

**11TH REPORT OF THE**  
**CORPORATE SERVICES COMMITTEE**

Meeting held on April 23, 2013, commencing at 1:01 PM, in Committee Room #5, Second Floor, London City Hall.

**PRESENT:** Mayor J.F. Fontana (Chair), Councillors N. Branscombe, J.P. Bryant, B. Polhill and J.B. Swan and L. Rowe (Secretary).

**ALSO PRESENT:** Councillors J.L. Baechler, P. Hubert, S. Orser and H.L. Usher; A. Zuidema, J.P. Barber, J. Braam, G. Bridge, T.L. Dobbie (Tim L. Dobbie Consulting Ltd.), P. Foto, J. Freeman, A. Hagan, M. Hayward, G.T. Hopcroft, J. Jackson, L. Livingstone, J. Logan, V. McAlea Major, L. Palarchio, C. Resendes, C. Saunders, J. Smout, M. Turner, B. Warner and J. Wills.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

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

**II. CONSENT ITEMS**

2. Introduction of By-law to Appoint Ms. Sandra Datars Bere to the Statutory Position of Ontario Works Administrator

Recommendation: That, on the recommendation of the City Manager, the following actions be taken with respect to the appointment of Ms. Sandra Datars Bere to the statutory position of Ontario Works Administrator:

- a) the proposed by-law appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to appoint Ms. Sandra Datars Bere to the statutory position of Administrator Ontario Works-London, subject to the approval of the Director of Ontario Works, Ministry of Community and Social Services; and
  - b) the City Clerk BE DIRECTED to so notify the Director of Ontario Works, Ministry of Community and Social Services.
3. 2012 Compliance Report in Accordance with the Procurement of Goods and Services Policy

Recommendation: That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken:

- a) the administrative contract awards, as per Section 8.11 (b) of the Procurement of Goods and Services Policy, which are greater than \$10,000 and less than \$50,000 without a purchase order, 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, BE RECEIVED for information;
- b) as per the Procurement of Goods and Services Policy, Section 8.11 (c), an annual report of total payments required where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, BE RECEIVED for information;
- c) 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, BE RECEIVED for information.

#### 4. Advisory Committee Policy Update

Recommendation: That the following actions be taken with respecting to updating the Advisory Committee Policy:

- a) the attached revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 30, 2013 to amend the General Policy for Advisory Committees, in order to reference other legislation and policies that may be applicable to the Advisory Committees; and
- b) the City Clerk BE REQUESTED to seek the input of Advisory Committees on the use of social media by Advisory Committees, and report back on any recommended amendments to the Advisory Committee Policy with respect to the use of social media by Advisory Committees, having considered that input.

#### 5. Code of Conduct for Municipal Council and Lobbyist Registry Update

Recommendation: That the following actions be taken with respect to proposed amendments to the Council Policy 5(30) – Code of Conduct for Members of Municipal Council and the establishment of a Lobbyist Registry:

- a) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of September 18, 2012, related to the adoption of clause 11 of the 24th Report of the Finance and Administrative Services Committee, concerning the Council Members Integrity Commissioner BE RECONSIDERED;
- b) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare a by-law to adopt the attached (Appendix "B") Council Code of Conduct, which incorporates an Integrity Commissioner, for introduction at the Municipal Council meeting to be held on April 30, 2013;
- c) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare and report back to Municipal Council with Terms of Reference outlining the duties and functions to be assigned to an Integrity Commissioner established under sections 223.3 to 223.8 of the *Municipal Act, 2001*, that would include, but is not limited to, the following:
  - (i) appointment by Council by by-law under section 223.3 of the *Municipal Act, 2001*;
  - (ii) to function independently from the Civic Administration and report directly to Municipal Council;
  - (iii) to review the Code of Conduct for Members of Municipal Council and to make recommendations thereon as necessary, at a minimum of once per year;
  - (iv) to serve a multi-faceted role to act not only as a complaint investigator, but also as an advisor to individual Members of Council in relation to the Municipal Code of Conduct, and any procedures, rules and policies of the municipality governing the ethical behaviour as well as any associated policies, and act as a proactive educator for the Municipal Council, the Civic Administration and the Public;
  - (v) to provide semi-annual reports to the Municipal Council summarizing his/her activities in accordance with section 223.6 of the *Municipal Act, 2001*; and
  - (vi) to provide individual investigative reports, as required, which will include background concerning the complaint and recommendations to Municipal Council with respect to the complaint for its consideration, in accordance with section 223.6 of the *Municipal Act, 2001*; and

