

Corporate Services Committee

Report

10th Meeting of the Corporate Services Committee
April 16, 2019

PRESENT: Councillors J. Morgan (Chair), J. Helmer , P. Van Meerbergen, A. Kayabaga, S. Hillier, Mayor E. Holder
ALSO PRESENT: Councillors M. Cassidy, A. Hopkins, E. Peloza, S. Turner and M. van Holst; A.L. Barbon, B. Card, I. Collins, J. Davies, J. Freeman, M. Galczynski, G. Kotsifas, S. Mathers, C. McIntosh, J. Millson, K. Murray, A. Ostrowski, C. Saunders, S. Spring, J. Stanford, B. Warner, B. Westlake-Power and P. Yeoman.

The meeting is called to order at 12:32 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: J. Helmer
Seconded by: A. Kayabaga

That items 2.3, 2.5, 2.6 and 2.7 BE APPROVED.

Yeas: (5): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.3 2018 Compliance Report in Accordance with the Procurement of Goods and Services Policy

Moved by: J. Helmer
Seconded by: A. Kayabaga

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 2018 Compliance Report in accordance with the Procurement of Goods and Services Policy:

- a) as per the Procurement of Goods and Services Policy, Section 8.11 (c), an annual report of total payments where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, included as Appendix "A" to the staff report dated April 16, 2019, BE RECEIVED for information;
- b) the administrative contract awards for Professional Consulting Services with an aggregate total greater than \$100,000, as per Section 15.1 (g) of the Procurement of Goods and Services Policy, decentralized from Purchasing and Supply that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, included as Appendix "B" to the staff report dated April 16, 2019, BE RECEIVED for information;
- c) the list of administrative contract awards for Tenders with a value up to \$3,000,000 that do not have an irregular result, as per Section 13.2 (c) of the Procurement of Goods and Services Policy, included as

Appendix "C" to the staff report dated April 16, 2019, BE RECEIVED for information;

d) the City Treasurer, or delegate, BE DELEGATED authority to at any time refer questions concerning compliance with the Procurement of Goods and Services Policy to the City's internal auditor; and,

e) the City Treasurer, or delegate, BE AUTHORIZED to ratify and confirm completed awards or purchases between \$15,000 and \$50,000 where the City Treasurer or delegate is of the opinion that the awards or purchases were in the best interests of the Corporation.

Motion Passed

2.5 City of London Days at Budweiser Gardens - United Way Elgin & Middlesex

Moved by: J. Helmer

Seconded by: A. Kayabaga

That, on the recommendation of the City Clerk and in accordance with Council's City of London Days at Budweiser Gardens Policy, the request from the United Way Elgin & Middlesex to host the annual United Way Campaign Launch & 3M Harvest Lunch on September 18, 2019 BE APPROVED as a City of London Day at Budweiser Gardens.

Motion Passed

2.6 Integrity Commissioner Agreement

Moved by: J. Helmer

Seconded by: A. Kayabaga

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Solicitor, the following actions be taken with respect to the appointment of an Integrity Commissioner for The Corporation of the City of London and local boards:

a) the staff report, dated April 16, 2019, entitled "Integrity Commissioner Agreement" BE RECEIVED;

b) the proposed by-law appended to the staff report dated April 16, 2019 as Appendix "A" being "A by-law to approve an Agreement for Municipal Integrity Commissioner between The Corporation of the City of London and Gregory F. Stewart and to appoint Gregory F. Stewart as the Integrity Commissioner for the City of London and to repeal By-law A.-7405-156, being "A by-law to approve an Agreement for Municipal Integrity Commissioner between The Corporation of the City of London and Gregory F. Stewart and to appoint Gregory F. Stewart as the Integrity Commissioner for the City of London" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019; and,

c) the City Clerk BE DIRECTED to make the necessary arrangements to have the Mayor and the Clerk execute the Agreement referenced in b) above.

Motion Passed

2.7 City of London / Western Fair Association Lands - Archaeological Study

Moved by: J. Helmer

Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Director, Financial Services and the Manager of Realty Services, the following actions be taken with respect to the City of London/Western Fair Association Lands Archaeological Study:

a) the Civic Administration BE AUTHORIZED to contribute 50% of the costs related to the archaeological fieldwork and its associated repairs for work done on lands jointly owned by the City of London and the Western Fair Association as outlined in the staff report dated April 16, 2019; and

b) the financing of this project BE APPROVED in accordance with the "Source of Financing Report" appended to the above-noted staff report.

