

**17TH REPORT OF THE**  
**CORPORATE SERVICES COMMITTEE**

Special Meeting held on June 11, 2013, commencing at 3:01 PM, in Committee Room #5, Second Floor, London City Hall.

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

**ABSENT:** Councillor N. Branscombe.

**ALSO PRESENT:** Councillors D. Henderson, P. Hubert, S. Orser and H.L. Usher; A. Zuidema, J.P. Barber, D. Mounteer, C. Saunders and B. Warner.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. Recommendation: That it BE NOTED that Councillor J.B. Swan disclosed a pecuniary interest in clause C-1 of the Confidential Appendix to this Report having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; 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.

**II. CONSENT ITEMS**

None.

**III. SCHEDULED ITEMS**

None.

**IV. ITEMS FOR DIRECTION**

2. Councillor S. Orser - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to a communication dated June 4, 2013 from Councillor S. Orser in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

3. Councillor B. Polhill - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to a communication dated June 6, 2013 from Councillor B. Polhill in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

4. Councillor S. White - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to a communication dated June 6, 2013 from Councillor S.E. White in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

5. Mayor J. F. Fontana - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to a communication dated June 10, 2013 from Mayor J.F. Fontana in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

6. Councillor D. Henderson - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to a communication dated June 10, 2013 from Councillor D. Henderson in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

7. ADDED - Councillor J.B. Swan - Request for Lawyer - Council Member Indemnification

Recommendation: That it BE NOTED that the Corporate Services Committee received advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to the attached communication dated June 11, 2013 from Councillor J.B. Swan in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

None.

## VI. CONFIDENTIAL

*(See Confidential Appendix to the 17th Report of the Corporate Services Committee enclosed for Members only.)*

The Corporate Services Committee convened in camera from 3:04 PM to 3:52 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; 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. Six matters all subject to solicitor-client privilege, including to communications necessary for that purpose, and for the purpose of
- C-7. giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to possible indemnification from the Corporation in response to communications from Councillor S. Orser, Councillor B. Polhill, Councillor S.E. White, Mayor J.F. Fontana, Councillor D. Henderson and Councillor J.B. Swan, in relation to potential legal expenses in responding to summonses from the Ontario Ombudsman in connection with his investigation pursuant to s. 239.1 of the *Municipal Act, 2001* and the *Ombudsman Act*.

## VII. ADJOURNMENT

The meeting adjourned at 3:52 PM.