive and confidential basis, with the draft Agreement to be reviewed by the City Solicitor and brought back to the Municipal Council for approval.

3. That the recommendations in the Tax Adjustment Agenda dated October 19, 2011 **BE APPROVED**; it being noted that at the public hearing associated with the Agenda, no members of the public came forward to speak to the items contained therein.

III. CONSENT ITEMS

4. City Manager – Agreement with the Province of Ontario for Creative Community Prosperity Funding to Develop a Cultural Prosperity Plan and Cultural Profile/Cultural Mapping Project

Recommendation: That, on the recommendation of the City Manager, the attached proposed by-Law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting of October 24, 2011 to:

- (a) approve the agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Tourism and Culture, to obtain Provincial funding of \$100,000 to develop a cultural prosperity plan and cultural profile / cultural mapping project; and
- (b) authorize the Mayor and the City Clerk to execute the Agreement in (a) above. (2011-C15-00)

5. City Clerk - Council Members' Expense Account

Recommendation: That, on the recommendation of the City Clerk, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 24, 2011 for the purpose of amending Council Policy 28(2), being the Council Members' Expense Account Policy, to adjust the annual expense allocation for each Council Member by an equal share of the annual amount budgeted for reimbursement of claims for local City business travel, in order to amalgamate the two allocations into one lump sum, effective January 1, 2012 and to reflect the elimination of the Board of Control. (2011-F07-00)

6. City Clerk - 2010 Municipal Election

Recommendation: That the communication dated October 7, 2011 from the City Clerk with respect to candidates who were in default of filing their financial statements for the 2010 Municipal Election **BE RECEIVED**. (2011-G08-00)

7. Managing Director - Corporate Assets - Lease Agreement between the City and Thames Valley District School Board - London Environmental Education Centre at the Wellington Road Tourist Information Centre Location

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 London Environmental Education Centre:

- (a) the City **BE AUTHORIZED** to enter into a five (5) year land lease with the Thames Valley District School Board (TVDSB) covering the use of an area behind the City's Wellington Road Tourist Information Centre building where two portable classrooms are currently located at 696 Wellington Road, subject to the following conditions:
 - (i) the subject lands to be used as a London Environmental Education Centre;
 - (ii) the TVDSB agreeing to pay to the City a rental rate of \$6,600.00 per annum plus utilities;
 - (iii) the TVDSB having the use of the washrooms in the Wellington Road Tourist Information Centre; and
 - (iv) the TVDSB having periodic use of the meeting room in the Wellington Road Tourist Information Centre at an additional charge of \$100.00 per half day; and

- (b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 24, 2011, to approve the lease of lands to the Thames Valley District School Board and to authorize the Mayor and the City Clerk to execute the Lease Agreement. (2011-L16-01)

8. Director of Intergovernmental and Community Liaison - AMO Annual General Meeting, Conference and Trade Show 2011

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated October 19, 2011 with respect to the Association of Municipalities of Ontario (AMO) Annual General Meeting, Conference and Trade Show 2011 **BE RECEIVED** for information. (2011-A02-01)

9. Director of Intergovernmental and Community Liaison - Request for Proposal - Host for AMO Annual General Meeting - Conference and Trade Show 2014, 2015, 2016

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the Mayor and Civic Administration **BE AUTHORIZED** to submit a proposal for the City of London to host the Association of Municipalities of Ontario (AMO) Annual General Meeting, Conference and Trade Show for 2014, 2015 and 2016, including an undertaking that the City of London will:

- (a) host and finance the Welcome Reception;
- (b) provide volunteers to assist with the collation of delegate kits, and to guide companion program tours, study tours and other tasks;
- (c) provide a local planning committee which will develop study tours and companion tours;
- (d) provide shuttle buses between hotels, if necessary;
- (e) provide study tour and companions program buses; and
- (f) provide civic greetings to delegates from the Mayor. (2011-A02-01)

10. Chief Technology Officer - Cellular 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 cellular services for The Corporation of the City of London:

- (a) the Civic Administration **BE AUTHORIZED** to enter into negotiations for a month to month extension of the cellular services contract with Rogers Wireless Inc., 700-40 Weber St. East, Kitchener, Ontario, N2H 6R3;
- (b) the Civic Administration **BE AUTHORIZED** to undertake all the necessary administrative acts in connection with this matter, including the execution of an Agreement; and
- (c) the approval of clause (b) above **BE CONDITIONAL** upon the Corporation negotiating satisfactory prices, terms and conditions with Rogers Wireless to the satisfaction of the Chief Technology Officer and the Manager of Purchasing and Supply. (2011-I11-00)