Motion Passed

2.1 2018 Year-End Capital Monitoring Report

Moved by: A. Kayabaga

Seconded by: J. Helmer

Approve items 2.1 and 2.2 as follows:

2.1 2018 Year-End Capital Monitoring Report

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 2018 Year-End Capital Monitoring Report:

a) the above-noted Report, dated April 16, 2019, BE RECEIVED for information; it being noted that the life-to-date capital budget represents \$1.7 billion with \$1.3 billion committed and \$0.4 billion uncommitted; it being further noted that the City Treasurer, or designate, will undertake the housekeeping adjustments identified in the Report, in accordance with the Multi-Year Budget Policy adopted by By-law No. CPOL.-45-241;

b) the status updates of active 2015 life-to-date capital budgets (2015 and prior) having no future budget requests, attached as Appendix "B" to the staff report dated April 16, 2019, BE RECEIVED for information;

c) the following actions be taken with respect to the completed capital projects identified in Appendix "C" appended to the staff report dated April 16, 2019, which have a total of \$11.9 million of net surplus funding:

i) the capital projects included in the above-noted Appendix "C" BE CLOSED; and,

ii) the following actions be taken with respect to the funding associated with the capital projects approved for closure in part c) i), above;

Rate Supported

A) pay-as-you-go funding of \$218,017 BE TRANSFERRED to capital receipts;

B) authorized debt financing of \$309,708 BE RELEASED resulting in a

reduction of authorized, but unissued debt;
C) uncommitted reserve fund drawdowns of \$8,411,629 BE RELEASED from the reserve funds which originally funded the projects;

Non-Rate Supported

D) uncommitted reserve fund drawdowns of \$1,934,391 BE RELEASED from the reserve funds which originally funded the projects;
E) authorized debt financing of \$280,478 BE RELEASED resulting in a reduction of authorized, but unissued debt;
F) other net non-rate supported funding sources of \$696,778 BE ADJUSTED in order to facilitate project closings; and,

d) the funding for the Grand Theatre's \$2 million request previously approved by Municipal Council BE RECEIVED for information.

2.2 2018 Operating Budget Year-End Monitoring Report - Property Tax, Water, Wastewater and Treatment Budgets

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 2018 Operating Budget Year-End Monitoring Report:

a) the 2018 Operating Budget Year-End Monitoring Report for the Property Tax Supported Budget, Water, and Wastewater & Treatment Budgets BE RECEIVED for information; it being noted that an overview of the net corporate positions are outlined below, noting that the year-end positions include the contributions to reserves listed in items b) to d):

i) Property Tax Supported Budget surplus is \$6.0 million as identified by the Civic Administration, Boards and Commissions;
ii) Water Rate Supported Budget position is balanced at year-end;
iii) Wastewater & Treatment Rate Supported Budget surplus is \$3.2 million;

b) the following contributions to reserves, in accordance with the Council approved Surplus/Deficit Policy, BE RECEIVED for information:

i) \$3.0 million to the Operating Budget Contingency Reserve;
ii) \$3.0 million to the Water Budget Contingency Reserve;
iii) \$2.2 million to the Wastewater Budget Contingency Reserve;

c) the request to fund the 2018 London & Middlesex Community Housing operational deficit of \$35,284, which has been included in the above noted surplus of \$6.0 million, BE APPROVED (see Appendix E for Letter of Request, appended to the staff report dated April 16, 2019);

d) notwithstanding the Council approved Surplus/Deficit Policy, the Civic Administration BE AUTHORIZED to contribute \$3.0 million of the \$6.0 million surplus from the Property Tax Supported Budget to the Industrial DC Incentive Program Tax-Supported Reserve Fund;

e) the contribution of \$3,945,235 (\$3,381,174 – Property Tax Supported; \$226,196 – Water; and \$337,865 – Wastewater & Treatment) to the Efficiency, Effectiveness and Economy Reserves in 2018 BE RECEIVED for information; and

f) the allocation of the remaining surplus from the Property Tax Supported Budget, Water Rate Supported Budget, and Wastewater & Treatment Rate Supported Budget in accordance with the Council approved Surplus/Deficit Policy BE RECEIVED for information;

it being noted that the reported year-end surplus is subject to completion of the financial statement audit.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.4 Elected Officials and Appointed Citizen Members - 2019 Remuneration

That the following actions be taken with respect to 2019 remuneration:

- a) notwithstanding the “Remuneration for Elected Officials and Appointed Citizen Members” policy NO ACTION BE TAKEN with respect to the 2019 remuneration for elected officials; and,
- b) the remuneration and stipends for appointed citizen members of local boards and commissions BE ADJUSTED in accordance with the existing, above-noted policy, for the year 2019.