- d) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back to Municipal Council with a process for the recruitment of an Integrity Commissioner that would include, but is not limited to the following provisions:
- (i) preparation of a Request for Proposal (RFP) that will require the submission of the following information: fees to be charged, under an independent contract and outline the following general qualifications;
    - A. proven impartiality and neutrality, such as that of a judge;
    - B. an ability to provide services on a part-time, flexible, and as-needed basis;
    - C. no other involvement in political campaigning/endorsements, or related conflict of interest;
    - D. no financial interest in the work undertaken by the City;
    - E. an independent person who personifies high ethical standards;
    - F. experience managing sensitive inquiries, conducting investigations and making appropriate recommendations;
    - G. excellent communications skills;
    - H. familiarity with investigatory procedures and the applicable legal principles, particularly as they relate to evidence, legal interpretation and natural justice;
    - I. general knowledge and appreciation of municipal government;
    - J. ability to interpret and apply the provisions of various statutes, regulations, policies and other enabling frameworks;
    - K. impartiality, wisdom, sound judgment combined with the ability to inspire trust and confidence; and
    - L. at least ten years of senior-level management, legal or quasi-judicial experience.
  - (ii) appointment to be for a four-year term, to be staggered two years between Council terms to ensure continuity; and
  - (iii) fees to be paid to the Integrity Commissioner, under an independent contract; and,
- e) the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer BE DIRECTED to provide a source of financing for the establishment of an Integrity Commissioner;
- f) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back in one year, after the implementation of the Integrity Commissioner, to evaluate the need for the establishment of a Lobbyist Registry;
- g) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to incorporate into the complaint resolution process, an opportunity for early stage mediation.

6. Report on a Visiting Delegation from Nanjing, China - March 2013

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the staff report dated April 23, 2013 regarding the March 2013 visit by a delegation from London's sister city, Nanjing, China, BE RECEIVED.

7. Report on a Visiting Delegation from Chongqing, China - March 2013

Recommendation: That, on the recommendation of the Director of Intergovernmental and Community Liaison, the staff report dated April 23, 2013 regarding the March 2013 visit by a delegation from Chongqing, China, BE RECEIVED.

### 8. Dearness Home: Consulting and Administrator Services Single Source

Recommendation: That, on the recommendation of Tim Dobbie, Tim L. Dobbie Consulting Ltd, the following actions be taken with respect to the Dearness Home – Consulting Services and Administrative Services – Single Source:

- a) the proposed by-law appended to the staff report dated April 23, 2013 BE INTRODUCED at the Municipal Council meeting of April 30, 2013:
  - i) to approve the following Agreements:
    - Agreement dated May 1, 2013 between The Corporation of the City of London and Extencicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, to provide operational consulting services for the Dearness Home at a cost of \$28,000 per month plus HST and disbursements;
    - Agreement dated May 1, 2013 between The Corporation of the City of London and Extencicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, to provide Administrator services for Dearness Home at a cost of \$14,500 per month plus HST and disbursements; and
  - ii) to delegate authority to the City Manager to execute the Agreements; and
  - iii) to delegate authority to the City Manager to provide written notice of the termination for the Agreements pursuant to the termination provisions of the Agreements;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the Agreements outlined in (a)(i) above; and
- c) the source of funding for the two Agreements outlined in (a)(i), above, estimated at a total maximum cost of \$285 000, BE APPROVED as a drawdown from the Operating Budget Contingency Reserve.

### III. SCHEDULED ITEMS

#### 9. Tax Adjustment Agenda

Recommendation: That the recommendations contained in the Tax Adjustment Agenda dated April 23, 2013 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

### IV. ITEMS FOR DIRECTION

#### 10. Nomination of Councillor H. L. Usher for Re-Election to the FCM Board of Directors

Recommendation: That the following actions be taken with respect to the communication dated April 2, 2013 from Councillor Usher regarding standing for election to the Federation of Canadian Municipalities' Board of Directors and his associated expenses:

- a) the following resolution BE ADOPTED:

“WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

AND WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the Federal Government;

AND WHEREAS FCM's 76th Annual Conference and Trade Show will take place May 31 to June 3, 2013, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of the City of London endorses Councillor Harold Usher to stand for election on FCM's Board of Directors for the 2013/2014 term;

AND BE IT FURTHER RESOLVED that The Corporation of the City of London assumes all costs associated with Councillor Harold Usher attending FCM's Board of Directors meetings.”;

- b) in the event Councillor Usher is re-elected to the Board of Directors and is reappointed to the Standing Committee on Environmental Issues and Sustainable Development, the related expenses to attend the following meetings be assumed by the City of London, outside of his annual expense allocation, subject to the annual budget approval process and in accordance with Council's Travel and Business Expenses Policy:

