

<b>TO:</b>	<b>CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON APRIL 28, 2020</b>
<b>FROM:</b>	<b>SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME &amp; BOARD, HOUSING DEVELOPMENT CORPORATION (HDC)</b>
<b>SUBJECT:</b>	<b>GOVERNANCE REQUIREMENTS AND RECOMMENDATIONS – HOUSING DEVELOPMENT CORPORATION, LONDON</b>

<b>RECOMMENDATIONS</b>
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That on the recommendation of the Managing Director, Housing, Social Services and Dearness Home and concurrently the Board, Housing Development Corporation, London (HDC) the following actions be taken with respect to the Housing Development Corporation, London (HDC):

- a) the report dated April 28, 2020 entitled “Governance Requirements and Recommendations – Housing Development Corporation, London, BE RECEIVED;
- b) the attached proposed by-law “Appendix “A” being “A by-law to repeal By-law No. A.07891-264 being “A by-law to appoint an interim director of the Housing Development Corporation, London” BEN INTRODUCED at the Municipal Council Meeting to be held on May 5, 2020; and,
- c) the attached proposed by-law “Appendix “B” being “A by-law to appoint an interim director of the Housing Development Corporation, London” BE INTRODUCED at the Municipal Council Meeting to be held on May 5, 2020.

<b>PREVIOUS REPORTS PERTINANT TO THIS MATTER</b>
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“RFP 18-04: City of London Service Review – Consulting Services,” Strategic Priorities and Policy Committee, March 26, 2018

“Response to London Middlesex Housing Corporation (LMHC) Requested Changes to the Articles of Incorporation and PricewaterhouseCoopers Internal Audit Report,” Strategic Priorities and Policy Committee, March 4, 2019

“City of London Service Review: Project Update”, Strategic Priorities and Policy Committee, April 8, 2019

“City of London Service Review: Review of Service Delivery for Housing”, Strategic Priorities and Policy Committee, August 26, 2019

“City of London Housing Service Review: Proposed Action Plan Recommendation”, Strategic Priorities and Policy Committee, September 16, 2020

“City of London Housing Service Review: Proposed Action Plan Recommendation – Update”, Strategic Priorities and Policy Committee, September 16, 2020

## LINK TO THE STRATEGIC PLAN

The City of London Service Review links to Council's Strategic Plan 2019 – 2023 strategic area of focus of Leading in Public Service, specifically:

- Increase efficiency and effectiveness of service delivery; and
- Maintain London's finances in a transparent and well-planned manner to balance equity and affordability over the long term

## PURPOSE OF REPORT

At its meeting held on August 27, 2019, the Municipal Council in response to a report on the review of service delivery for housing, directed the Civic Administration to “determine next steps and actions based on the analysis and potential course of action identified in the KPMG report dated August 12, 2019, with respect to the review of service delivery for housing” and “to examine the development of affordable housing, consistent with the City's Service Manager legislated responsibility and report back on a recommended course of action”. The above-noted KPMG report related to the Shareholders Agreements between the City and London and Middlesex Community Housing (LMCH) as well as the City and Housing Development Corporation, London (HDC).

At its meeting of September 17, 2020, the Municipal Council received and approved the Action Plan recommended by the Civic Administration and revised the composition of the Boards of Directors of both London Middlesex Community Housing Corp. and the Housing Development Corporation, London and passed the following motion:

*“That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London Housing Service Review:*

- a) the staff report dated September 16, 2019, and the subsequent updated report, BE RECEIVED;*
- b) Option 3 identified in the reports, noted in a) above, BE APPROVED;*
- c) the Civic Administration BE DIRECTED to take all necessary steps to implement the above-noted Option 3;*
- d) the Civic Administration BE DIRECTED to report quarterly to Municipal Council with a status and progress update on the implementation of Option 3;*
- e) the City Clerk BE DIRECTED to make the necessary arrangements to bring forward the appropriate by-laws to implement actions identified in Option 3; and*
- f) the Civic Administration BE DIRECTED to report back to Corporate Services Committee on the feasibility of using the same approach taken for affordable housing to reduce the effective tax rate for London Middlesex Community Housing (LMCH) buildings to be equivalent to the residential tax rate, including any amendments that may be necessary to the Municipal Housing Facilities By-law to do so;*

*it being noted that the Strategic Priorities and Policy Committee received communications dated September 12, 2019 from D. Astolfi and J. Atkinson, and received verbal delegations and the ~~attached~~ submissions from the Housing Development Corporation and the London & Middlesex Community Housing. (4.1/18/SPPC) (2019-S11)”*

*In response to this above-noted direction, the Municipal Council enacted By-law No. A.-7890-264 being “A by-law to discharge the current Board members of the Housing Development Corporation, London” and enacted By-law No. A.-7891-264, being “A by-law to appoint an interim director of the Housing Development Corporation, London”.*

The Municipal Council appointed the City’s Managing Director, Housing, Social Services and Dearness Home (Sandra Datars Bere) as the interim Board for the Housing Development Corporation, London (HDC). This board composition has been in place since September 17, 2019, and oversight of the operations of HDC has continued. The actions of HDC has been reviewed, monitored and approved by the Board and updates on various initiatives has been addressed through regular board meetings and reports to the Municipal Council.