Motion Passed

Voting Record:

Moved by: J. Helmer
Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the City Clerk, the 2018 remuneration for elected officials and appointed citizen members of local boards and commissions, where stipends are paid, BE ADJUSTED by 2.3% over 2018 effective January 1, 2019, in keeping with Council Policy, “Remuneration for Elected Officials and Appointed Citizen Members” adopted by By-law No. CPOL.-70(a)-408.

Yeas: (3): J. Helmer, A. Kayabaga, and S. Hillier

Nays: (3): J. Morgan, P. Van Meerbergen, and E. Holder

Motion Failed (3 to 3)

Moved by: J. Morgan
Seconded by: E. Holder

That the following actions be taken with respect to 2019 remuneration:

- a) notwithstanding the “Remuneration for Elected Officials and Appointed Citizen Members” policy NO ACTION BE TAKEN with respect to the 2019 remuneration for elected officials; and,

Yeas: (4): J. Morgan, P. Van Meerbergen, S. Hillier, and E. Holder

Nays: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 2)

Moved by: J. Morgan
Seconded by: E. Holder

- b) the remuneration and stipends for appointed citizen members of local boards and commissions BE ADJUSTED in accordance with the existing, above-noted policy, for the year 2019.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.8 Development Charges Deferred Payment Agreement Italian Seniors' Project - 1090 Hamilton Road

Moved by: J. Helmer
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, with the concurrence of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken:

a) the proposed by-law included on the added agenda, BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to:

i) approve a Development Charges Deferred Payment Agreement ("Schedule 1") under Section 27 of the *Development Charges Act* between The Corporation of the City of London and Italian Seniors' Project (located at 1090 Hamilton Road), it being noted that the deferred payment agreement is supported for the following reasons:

A) the development is wholly affordable housing units that are funded through Federal, Provincial and Municipal contributions;

B) the development cannot secure funding required to pay Development Charges until such time as building construction has commenced;

C) the period of deferral is less than one year;

D) the deferred payment agreement is an interim measure pending the possible introduction of incentives related to Development Charges payable for affordable housing; and

E) the financial position of the Municipality will be protected under the deferred payment agreement; and,

ii) authorize the Mayor and the City Clerk to execute the Agreement; and

b) the Civic Administration BE DIRECTED to prepare a policy for Council consideration regarding deferred payment agreements under Section 27 of the *Development Charges Act*.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Council Member's Expense Account Policy

Moved by: E. Holder
Seconded by: S. Hillier

That the Governance Working Group BE DIRECTED to undertake a fulsome review of the Council Member's Expense Account Policy, including the amount of the annual allocation, during its review in the first quarter of 2020; it being noted that the Corporate Services Committee received a communication dated April 4, 2019 from Councillor E. Peloza with respect to this matter.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Corporate Services Committee Public Deferred Matters List

Moved by: J. Helmer

Seconded by: A. Kayabaga

That the Corporate Services Committee Deferred Matters List, as of April 8, 2019, BE RECEIVED.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: P. Van Meerbergen

Seconded by: J. Helmer

That the Corporate Services Committee convene In Closed Session for the purpose of considering the following:

6.1 Land Disposition/Solicitor-Client Privileged Advice

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

6.2 Solicitor-Client Privileged Advice

A matter pertaining to the proposed or pending lease of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

6.3 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

6.4 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

6.5 Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to an identifiable individual; employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

6.6 Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to an identifiable individual; employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

6.7 Solicitor-Client Privileged Advice/ Confidential Trade Secret or Scientific, Technical, Commercial, Financial or Labour Relations Information, Supplied to the City/Position, Plan Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to solicitor client privilege; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

6.8 Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose and directions to officers and employees of the Corporation pertaining to the Municipal Employee Indemnification By-law.

Yeas: (6): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

The Corporate Services Committee convened In Closed Session from 2:23 PM to 2:50 PM.

7. Adjournment

The meeting adjourned at 2:51 PM.