11. Division Manager, Fleet Services & Departmental Resources - Tender 11-88 Supply & Delivery of Crew Cab & Chassis

Recommendation: That, on the recommendation of the Division Manager of Fleet Services and Departmental Resources:

- (a) the tender for the supply and delivery of two (2) Crew Cab & Chassis submitted by Carrier Centers, 90 Enterprise Drive, London, Ontario N6N 1A8 at their tendered price of \$154,600.00 (excluding HST), **BE ACCEPTED**;
- (b) the funding for this purchase **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";

- (c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with this award; and
- (d) approvals hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2011-F13-00)

12. City Treasurer, Chief Financial Officer - 2012 Budget "APP" Contest

Recommendation: That, on the recommendation of the City Treasurer, Chief Financial Officer, Civic Administration **BE AUTHORIZED** to provide a conditional grant of up to \$10,000 to UnLondon, a local nonprofit organization, for the purposes of hosting a contest to create budget-related technology applications ("apps"); it being noted that funding for this grant can be accommodated within existing operating budget. (2011-F05-00/F12-00)

13. City Treasurer, Chief Financial Officer - City of London's Credit Rating

Recommendation: That the City Treasurer/Chief Financial Officer's report dated October 19, 2011 with respect to the City maintaining its Aaa credit rating **BE RECEIVED** for information. (2011-F08-00)

14. City Treasurer, Chief Financial Officer – Proposed Parking Garage – Competitive Bid Process Recommendation

Recommendation: That the following actions be taken with respect to Downtown parking:

- (a) consideration of the attached report of the City Treasurer, Chief Financial Officer and the attached related communications dated October 17, 2011 from S. Farhi with respect to undertaking a competitive bid process for the provision of parking spaces in the downtown **BE REFERRED** to a Special Meeting of the Finance and Administration Committee (FAC) to be held on Monday, October 24, 2011 at 4:00 p.m. in order for the City Treasurer, Chief Financial Officer to provide additional details to assist the FAC in its decision making;
- (b) a procurement policy **BE DEVELOPED** for the acquisition of Downtown parking by the City of London; and
- (c) the Code of Conduct for Council Members **BE AMENDED** to reference section 6.2 of the Procurement Policy pertaining to "Interference in the Procurement Process". (2011-F13-00)

IV. ITEMS FOR DIRECTION

None

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

15. J. Preston – Committee of Adjustment Appointment

Recommendation: That the attached communication dated October 19, 2011 from J. Preston, with respect to his appointment to the Committee of Adjustment **BE RECEIVED**. (2011-F13-00)

16. Enquiry – Councillor Bryant – Airport Cargo Terminal Status

Recommendation: That representatives of the London International Airport Authority and the London Economic Development Corporation **BE REQUESTED** to attend the November 2, 2011 meeting of the Finance and Administration Committee to provide an update on the Airport Cargo Terminal project, including details as to what economic benefits the community is realizing as a result of the project. (2011-F13-00)

VI. CONFIDENTIAL

(See Confidential Appendix to the 25th Report of the Finance and Administration Committee enclosed for Members only.)

The Finance and Administration Committee convened in camera from 12:48 p.m. to 1:47 p.m., after having passed a motion to do so, with respect to the following matters:

- C-1. A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interest of the Corporation or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim.
- C-2. A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations arising out of contract negotiations with one of the Corporation's unions.
- C-3. A matter pertaining to outstanding litigation commenced by Middlesex Condominium Corporation No. 229, affecting the municipality, Superior Court of Justice File No. 44190 and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- C-4. A matter pertaining to litigation in the Superior Court of Justice, Court File No. 06-CV-310854 PD2 between Terra Infrastructure Inc. v The Corporation of the City of London, R.V. Anderson Associates Limited and David Evans or potential litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- C-5. A matter pertaining to a proposed or pending acquisition of land by the municipality in connection with parking in the Downtown and the acquisition of a leasehold interest in parking spaces; advice that is subject to solicitor-client privilege, including communications necessary for that purpose in connection with Downtown parking and directions and instructions of the municipality in connection with negotiations concerning a leasehold interest in parking spaces.

VII. ADJOURNMENT

The meeting adjourned at 1:50 p.m.