In light of impending changes in tenure of the current Board (member), and the requirements of the organization’s Articles of Incorporation, changes to Board composition are required. This report provides a recommendation and proposed plan of action for the Board of the Housing Development Corporation, London.

## **OVERVIEW AND RECOMMENDATION**

The Housing Development Corporation, London (HDC) was approved by Municipal Council as a corporate entity in 2015 and began operation in early 2016. Established with a core mandate to stimulate the development and sustainability of affordable housing throughout London and Middlesex, the HDC has worked to implement a coordinated approach to affordable housing development, in partnership with City service areas, local housing providers, developers and the provincial and federal governments. The City is the Shareholder for the HDC and both a shareholder’s agreement (which establishes the relationship between the organization and the City) and an assignment agreement (which assigns the City’s Housing Service Manager role for affordable housing development to HDC) are in place. The work of the HDC since its establishment has included both the development of tools that support housing creation and the direct implementation of procurement and provider “rostering” that has supported the use of federal, provincial and municipal funding to create new affordable units.

The Articles of Incorporation for HDC provide for a minimum of three (3) directors. As noted previously in this report, on September 17, 2019, Municipal Council appointed one person to act as the Board of the HDC, pending the implementation of the action plan created to address the issues identified through the Housing Services Review. At this point, the review of housing services, including a consideration of how affordable housing development services should be implemented, has been initiated, but not yet completed. Given the impending departure of the current Board (member), a replacement board is required to ensure continued governance oversight over the next interim period.

It is recommended that Craig Cooper, the City’s Manager, Homeless Prevention Services, be appointed to act as the Board, to oversee the ongoing actions of the organization. Consistent with the rationale provided previously, the proposed recommended oversight will continue to support a more coordinated alignment and oversight, both with the broader homelessness and housing system as well as more closely with City’s administrative oversight and service support. Mr. Cooper has extensive experience in homeless prevention services and affordable housing development, gained both through his work with the City and with the Ministry of Municipal Affairs and Housing. Mr. Cooper is also a registered professional planner. Since joining the City, he has worked closely with Housing Services Division, Social Services, the Housing Development Corporation and London and Middlesex Community Housing in prioritizing new housing development and support provision. With the leaders of these organizations/ city divisions, Mr. Cooper serves on the City’s Housing Leadership Table.

The tenure of this interim Board would continue for a time limited period, through to the fall of 2020, pending the completion of the review of how affordable housing development services would be implemented in the future.

There are no financial implications of this recommendation.

<b>RECOMMENDED BY:</b>
<b>SANDRA DATARS BERE MANAGING DIRECTOR, HOUSING, SOCIAL SERVICES AND DEARNESS HOME BOARD, HOUSING DEVELOPMENT CORPORATION</b>

cc:

Lynne Livingston, City Manager  
Barry Card, Managing Director, Corporate Services & City Solicitor  
Anna Lisa Barbon, Managing Director, Corporate Services and City Treasurer, Chief  
Financial Officer

APPENDIX "A"

Bill No.  
2020

By-law No. A.-\_\_\_\_\_

A by-law to repeal By-law No. A.-7891-264 being "A by-law to appoint an interim director of the Housing Development Corporation, London".

WHEREAS the Housing Development Corporation, London is incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16 (the "BCA");

AND WHEREAS section 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 section 10 of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public and may pass by-laws respecting the governance of the municipality and its local boards;

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

AND WHEREAS the Municipal Council enacted By-law No. A.-7891-264 being "A by-law to appoint an interim director of the Housing Development Corporation, London" on September 17, 2019, appointing Sandra Elaine Datars Bere as the Interim Director;

AND WHEREAS the Municipal Council deems it appropriate to repeal the appointment of Sandra Datars Bere as Interim Director of the Housing Development Corporation, London in order to appoint Craig Cooper as Interim Director;

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

1. That By-law No. A.-7891-264 being "A by-law to appoint an interim director of the Housing Development Corporation, London" be repealed.
2. This by-law comes into force on the 6th day of May, 2020.

PASSED in Open Council on the 5th day of May, 2020.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First reading – May 5, 2020  
Second reading – May 5, 2020  
Third reading – May 5, 2020

APPENDIX "B"

Bill No.  
2020

By-law No. A.-\_\_\_\_\_

A by-law to appoint an  
interim director of the Housing  
Development Corporation, London".

WHEREAS the Housing Development Corporation, London is incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16 (the "BCA");

AND WHEREAS section 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 section 10 of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public and may pass by-laws respecting the governance of the municipality and its local boards;

AND WHEREAS subsection 203(1) of the *Municipal Act, 2001* provides that without limiting sections 9 and 10, those sections authorize a municipality: to establish corporations; nominate or authorize a person to act as an incorporator, director, officer or member of a corporation; acquire an interest in or to guarantee such securities issued by a corporation as may be prescribed; and exercise any powers as the holder of such securities issued by a corporation as may be prescribed;

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. That the following individual be appointed as interim director of the Housing Development Corporation, London:

Craig Cooper

2. This by-law comes into force on the 6th day of May, 2020.

PASSED in Open Council on the 5th day of May, 2020.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First reading – May 5, 2020  
Second reading – May 5, 2020  
Third reading – May 5, 2020