

1ST REPORT OF THE
CIVIC WORKS COMMITTEE

Meeting held on December 3, 2012, commencing at 4:03 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Committee Members: Councillor P. Van Meerbergen (Chair), Mayor J. Fontana, Councillors M. Brown, S. Orser, H.L. Usher and S. White and J. Martin (Secretary).

ALSO PRESENT: Councillors J. L. Baechler and D. Brown; G. Belch, J. Braam, A. Drost, A. Dunbar, D. Huggins, O. Katolyk, B. Krichker, J. Lucas, S. Maguire, J. Simon, E. Soldo and J. Stanford.

I. DISCLOSURES OF PECUNIARY INTEREST

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

II. CONSENT ITEMS

2. **3rd Report of the Transportation Advisory Committee**

Recommendation: That the 3rd Report of the Transportation Advisory Committee, from its meeting held on November 6, 2012, **BE RECEIVED**.

3. **Customer Request for Billing Reduction**

Recommendation: That, notwithstanding the recommendation of the Director, Water and Wastewater and Treatment, a rebate of 25% of the subject billing, less a previous credit of \$329.89 **BE PROVIDED** to L. Stein, 475 McGarrell Dr., Unit 20, with respect to the water bill, issued to her on February 27, 2012, in the amount of \$3,583.00. (2012-W12-00)

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

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on December 11, 2012 for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2012-S09-00)

5. **Single Source Procurement of Positive Displacement Cold Water Meters with Encoder-Receiver-Transmitter Attached**

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Single Source Procurement of Positive Displacement Cold Water Meters With Encoder-Receiver-Transmitter attached:

- a) the quote from EMCO Corporation Waterworks, 944 Leathorne Street, London, ON, N5Z 3M5, for the supply, delivery and storage of 10,000 positive displacement cold water meters with attached ERT, for the price of \$1,250,000, HST extra, **BE ACCEPTED** on a single source basis as per section 14.4 (k) of the Procurement of Goods and Services Policy;
- b) the funding for this purchase **BE APPROVED** as set out in the Source of Finance Report included into the staff report dated December 3, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2012-W12-00)

6. Overnight Parking

Recommendation: That the report dated December 3, 2012, from the Managing Director, Environmental & Engineering Services and City Engineer and the Managing Director, Development & Compliance Services & Chief Building Official, with respect to overnight parking restrictions, **BE REFERRED** to the 2013 Budget process. (2012-S04-00)

7. Contract Award - Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation (ES3020-HP4/ES2487-STNDR) (Tender 12-60)

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the award of a contract for the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation:

- a) the bid submitted by Bre-Ex Limited 247 Exeter Road, London, ON N6L 1A5 at its tendered price of \$5,719,479.55 (including contingency, excluding H.S.T.), for the Hyde Park No.4 Stormwater Management Facility and Stanton Drain Remediation Construction contract, **BE ACCEPTED**; it being noted that the bid received was the lowest of six (6) pre-qualified bids and meets the City's specifications and requirements in all areas;
- b) the engineering fees for AECOM (Consultant) Citi Plaza 250 York Street, Suite 410 London, Ontario Canada, N6A 6K2 **BE INCREASED** to carry out additional design (\$36,756) inspection and general construction administration (\$327,948) and monitoring program (\$58,564) of said project in the upset amount of \$423,268, (including contingency, excluding HST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included in the staff report dated December 3, 2012;
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender 12-60); and,
- f) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2012-W05-00)

8. Appointment of Consultant for Powell Drain Remediation Design (ES3020-UPNB2)

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the appointment of a consultant for the Powell Drain Remediation Design:

- a) DELCAN, 1069 Wellington Road South, Suite 214, London, Ontario, Canada **BE APPOINTED** Consulting Engineers for the Powell Drain Remediation Design in the amount of \$93,247, excluding HST, in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this work **BE APPROVED** as set out in the Sources of Financing Report included in the staff report dated December 3, 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 given herein **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)