Board of Directors Meeting - September 4-7, 2013 – St. John's NL  
Board of Directors Meeting - November 26-29, 2013 – Ottawa, ON  
Board of Directors Meeting - March 5-8, 2014 – Thunder Bay, ON  
Sustainable Community Conference  
& Trade Show - February 2014 – Charlottetown, PEI  
Annual Conference and AGM - May 30-June 2, 2014 – Niagara Falls ON;

and,

- c) Councillor H.L. Usher BE REIMBURSED by The Corporation of the City of London, outside his annual expense allocation, for his campaign expenses in seeking re-election to the Board of Directors, in an amount of up to \$750, upon submission of eligible expenses.

11. Request for Support to Pass a Resolution re Contractors

Recommendation: That the communication dated April 4, 2013, from S. Reid, Director, Federal and Ontario Progressive Contractors Association of Canada and I. DeWaard, Regional Director, Christian Labour Association of Canada, BE RECEIVED.

12. Appointment to the London Diversity and Race Relations Advisory Committee

Recommendation: That the following individual BE APPOINTED to the London Diversity and Race Relations Advisory Committee for the term ending February 28, 2015:

Non-Voting:

- Michelle Lynne Goodfellow (London & Middlesex Housing Corporation Representative)

13. Appointment to the London Advisory Committee on Heritage

Recommendation: That the following individual BE APPOINTED to the London Advisory Committee on Heritage for the term ending February 28, 2015:

Voting:

- Kira Westby (Emerging Leaders Initiative Representative)

14. Appointments to the Community Safety & Crime Prevention Advisory Committee

Recommendation: That the following individuals BE APPOINTED to the Community Safety and Crime Prevention Advisory Committee for the term ending February 28, 2015:

Voting:

- Linda Steel (Child Safety Middlesex London Representative)

Non-Voting:

- Maureen O'Halloran (Block Parent Office Representative)

15. Appointment to the Accessibility Advisory Committee

Recommendation: That the following individual BE APPOINTED to the Accessibility Advisory Committee for the term ending February 28, 2015:

Voting:

- Martha Dyer (Person with a Disability)

16. Appointment to the Animal Welfare Advisory Committee

Recommendation: That the following individual BE APPOINTED to the Animal Welfare Advisory Committee for the term ending February 28, 2015:

Voting:

- Tracy Satchell (Veterinarian)

17. Resignation of D. Fortney from the Animal Welfare Advisory Committee

Recommendation: That the communication dated April 3, 2013 from Dianne Fortney, resigning her appointment to the Animal Welfare Advisory Committee, BE ACCEPTED and Ms. Fortney BE THANKED for participating on the Committee.

18. Resignation of M. Rabi from the London Diversity and Race Relations Advisory Committee

Recommendation: That the communication dated April 8, 2013 from Mark Rabi, resigning his appointment to the London Diversity and Race Relations Advisory Committee, BE ACCEPTED and Mr. Rabi BE THANKED for participating on the Committee.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

19. Reimbursement of Councillor J.L. Baechler's expenses to serve on Federation of Canadian Municipalities' Standing Committee(s)

Recommendation: That, subject to the approval of Councillor J.L. Baechler's application to serve on a Federation of Canadian Municipalities (FCM) Standing Committee, Councillor Baechler BE AUTHORIZED to attend the FCM meetings as noted below, and BE REIMBURSED for her associated expenses outside of her annual expense allocation, subject to the annual budget approval process, and in accordance with Council's Travel & Business Expenses Policy:

September 4-7, 2013 – St. John's NL  
 November 26-29, 2013 – Ottawa, ON  
 March 5-8, 2014 – Thunder Bay, ON  
 Sustainable Community Conference  
 & Trade Show – February 2014 – Charlottetown, PEI  
 Annual Conference and AGM – May 30-June 2, 2014 – Niagara Falls, ON

**VI. CONFIDENTIAL**

*(See Confidential Appendix to the 11th Report of the Corporate Services Committee enclosed for Members only.)*

The Corporate Services Committee convened in camera from 2:37 PM to 4:04 PM after having passed a motion to do so, with respect to the following matters:

- C-1. A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.
- C-2. A matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.
- C-3. A matter pertaining to personal matters, employee negotiations and labour relations, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose of providing instructions and directions to officers and employees of the Corporation.
- C-4. 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.

- C-5. A matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations matters.
- C-6. A matter pertaining to labour relations and employee negotiations in regard to one of the Corporation's associations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose.

**VII. ADJOURNMENT**

The meeting adjourned at 4:05 PM.