

27TH REPORT OF THE
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Meeting held on October 15, 2012, commencing at 1:02 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 S. Orser and H.L. Usher (both part time), A. Zuidema, B. Baar, J.P. Barber, J. Braam, B. Campbell, K. Dawtrey, T.L. Dobbie (T.L. Dobbie Consulting Ltd.), J. Edward, E. Gamble, M. Hayward, M. Henderson, G.T. Hopcroft, A. Macpherson, V. McAlea Major, C. Resendes, M. Ribera, C. Saunders, J. Stanford, M. Turner and B. Warner.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it **BE NOTED** that Councillor P. Hubert disclosed a pecuniary interest in clause C-2 of the Confidential Appendix to this Report pertaining to a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition, by indicating that he is the Executive Director of a Social Services agency that leases space from the proponent.

II. CONSENT ITEMS

2. Tender 12-98 - Supply and Delivery of Crew Cab and Chassis - Irregular Result

Recommendation: That, on the recommendation of the Managing Director, Engineering & City Engineer, the following actions be taken:

- a) the tender for the supply and delivery of two (2) Crew Cab & Chassis submitted by Carrier Centers, 645 Athlone Place, Woodstock, Ontario N4S 7V8 at their tendered price of \$158,796.00 (excluding HST), **BE ACCEPTED**; it being noted that this bid was the only bid received and meets the City's terms, conditions, specifications and requirements in all areas;
- b) the Source of Financing **BE APPROVED** as detailed in Appendix "A" of the associated staff report dated October 15, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with this award; and
- d) the 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.

3. Emergency Repairs - City Hall Loading Dock and Drop Off Circle Access Routes

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 emergency repairs:

- a) the actions taken by the Civic Administration to effect emergency repairs to the City Hall loading dock and drop off circle access routes in accordance with section 14.2 of the Procurement of Goods and Services Policy for a cost of \$56,447.15 (excluding HST) through a time & material contract with Abbott Construction, 611 Industrial Road, London, ON, N5V 1V2 **BE ENDORSED**;
- b) the Source of Financing **BE APPROVED** as detailed in Appendix "A" of the associated staff report dated October 15, 2012; and
- c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with this work.

4. Procurement of Goods and Services Policy Revisions

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 City of London's Procurement of Goods and Services Policy:

- a) the attached proposed by-law to amend By-Law No. A.-6151-17, **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012, to revise Schedule "C" to By-Law No. A.-6151-17 being the "Procurement of Goods and Services Policy" to:
 - i) replace Executive Directors and Directors with Managing Directors and replace of Departments with Service Areas, in addition to updates made for other current organizational changes;
 - ii) add a new section 20.3 regarding Contract Amendments/Extensions to Schedule A; and
 - iii) make various other minor "housekeeping" changes as required.

5. Amendment to Council Policy 22(3) - City of London Community Suite Policy

Recommendation: That the following actions be taken with respect to the City of London Community Suite Policy:

- a) on the recommendation of the City Clerk, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to delete and replace Council Policy 22(3) entitled "City of London Community Suite Policy" with a new Policy which reflects the elimination of the Board of Control;
- b) on the recommendation of the City Manager:
 - i) the City of London Community Suite **BE UTILIZED** by the City of London during the 2013 World Figure Skating Championships for the purposes of community promotion, and industrial and tourism promotion, in accordance with Council Policy 22(3);
 - ii) the City Clerk **BE DIRECTED** to include a business case for funding the costs associated with the above-noted use of the Suite in its 2013 Budget submission; and

- iii) the Mayor's Office **BE DESIGNATED** responsibility for coordinating the use of the Community Suite during the above-noted event, with a view to maximizing the positive exposure of the City through the use of the Suite by dignitaries from communities who are participating in the event.

6. Amendment to Council Policy 3(8) - City of London Days

Recommendation: That, on the recommendation of the City Clerk, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to delete and replace Council Policy 3(8) entitled "City of London Days at the John Labatt Centre" with a new Policy which reflects the facility's name change to "Budweiser Gardens".

7. Business Continuity Initiative (Server Co-Location) Between the City of London and London Hydro

Recommendation: That, on the recommendation of the Chief Technology Officer of the City of London, the following actions be taken with respect to the business continuity initiative:

- a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to:
 - i) approve an agreement (attached as Schedule 1 to the by-law) with London Hydro Inc. for co-locating some of the servers, switches, etc. in each other's data centres to provide business continuity;
 - ii) delegate to the Mayor and City Clerk the authority to execute the agreement; and
- b) the Civic Administration **BE AUTHORIZED** to undertake all the necessary administrative acts in connection with this matter.

8. Declare Surplus and Sale of City Landlocked Parcel off Horton Street in Exchange for Acquisition of Lands fronting on Bathurst Street

Recommendation: That, on the recommendation of the Manager Realty Services, with respect to a portion of the City owned vacant landlocked parcel of land off Bathurst Street, measuring approximately 15.5 meters X 21.7 meters, containing an area of approximately 337 square meters, being Part 3, Plan 33R-18372, as shown on Schedule "A" attached, the following actions be taken:

- a) declare the subject property being Part 3 , Plan 33R-18372 surplus;
- b) accept the offer from 598419 Ontario Limited to purchase from the City, lands described as Part 3, Plan 33R-18372, for the nominal sum of \$2.00;
- c) accept the offer from 598419 Ontario Limited, the adjacent property owner, to sell to the City the lands described as Part 4, Plan 33R-18372, for the nominal sum of \$2.00; and
- d) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on October 30, 2012 to approve the sale and acquisition and to authorize the Mayor and City Clerk to execute the Agreements of Purchase and Sale.