9. Construction Timing of Stormwater Management Facilities

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the construction timing of Stormwater Management (SWM) Facilities:

- a) Old Victoria No. 2 SWM facility **BE CONSTRUCTED** in 2013 subject to land development approvals and acquisition of the land required for the facility;
- b) Fox Hollow No. 1 SWM Facility south cell and woodlot berms **BE CONSTRUCTED** in 2013 subject to obtaining consent to access adjacent lands for the purposes of constructing the facility, land development approvals and amendment to the Certificate of Approval associated with the SWM facility that are required due to the adjustment in drainage areas to support the phasing of the facility; and,
- c) Old Oak No. 2 SWM facility **BE CONSTRUCTED** in 2013 subject to obtaining consent to access adjacent lands for the purpose of constructing the facility and land development approvals. (2012-D18-00)

III. SCHEDULED ITEMS

10. Election of Vice Chair for the term ending November 30, 2013

Recommendation: That Councillor H. L. Usher **BE ELECTED** as the Civic Works Committee's Vice-Chair for the term ending November 30, 2013.

11. 2013 New Funding Model By-law for Water and Wastewater Services

Recommendation: That, on the recommendation of the Managing Director, Engineering and City Engineer:

- a) the following actions be taken:
 - i) all rates and charges related to the provision of Water Services **BE MODIFIED** to reflect the new funding model effective March 1, 2013; and,
 - ii) the attached revised proposed by-law to amend By-law No. WM-7 "A by-law to provide for the setting of rates and charges for water supply in the City of London" (Appendix A) **BE INTRODUCED** at the Municipal Council meeting on December 11, 2012 to effect the rates and charges noted in i), above.
- b) the following actions be taken:
 - i) all rates and charges related to the provision of Wastewater and Treatment Services **BE MODIFIED** to reflect the new funding model effective March 1, 2013;
 - ii) changes to the storm drainage charge **BE PHASED-IN** over a three year period for residential, commercial and institutional customers (Appendix B2); and,

- iii) the attached revised proposed by-law to amend the By-law No. WM 26 "A by-law to establish the Schedule of Sewer System Fees and Charges." (Appendix B2) **BE INTRODUCED** at the Municipal Council meeting on December 11, 2012 to effect the rates and charges noted in i), above.

it being noted that the Civic Works Committee heard the attached presentation from J. Braam, Managing Director, Environmental and Engineering Services & City Engineer, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- C. Gupta, 919 Plantation Road – expressing concern with respect to the future of water and wastewater rates, stating that no economic studies have been completed and there has been no consideration for capital and infrastructure costs, questioning the costs associated with adding chemicals to the water.
- S. Harrington, 1471 Webster Street – expressing concern with respect to all residents being charged stormwater charges, regardless of whether the residents have access or benefit from the stormwater drainage services.
- G. Brown, 59 Ridout Street, Apt 35A – expressing that he is pleased with the new progressive rate structure, stating that this may assist with more compact and better designed use of industrial lands. (2012-W13-00)

12. **Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment**

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Meadowlily Footbridge Rehabilitation:

- a) the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Schedule 'B' Screening Report **BE ACCEPTED**;
- b) a Notice of Completion of the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Screening Report **BE ADVERTISED and BE FILED** with the Municipal Clerk; and,
- c) the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Screening Report **BE PLACED** on public record for a 30-day review period.

it being noted that the Civic Works Committee heard the attached presentation from AECOM, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made a written or oral submission in connection therewith:

- G. Smith, President, Friends Of Meadowlily Woods Community Association – see attached submission.
- G. Brown – 59 Ridout Street, Apt 35A – expressing a concern with the detour creating a challenge for pedestrians and requesting consideration of prohibiting parking on the south side of the bridge for the safety of pedestrians.
- G. Struckett – 68 Meadowlily Road – expressing a concern with the inconvenience of closing the bridge and requesting that staff review the possibilities of convenient alternatives and installing surveillance cameras at the south side of the bridge due to the increase in vandalism. (2012-S08-00)

