

26TH REPORT OF THE
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Meeting held on September 24, 2012, commencing at 1:00 PM, in Committee Room #5, Second Floor, London City Hall.

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

ABSENT: Councillor N. Branscombe.

ALSO PRESENT: Councillors W.J. Armstrong and S. Orser (both part time); A. Zuidema, J.P. Barber, G. Bridge, J. Brown, M. Bushby, B. Campbell, P. Christiaans, A. Dunbar, E. Gamble, A. Hagan, M. Hayward, G.T. Hopcroft, J. Jackson, J. Kobarda, D. Lazenby, L. Livingstone, J. Logan, V. McAlea Major, L. Palarchio, C. Saunders, J. Stanford, M. Turner, B. Warner and A. Weeden.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it **BE NOTED** that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. Employee Absenteeism Update

Recommendation: That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the report dated September 24, 2012 regarding employee absenteeism **BE RECEIVED** for information.

3. Local Government Week, October 14 - 20, 2012

Recommendation: That, on the recommendation of the City Clerk, the Civic Administration **BE DIRECTED** to develop, host and promote a "Join the Mayor/Councillor for the Day" trivia contest as part of Local Government Week (October 14 to 20, 2012) in order to foster greater public education regarding local government.

4. Property Acquisition - Portion of 600 - 650 Industrial Road - Pottersburg Creek

Recommendation: That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the vacant property consisting of a portion of Pottersburg Creek and the adjacent floodplain land owned by Elron Developments Limited, municipally known as 600 - 650 Industrial Road, the following actions be taken:

- a) the offer submitted by Elron Developments Limited to donate to the City land municipally known as 600 and 650 Industrial Road, located on the south of Oxford Street East, north of Industrial Road, further described in the draft Reference Plan as Parts 3, 4, 10 and 11 (shown in yellow on Schedule "A" attached), containing an area of approximately 4 acres, for the purpose of the protection and addition of floodplain lands and the watercourse in perpetuity, for a nominal sum of \$2.00 **BE ACCEPTED**, subject to the following conditions:
 - i) the City and Elron Developments Limited agreeing to split the total cost in preparing and depositing a reference plan on title (a cost of approximately \$15,000.00) setting out the lands to be conveyed, as well as the lands for the multi-purpose easement for municipal services;
 - ii) the City agreeing to pay Elron Developments Limited's legal fees of approximately \$2,500.00 plus disbursements to close this transaction, subject to assessment;

- b) the Sources of Financing **BE APPROVED** as detailed in Appendix "A" of the associated staff report dated September 24, 2012; and
 - c) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to approve this acquisition and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale and the Grant of Easement agreement.
5. Amendment of Council Policy 12(1) - Denial of Claims

Recommendation: That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting on October 9, 2012 to amend Council Policy 12(1) entitled "Denial of Claims" by repealing the Policy as the Policy is no longer necessary or appropriate.

6. Pre-Budget Submission to the Federal Standing Committee on Finance

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the attached pre-budget submission to the Federal Minister of Finance, our local MPs, and the Federal Standing Committee on Finance **BE SUPPORTED**; it being noted that the Civic Administration will continue to refine the content to reflect any new information and emerging issues.

7. Designation of an Improvement Area Under Section 204 of the *Municipal Act, 2001* - Argyle BIA

Recommendation: That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal meeting to be held on October 9, 2012 to designate an area as an improvement area and to establish the board of management for the purpose of managing the Argyle Business Improvement Area in accordance with section 204 of the *Municipal Act, 2001*.

8. 2011 Annual Report - Development Charges Reserve Funds

Recommendation: That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2011 annual report on development charges reserve funds:

- a) the annual statement of the City Treasurer (Appendix A and Appendix B) with respect to the operation of the City Services Reserve Funds and Urban Works Reserve Funds for the year ended December 31, 2011 **BE RECEIVED** for information; and
- b) a copy of this statement **BE FORWARDED** to the Minister of Municipal Affairs and Housing in compliance with Section 43(3) of the *Development Charges Act, 1997*;

it being noted that the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer gave a brief verbal overview with respect to this matter.

9. Signing Authority By-law - Cheques

Recommendation: That, on the recommendation of the Deputy City Treasurer, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 9, 2012 for the purpose of repealing and replacing By-Law No. A.-6605-11, being "A by-law relating to the signing of the cheques drawn on certain bank accounts of The Corporation of the City of London."

10. Tender 12-59 - Automotive Lubricants

Recommendation: That, on the recommendation of the Managing Director, Engineering Services & City Engineer, the following actions be taken with respect to Tender 12-59:

- a) the bids submitted by Safety-Kleen Canada Inc., 300 Woolwich Street South, Breslau, ON N0B 1M0 of \$73,361.89 and Case N' Drum, 3462 White Oak Road, London, ON N6E 2Z9 of \$1,791.36 and Lubesource, 351 Caldari Road, Vaughan, ON L4K 4S9 of \$16,710.68 and Progressive Industrial Fluids Ltd., 1235 G Aerowood Drive, Mississauga, ON L4W 1B9 of \$3,886.50; HST extra for a one (1) year period with options for two (2) additional one (1) year extensions, **BE ACCEPTED**, it being noted that these bids are the low bid per item and meets all of our terms, conditions, requirements and specifications in all areas
- b) the Civic Administration **BE AUTHORIZED** to undertake all of the administrative acts that are necessary in connection with this contract;
- c) the approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing purchase orders or contract record relating to these matters of this approval.

11. A.J. Tyler Fuel Site Upgrades - Single Source - Project No. ME1206, Tender No. 12-95

Recommendation: That, on the recommendation of the Managing Director – Corporate Assets and the Managing Director, Engineering & City Engineer, the following actions be taken with respect to the A.J. Tyler fuel site upgrades:

- a) the proposal submitted by Middlesex Supply and Maintenance Ltd., 331 Neptune Crescent, London, Ontario, N6M 1A9 at its proposed price of \$174,850 (HST excluded) for the A.J. Tyler Fuel Site Upgrades **BE ACCEPTED**; it being pointed out that the proposal is a single source bid and is in compliance with the Procurement of Goods and Service Policy as per Section 14.4 Single Source, clauses d) and e);
- b) the Sources of Financing **BE APPROVED** as detailed in Appendix “A” of the associated staff report dated September 24, 2012;
- 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.

III. SCHEDULED ITEMS

- 12. The Finance and Administrative Services Committee met in camera from 1:27 PM to 2:55 PM after having passed a motion to do so, with respect to a confidential matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

(See Confidential Appendix to the 26th Report of the Finance and Administrative Services Committee enclosed for Members only.)

IV. ITEMS FOR DIRECTION

None.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

(See Item 12, above.)

VII. ADJOURNMENT

The meeting adjourned at 3:13 PM.