9. Offer from 1803302 Ontario Limited to Purchase 2.87 Acres Identified as Part Lot 27, Plan 33M-251 - Trafalgar Industrial Park - Phase III

Recommendation: That, on the recommendation of the Manager, Realty Services, with respect to the offer submitted by 1803302 Ontario Limited to purchase approximately 2.87 acres of land located on the west side of Sovereign Road, described as Part Lot 27, Plan 33M-251, as shown on Appendix "B", the following actions be taken:

- a) the offer submitted by 1803302 Ontario Limited to purchase the land

noted above in the amount of \$215,500.00, reflecting a price of \$75,000.00 per acre, **BE ACCEPTED**, subject to the following condition:

- i) the City will require that the existing natural vegetation be retained by the Purchaser as much as possible on the east and north property frontages and to be included into site landscaping. Densely planted trees are to implement the required tree management plan in areas where existing mature vegetation is removed on the north and east property frontages; and
- b) the attached proposed by-law (Appendix "C") **BE INTRODUCED** at the Municipal Council Meeting held on October 30, 2012, to approve this transaction and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale.

10. Civic Administration By-law A-43 Amendment

Recommendation: That the attached revised proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 for the purpose of repealing and replacing By-law No. A-43, the Civic Administration By-law, with a new Civic Administration By-law to take effect on October 31, 2012, to:

- (i) better reflect all organizational changes recently completed;
- (ii) provide clarity with respect to reporting relationships;
- (iii) address consistency and housekeeping matters;
- (iv) ensure flexibility for Administration in carrying out its work; and
- (v) reflect "economic development" within the by-law.

III. SCHEDULED ITEMS

11. Repeal and Replacement of By-law No. A-41 - 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 October 30, 2012 for the purpose of repealing and replacing By-law No. A-41, the Council Procedure By-law, with a new Council Procedure By-law to take effect on December 1, 2012, to implement a slightly modified standing committee structure and minor housekeeping changes, for the purpose of clarification; it being noted that there were no members of the public in attendance to speak to the Finance and Administrative Services Committee at the public meeting associated with this matter.

12. Tax Adjustment Agenda

Recommendation: That the recommendations in the Tax Adjustment Agenda dated October 15, 2012 **BE APPROVED**; it being noted that there were no members of the public in attendance to speak to the Finance and Administrative Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

IV. ITEMS FOR DIRECTION

13. Request for Delegation Status at the Finance and Administrative Services Committee re Pensions

Recommendation: That the Committee Secretary **BE REQUESTED** to make contact with Mr. Bill Tufts, Fair Pensions For All, in order to make arrangements for him to appear as a delegation at the next meeting of the Finance and Administrative Services Committee, in response to his request for delegation status regarding pensions.

14. Reserve Expenditure

Recommendation: That the Covent Garden Market **BE AUTHORIZED** to draw down on its reserve in the amount of \$25,000 to replace the existing lighting in the underground parking at the Covent Garden Market.

15. The Pledge 2012 Campaign

Recommendation: That the following actions be take with respect to the request from "The Pledge 2012 Campaign" for sponsorship funding:

- a) the organizers **BE REFERRED** to the City of London's grant process in the event that they wish to have their request considered in accordance with established guidelines for requests such as theirs; and
- b) the Mayor **BE REQUESTED** to write to the organizers advising them of the Municipal Council's recent pledge against bullying and reiterating the Municipal Council's ongoing support for the elimination of bullying.

16. Federation of Canadian Municipalities Board of Directors Meeting - Laval, Quebec - September 5-8, 2012

Recommendation: That the communication dated September 25, 2012 from Councillor H.L. Usher and Councillor J.L. Baechler regarding the Federation of Canadian Municipalities Board of Directors meeting held on September 5 - 8, 2012 in Laval, Quebec **BE RECEIVED**.

17. Resignation from the Accessibility Advisory Committee

Recommendation: That the communication from Deb Wilson-MacLeod, resigning her appointment to the Accessibility Advisory Committee, **BE ACCEPTED** and Deb Wilson-MacLeod **BE THANKED** for participating on the Accessibility Advisory Committee.

18. Resignation from the Accessibility Advisory Committee

Recommendation: That the communication dated September 19, 2012, from Avril Rinn, resigning her appointment to the Accessibility Advisory Committee, **BE ACCEPTED** and Avril Rinn **BE THANKED** for participating on the Accessibility Advisory Committee.

19. Resignation of Dayle Allan from the London Diversity and Race Relations Advisory Committee

Recommendation: That the communication dated October 2, 2012, from Elisabete Rodrigues, resigning the appointment of Dayle Allan to the London Diversity and Race Relations Advisory Committee, **BE ACCEPTED** and Dayle Allan **BE THANKED** for participating on the London Diversity and Race Relations Advisory Committee.

20. Resignation from the Community Safety and Crime Prevention Advisory Committee

Recommendation: That the communication dated September 25, 2012, from Bill Urquhart, resigning his appointment to the Community Safety and Crime Prevention Advisory Committee, **BE ACCEPTED** and Bill Urquhart **BE THANKED** for participating on the Community Safety and Crime Prevention Advisory Committee.

21. Resignation of Emily Marcoccia from the Town and Gown Committee

Recommendation: That the communication dated September 11, 2012, from Sabina Di Loreto, resigning the appointment of Emily Marcoccia to the Town and Gown Committee, **BE ACCEPTED** and Emily Marcoccia **BE THANKED** for participating on the Town and Gown Committee.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

(See Confidential Appendix to the 27th Report of the Finance and Administrative Services Committee enclosed for Members only.)

The Finance and Administrative Services Committee convened in camera from 1:55 PM to 2:12 PM after having passed a motion to do so, with respect to the following matters:

- C-1. A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.
- C-2. A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.

VII. ADJOURNMENT

The meeting adjourned at 2:12 PM.