IV. ITEMS FOR DIRECTION

13. 3rd Report of the LTC Long Term Growth Report Working Group

Recommendation: That the following actions be taken with respect to the 3rd Report of the LTC Long Term Growth Report Working Group, from its meeting held on November 8, 2012:

- a) the following actions be taken with respect to Bus Rapid Transit proposed financing:
 - i) the Municipal Council **BE REQUESTED** to endorse, in principle, the provisional capital and operating budget estimates and plan, as outlined in the attached presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, recognizing that the capital funding will be divided $\frac{1}{2}$, $\frac{1}{3}$ $\frac{1}{3}$; it being noted that this is consistent with the approved 2030 Transportation Master Plan (TMP);
 - ii) the above-noted plan **BE INCLUDED** in the City's 2014 Draft Budget; and,
- b) clauses 2 through 4 **BE RECEIVED**.

14. Tributary 'C' Storm/Drainage and Stormwater Management, Transportation and Sanitary Trunk Servicing Environmental Study Report Modifications

Recommendation: That, on the recommendation of the Director of Roads and Transportation, the following information **BE RECEIVED**, detailing changes that were incorporated in the final Environmental Study Report (ESR) for the Tributary 'C' Storm/Drainage and Stormwater Management (SWM), Transportation and Sanitary Trunk Servicing Municipal Class Environmental Assessment Study:

- a) the ecological buffers/setbacks size increase to the Tributary 'C' coldwater fishery system requested by the Ministry of Environment (MOE) and other approval agencies;
- b) the recommended post-development monitoring program for the proposed Stormwater Management Facility 'A' requested by the Munsee Delaware First Nation's Peer Review Consulting Team; and,
- c) a response to the concerns identified by West Kains Land Corporation in a letter dated October 31, 2012; (2012-W10-00)

it being noted that the Civic Works Committee heard a verbal presentation from C. Linton, Land Development Project Manager, Norquay Developments with respect to this matter. (2012-F06-00)

15. Temporary Overnight Parking Pass for Visitors of London

Recommendation: That the communications dated November 23, 2012 and November 3, 2012, from Councillor J. Bryant, with respect to a request for temporary overnight parking passes for visitors of London **BE REFERRED** to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee. (2012-S04-00)

16. Trowbridge Avenue Parking Restrictions

Recommendation: That the communication dated November 23, 2012, from Councillor D. Brown, with respect Trowbridge Avenue parking restrictions **BE REFERRED** to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee. (2012-S04-00)

17. Material Recovery Facility Processing Blue Box Recyclables

Recommendation: That, on the recommendation of the Director – Environmental Programs & Solid Waste, the following actions be taken with respect to providing Blue Box processing services:

- a) the attached proposed by-law (Appendix A), **BE INTRODUCED** at the Municipal Council meeting on December 11, 2012 to amend By-law No. A.-6737-304 to delegate the authority to the Managing Director - Environmental & Engineering Services & City Engineer to negotiate agreements and establish pricing for companies wanting to use the Manning Drive Regional Material Recovery facility to process recyclables;
- b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this matter;
- c) the Civic Administration **BE DIRECTED** to report back with any new agreements for Blue Box processing services; and
- d) the Mayor and the City Clerk **BE AUTHORIZED** to execute all documents that are necessary in connection with this matter.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. CONFIDENTIAL

(See Confidential Appendix enclosed for Members only.)

The Civic Works Committee convened in camera from 4:04 PM to 4:24 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to litigation currently before the Ontario Court of Justice, pertaining to charges under the *Environmental Protection Act, R.S.O. 1990, c.E.19*, as amended related to the Greenway WPCC or potential litigation affecting the municipality and arising out of the aforementioned litigation; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

VII. ADJOURNMENT

The meeting adjourned at 6:39 PM.