

Corporate Services Committee

Report

15th Meeting of the Corporate Services Committee
July 23, 2019

PRESENT: Councillors J. Morgan (Chair), P. Van Meerbergen, A. Kayabaga, S. Hillier, Mayor E. Holder
ABSENT: J. Helmer
ALSO PRESENT: Councillors M. van Holst and S. Lewis; M. Hayward, A.L. Barbon, B. Card, I. Collins, B. Coxhead, J. Davies, J. Edmonds, L. Hamer, R. Lamon, L. Livingstone, J. Millson, K. Murray, J. Senese, S. Spring, B. Warner, B. Westlake-Power and P. Yeoman.

The meeting is called to order at 10:08 AM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Morgan discloses a pecuniary interest in items 5.3 and 6.1, both related to the London Hydro Inc. Board of Directors, by indicating that a candidate is directly involved with his employment at Western University.

2. Consent

Moved by: S. Hillier
Seconded by: P. Van Meerbergen

That Items 2.1 to 2.6 BE APPROVED.

Yeas: (4): J. Morgan, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 to 0)

2.1 2019 Development Charges Capital Budget Adjustments

Moved by: S. Hillier
Seconded by: P. Van Meerbergen

That on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the Civic Administration BE AUTHORIZED to adjust the growth component of the capital budget to reflect the 2019 funding requirements, consistent with the approved 2019 Development Charges Study; it being noted that funding requirements in 2020 and beyond, as identified in the 2019 Development Charges Study, will be included in the 2020-2023 Multi-Year Budget.

Motion Passed

2.2 2018 Investment Report

Moved by: S. Hillier
Seconded by: P. Van Meerbergen

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 Investment Report, dated July 23, 2019:

- a) the above-noted report, providing a summary of the performance of the City of London's investment portfolio, BE RECEIVED for information;
- b) the Investment Policy as appended to the staff report dated July 23, 2019 as Appendix "B", BE RECEIVED for information; it being noted that the Civic Administration is not recommending any revisions to the Policy; and
- c) subject to completion of the Civic Administration's due diligence, the City's strategy to invest in the One Investment Equity Portfolio offered by CHUMS Financing Corporation and Local Authority Services Ltd. BE ENDORSED.

Motion Passed

2.3 New Council Policy - Contracting for Legal Services

Moved by: S. Hillier

Seconded by: P. Van Meerbergen

That, on the recommendation of the Managing Director, Corporate Services and City Solicitor, the proposed by-law appended to the staff report dated July 23, 2019 BE INTRODUCED at the Municipal Council meeting on July 30, 2019 to enact a new Council Policy entitled "Contracting for Legal Services".

Motion Passed

2.4 Declare Surplus and Closing of Isaac Drive

Moved by: S. Hillier

Seconded by: P. Van Meerbergen

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Manager of Realty Services, with respect to the closed public property, described as Isaac Drive north of Clayton Walk, Part 2 and 3, Reference Plan 33R-20114, containing an area of approximately 3,576 square feet (332.28 square metres), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and
- b) the subject property BE TRANSFERRED to 2219008 Ontario Limited.

Motion Passed

2.5 City of London Days at the Budweiser Gardens - Canada's Walk of Fame - Cancellation

Moved by: S. Hillier

Seconded by: P. Van Meerbergen

That, on the recommendation of the City Clerk, the City of London Day at the Budweiser Gardens for Canada's Walk of Fame Hometown Star recognition ceremony for Tessa Virtue and Scott Moir, originally approved by the Municipal Council to be held on August 7, 2019, BE CANCELLED, at the request of Canada's Walk of Fame.

Motion Passed

- 2.6 Report from the Federation of Canadian Municipalities Annual Conference and Trade Show - Quebec City, QC - May 30 - June 2, 2019

Moved by: S. Hillier

Seconded by: P. Van Meerbergen

That the communication dated July 15, 2019 from Councillor J. Morgan regarding the Federation of Canadian Municipalities Board of Directors meeting held June May 30-June 2, 2019 in Quebec City, Quebec BE RECEIVED for information.

Motion Passed

3. Scheduled Items

- 3.1 Tax Adjustment Agenda

Moved by: S. Hillier

Seconded by: E. Holder

That the recommendations contained in the amended Tax Adjustment Agenda dated July 23, 2019, BE APPROVED; it being noted that the Application No.'s 2017-175 and 2018-90 for the property known as 234 Dundas Street were removed; it being further noted that there were no members of the public in attendance to speak to the Corporate Services Committee at the public hearing associated with this matter.

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

Absent: (1): J. Helmer

Motion Passed (5 to 0)

4. Items for Direction

- 4.1 Additional Honourees for Mayor's New Year's Honour List

Moved by: E. Holder

Seconded by: A. Kayabaga

That the communication dated July 11, 2019 from Mayor E. Holder with respect to the request for four additional honourees to be recommended at the selection of the Mayor and Council BE REFERRED to the Civic Administration in order to report back to the Corporate Services Committee at a future date with respect to a policy to be introduced to allow for recognitions to commence in January 2020.

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

Absent: (1): J. Helmer

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

- 5.1 Corporate Services Committee Deferred Matters List

Moved by: A. Kayabaga

Seconded by: P. Van Meerbergen

That the Corporate Services Committee Deferred Matters List, as of July 15, 2019, BE RECEIVED.

