

**16TH REPORT OF THE**  
**CIVIC WORKS COMMITTEE**

Meeting held on October 22, 2012, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor H.L. Usher (Chair), Mayor J. Fontana, Councillors S. Orser, P. Van Meerbergen and S. White and B. Mercier (Secretary).

**ABSENT:** Councillor J.L. Baechler.

**ALSO PRESENT:** Councillors M. Brown and P. Hubert, A. Zuidema, J. Braam, T. Copeland, A. Drost, A. Dunbar, B. Krichker, J. Lucas, S. Maguire, J. Page, J. Simon, E. Soldo, J. Stanford and R. Welker.

---

**I. DISCLOSURES OF PECUNIARY INTEREST**

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

**II. CONSENT ITEMS**

**2. 2nd Report of the Transportation Advisory Committee**

Recommendation: That the 2nd Report of the Transportation Advisory Committee, from its meeting held on October 2, 2012, **BE RECEIVED**.

**3. The Standard of Care Provision in Ontario's *Safe Drinking Water Act, 2002***

Recommendation: That the following actions be taken with respect to the Standard of Care Provision in Ontario's *Safe Drinking Water Act, 2002*:

- a) the report dated October 22, 2012 from the Managing Director, Engineering and City Engineer, with respect to Section 19 of the Ontario's *Safe Drinking Water Act, 2002*, commonly referred to as the "Standard of Care Provision", **BE RECEIVED** for information; and,
- b) the City Solicitor **BE REQUESTED** to provide a report back at a future meeting of the Civic Works Committee with respect to legal protection for Councillors in regard to the associated legal liabilities and penalties, as well as any other implications or repercussions of the legislation outlined in Section 19 of the Ontario's *Safe Drinking Water Act, 2002*, that extends legal responsibility to people with decision-making authority over municipal drinking water systems. (2012-W13-00)

**4. Amendments to the Traffic and Parking By-law**

Recommendation: That, on the recommendation of the Managing Director, Engineering and City Engineer, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on October 30, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2012-G05-00)

**5. Appointment of Consulting Services for the Dingman Creek Subwatershed Study - Climate Change Update**

Recommendation: That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the appointment of a consultant for the Dingman Creek Subwatershed Study, climate change update:

- a) Delcan (Consultant), 1069 Wellington Road South, Suite 214, London, ON, N6E 2H6, **BE APPOINTED** as Consulting Engineers for the Dingman Creek Subwatershed Study Update in the amount of \$327,159, excluding H.S.T., including allowances for contingency and provisional items for a physical survey and a Westminster Wetland Investigation and

Water Balance Review, in accordance with Section 15, Clause 15.2(d) 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 included as Appendix "A" to the associated staff report, dated October 22, 2012;
- c) the consulting fees for the project identified in (a), above, **BE IN ACCORDANCE** with the estimate, on file, which is based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; 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. (2012-A03-00)

#### 6. **Appointment of Consulting Services for Medway Creek Subwatershed Study Update**

Recommendation: That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the appointment of a consultant for the Medway Creek Subwatershed Study Update:

- a) Dillon Consulting, 1400-130 Dufferin Avenue, London ON, N6A 5R2, **BE APPOINTED** as Consulting Engineers for the Medway Creek Subwatershed Study Update, in the amount of \$293,814, including a contingency allowance of \$50,000, excluding H.S.T., in accordance with Section 15, Clause 15.2(d) 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 included as Appendix "A" to the associated staff report, dated October 22, 2012;
- c) the consulting fees for the project identified in (a), above, **BE IN ACCORDANCE** with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; 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. (2012-A03-00)

### III. **SCHEDULED ITEMS**

#### 7. **New "Value Based" Funding Model for Water and Wastewater Services**

Recommendation: That the following actions be taken with respect to the new "Value Based" funding model for Water and Wastewater Services:

- a) the report dated October 22, 2012, from the Managing Director of Engineering and City Engineer **BE RECEIVED** for information;
- b) a Public Participation Meeting **BE HELD** at the November 12, 2012 meeting of the Civic Works Committee, to hear from the public with respect to the proposed new "Value Based" funding model for Water and Wastewater Services; and,
- c) the Civic Administration **BE REQUESTED** to include Schedules B1 through B5 of Appendix B – "Schedule for Various Customer Benefits", associated to the staff report dated October 22, 2012, for consideration at the above-noted Public Participation Meeting;

it being noted that the Civic Works Committee heard the attached presentation and received the attached additional presentation, entitled "Total Annual Charges", from the Managing Director of Engineering and City Engineer, and R. Welker, Division Manager, Water Engineering, with respect to this matter. (2012-F17-00)

#### IV. ITEMS FOR DIRECTION

##### 8. Repaving of Berkshire Court

Recommendation: That the communication dated September 21, 2012, from R.J. Tolmie, Secretary, London Condominium Corporation No. 11 and K. W. Sadler, President and Director, London Condominium Corporation No. 4, **BE RECEIVED**; it being noted that the Civic Administration communicated with Mr. Tolmie and Mr. Sadler on September 28, 2012, indicating that Berkshire Court has been included in the 2013 work program proposed in the 2013 Capital Works Budget. (2012-S08-00)

##### 9. Parallel Parking at End of Driveway

Recommendation: That the Director, Roads and Transportation **BE REQUESTED** to review and report back at a future meeting of the Civic Works Committee (CWC) with respect to the communication dated October 4, 2012, from David Burdan, 68 Hillhead Road, related to parallel parking at the end of driveways; it being noted that Mr. Burdan is to be given delegation status when the report comes back to the CWC.

##### 10. Water Usage Charges

Recommendation: That the Managing Director, Engineering and City Engineer **BE REQUESTED** to review and report back at a future meeting of the Civic Works Committee (CWC) with respect to the communication dated September 28, 2012, from Lynne Stein, 20-475 McGarrell Drive, relating to a request for a refund on water usage charges; it being noted that Ms. Stein is to be given delegation status when the report comes back to the CWC; it being further noted that the CWC heard a verbal update from Councillor M. Brown, with respect to this matter. (2012-W13-00)

##### 11. Economic Development Opportunities for London

Recommendation: That the following actions be taken with respect to the communication dated October 5, 2012, from H. Brown, President, Brown and Cohen Communications and Public Affairs Inc., requesting delegation status for G. Mulhern, Executive Director, Ontario Concrete Pipe Association and B. Brown, President, Coldstream Concrete, with respect to economic development opportunities for London:

- a) the communication **BE REFERRED** to the Investment and Economic Prosperity Committee (IEPC); and,
- b) the Managing Director, Engineering and City Engineer **BE REQUESTED** to provide a report advising on the policies for the procurement of services or products followed by the Engineering service area.

#### V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

#### VI. ADJOURNMENT

The meeting adjourned at 6:39 PM.