Yeas: (4): J. Morgan, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 to 0)

5.2 ADDED - Use of Council Chambers for Sovereign's Medal Ceremony

Moved by: S. Hillier

Seconded by: P. Van Meerbergen

That the use of the City of London Municipal Council Chambers for a Sovereign's Medal presentation ceremony by the Mayor, to be undertaken at the request of the Governor General, BE APPROVED, in accordance with the communication of the Mayor dated July 18, 2019.

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

Absent: (1): J. Helmer

Motion Passed (5 to 0)

5.3 ADDED - Appointment to the London Hydro Board of Directors

Moved by: P. Van Meerbergen

Seconded by: S. Hillier

That, on the recommendation of the Corporate Services Committee, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held July 30, 2019 to:

a) ratify and confirm the Resolution of the Shareholder of London Hydro Inc., attached as Schedule "A" to the by-law; and

b) authorize the Mayor and the City Clerk to execute the Resolution of the Shareholder of London Hydro Inc. attached as Schedule "A" to the by-law;

it being noted that Sarah Shortreed was selected for appointment to the London Hydro Inc. Board of Directors.

Yeas: (3): P. Van Meerbergen, A. Kayabaga, and S. Hillier

Recuse: (1): J. Morgan

Absent: (2): J. Helmer, and E. Holder

Motion Passed (3 to 0)

6. Confidential (Enclosed for Members only.)

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

6.1 Personal Matter About Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including communications necessary for that purpose, as it relates to interviews for nomination to the London Hydro Inc. Board of Directors. (6.1/15/CSC)

The Corporate Services Committee convened In Closed Session from 10:09 AM until 11:47 AM.

Moved by: A. Kayabaga

Seconded by: S. Hillier

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

6.2 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.2/15/CSC)

6.3 Labour Relations/Employee Negotiations/Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regards to one of the Corporation's unions and advice which is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation. (6.3/15/CSC)

6.4 Land Disposition/Solicitor-Client Privileged Advice/Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

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. (6.4/14/CSC)

6.5 Land Disposition/Solicitor-Client Privileged Advice/Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

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. (6.5/15/CSC)

6.6 Personal Matters/Identifiable Individual/Solicitor-Client Privileged Advice

A matter pertaining to an identifiable individual; employment-related matter and advice that is subject to solicitor-client privilege. (6.6/15/CSC)

6.7 (Added) Land Acquisition/Disposition/Solicitor-Client Privileged Advice/Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to the proposed or pending acquisition or 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. (6.7/15/CSC)

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

Absent: (1): J. Helmer

Motion Passed (5 to 0)

The Corporate Services Committee convened In Closed Session from 1:03 PM to 2:36 PM.

7. Adjournment

The meeting adjourned at 2:37 PM.

APPENDIX “A”

Bill No.
2019

By-law No. A.-

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc.

WHEREAS London Hydro Inc. is a corporation incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16;

AND WHEREAS subsection 104(1)(b) of the *Business Corporations Act* provides that a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of this Act relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of London Hydro Inc.;

AND WHEREAS Subsection 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Annual Resolutions of the Shareholder of London Hydro Inc. for the fiscal year ended December 31, 2018, attached as Schedule “A” are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force on the day it is passed.

PASSED in Open Council on the 30th day of July, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 30, 2019
Second Reading – July 30, 2019
Third Reading – July 30, 2019

SCHEDULE “A”

LONDON HYDRO INC. (the “Corporation”)

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the “Act”) provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2018, and the other audited financial statements, together with Auditors’ Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF DIRECTORS

WHEREAS pursuant to an Amended and Restated Shareholder Declaration, as amended (the “Amended and Restated Shareholder Declaration”), the board of directors of the Corporation shall consist of seven directors, six of which shall be composed of various classes of directors, each serving for a three-year term, and the seventh member of the fourth class shall serve as the representative of the municipal council of The Corporation of the City of London;

AND WHEREAS the terms of the directors that are members of the third class expire at the annual meeting of shareholders held in 2018 pursuant to paragraph 4.4 of the Shareholder Declaration;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being directors that are members of the first and third class pursuant to paragraph 4.4 of the Amended and Restated Shareholder Declaration, are hereby elected as a director of the Corporation to hold office for a term with the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
Third	Sarah Shortreed	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020

CONFIRMATION OF CONTINUING TERMS

2. Each of the following persons, being directors that are members of the second, third and fourth class, as provided for below, pursuant to paragraph 4.4 of the Shareholder Declaration, is hereby confirmed as having a term continuing until the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
First	Gabe Valente	the close of the annual meeting of the shareholders to be held in 2022 for the financial year ending December 31, 2021
First	Jack Smit	the close of the annual meeting of the shareholders to be held in 2022 for the financial year ending December 31, 2021
Second	Guy Holburn	the close of the annual meeting of shareholders to be held in 2020 for the financial year ending December 31, 2019
Third	Marilyn Sinclair	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Fourth	Michael van Holst	the term ending November 15, 2022

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this _____ day of _____, 2019.

The Corporation of the City of London

By: _____
Name: Ed Holder
Title: Mayor

By: _____
Name: Catharine Saunders
Title: City Clerk