

THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE

REPORT 13-2009

Minutes of a meeting of the Corporate Services Committee held in Committee Room 4, Regional Municipal Building, 2201 St. David's Rd., Thorold, Ontario, on Wednesday, October 14, 2009 commencing at 9:05 a.m.

ATTENDANCE

Committee: Councillors Martin, Co-Chair; Augustyn, Co-Chair; Badawey; Bentley; Burroughs; Bylsma; Casselman; D'Angela; Garcia, Greenwood; Henderson .

Councillors

Other: Councillors Baty; Rigby.

Staff: Mr. Diakow, Director, IT Solutions; Mr. Bain, Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

Others: Corporate Services: Ms. Brens, Tangible Capital Assets Management; Ms. Elliott, Director, Human Resources; Mr. Kyne, Director, Legal Services; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Mr. Moffatt, Manager, Properties Management; Ms. Murphy, Associate Director, Current & Capital Budgets; Mr. Pilon, Associate Director, Service Quality & Improvement; Mr. Roach, Manager, Public Works Financial Services; Ms. Stranges, Capital Assets Analyst; Ms. Williams, Senior Financial Analyst.

Administration: Mr. Weir, Director, Administration.

Public Health: Mr. McKay, Associate Director, NEMS.

Public Works: Ms. Matthews-Malone, Director, Water & Wastewater Services.

Others: Ms. Speck, Project Coordinator, Stop Family Violence: It's Everybody's Business.

APPOINTMENT TO THE CORPORATE SERVICES COMMITTEE

228. Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That Councillor Carlos Garcia, be appointed to serve on the Corporate Services Committee for the remainder of the Council Term 2006-2010.

Carried.

PRESENTATIONS

229. Stop Family Violence: It's Everybody's Business
Workplace Policy Component

Councillor Brian Baty, Committee Co-Chair, provided information on the "Stop Family Violence – It's Everybody's Business" initiative. The Councillor apprised Committee of Bill 168, An Act to Amend the Occupational Health and Safety Act with respect to Violence and Harassment in the Workplace and Other Matters. Councillor Baty distributed "A Workplace Toolkit". The purpose of this Toolkit is to help Niagara Region's businesses take action to address family violence and its impact on the workplace. The Councillor also demonstrated that the Toolkit can be accessed on the website at www.stop-family-violence.com. A hard copy of the presentation made at the Public Health and Social Services Committee meeting on October 13, 2009 regarding Stop Family Violence: It's Everybody's Business – Education Component, was also distributed.

Moved by Councillor Casselman
Seconded by Councillor Augustyn

That the presentation "Stop Family Violence: It's Everybody's Business" be received;
and

That Regional Council express its appreciation for the work of the "Stop Family Violence: It's Everybody's Business" public awareness initiative; and

That staff prepare a report on how Bill 168, *An Act to amend the Occupational Health and Safety Act* impacts on existing Human Resources policies and programs with further information on the types of education and awareness programs that could possibly be developed for all employees, including staff who interact with clients who may be victims of family violence.

Carried.

CLOSED SESSION

230. Moved by Councillor Casselman
Seconded by Councillor Greenwood

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to A Matter Concerning the Security of the Property of the Municipality – Insurance Program Renewal.

Carried.

231. A Matter concerning the Security of the Property of the Municipality – Insurance Program Renewal
CSD 144-2009

Moved by Councillor Badawey
Seconded by Councillor Casselman

That Report CSD 144-2009, October 14, 2009, respecting A Matter Concerning the Security of the Property of the Municipality—Insurance Program Renewal, be received and the recommendations contained therein be approved.

Carried.

(Refer to Councillor Information Requests.)

232. Moved by Councillor Badawey
Seconded by Councillor Greenwood

That this Committee do now rise with report.

Carried.

ITEMS FOR CONSIDERATION

233. Stop Up, Close, Declare Surplus and
Transfer Portions of Regional Road 70 (Taylor Rd.)
Douglas and Debra Brown, City of Niagara Falls
CSD 128-2009 (PWA 100-2009)

Moved by Councillor Casselman
Seconded by Councillor Greenwood

That Report CSD 128-2009 (PWA 100-2009), October 14, 2009, respecting Stop Up, Close, Declare Surplus and Transfer Portions of Regional Road 70 (Taylor Rd.) Douglas and Debra Brown, City of Niagara Falls, be received.

That a portion of Taylor Road, more particularly described as Parts 12, 13, 14, 16, 17 and 18 on Plan 59R-12873 being portions of Regional Road No. 70, be stopped up, closed, declared surplus to the Region's needs and transferred to Douglas and Debra Brown for \$1.00;

That the transfer of these lands be subject to any identified easement requirements being retained by the Region, or established for such purposes as utilities, access, or granting to other levels of government/utilities upon transfer; and

That the Regional Chairman and the Regional Clerk be authorized to execute the necessary documents on behalf of The Regional Municipality of Niagara.

Carried.

(A copy of Report CSD 128-2009 (PWA 100-2009) can be found behind the Joint Reports Tab in the Blue Book.)

234. Water and Wastewater Common Rate Setting
And Cost Recovery Review
CSD 131-2009 (PWA 104-2009)

Moved by Councillor Burroughs
Seconded by Councillor Bylsma

That Report CSD 131-2009 (PWA 104-2009), October 14, 2009, respecting Water and Wastewater Common Rate Setting and Cost Recovery Review, be received.

That the Memorandum of Understanding (MOU) for Feasibility Study entitled "Common Rate Structure for Niagara's Water and Wastewater Systems" (Review) be received and approved in principle,

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council authorizing the Regional Chair to execute the agreement on behalf of the Regional Municipality of Niagara,

That this report and MOU be forwarded to each of the lower tier municipalities responsible for water distribution and/or wastewater collection for their consideration and approval of the MOU committing their participation to the Review, and

That staff report back on the status of the proposed Memorandum of Understanding relative to those municipalities willing to proceed with the Review, complete with an estimated cost and duration of the review.

Carried.

(A copy of Report CSD 131-2009 (PWA 104-2009) can be found behind the Joint Reports Tab in the Blue Book.)

235. Summary of Changes to the
Capital Asset Management Policy (C3.C16)
CSD 134-2009

Moved by Councillor Burroughs
Seconded by Councillor Badawey

That Report CSD 134-2009, October 14, 2009, Summary of Changes to the Capital Asset Management Policy (C3.C16), be received and the updated Capital Asset Management Policy be approved.

Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That the Capital Asset Management Policy be **amended** under Section 5.1 "Capital Project Monitoring" (paragraph three) to reduce the funding amount request from the Capital Variance Reserves from amounts up to **\$1,000,000** to amounts up to **\$250,000** and that the third paragraph to now read as follows:

“If a negative project variance is identified on the semi-annual variance report for two consecutive reports Corporate Services will change the status of the project in Smartstream to “on hold” to prevent further costs from being charged to the project until the funding source is identified. Project managers are required to request funding from the Capital Variance Reserves through their Commissioner and the Commissioner of Corporate Services for amounts up to **\$250,000.**”

Carried.

Upon a vote being taken, the original motion, ***as amended***, was carried.

236. Investment Policy Review
CSD 136-2009

Moved by Councillor Bentley
Seconded by Councillor Badawey

That Report CSD 136-2009, October 14, 2009, respecting Investment Policy Review, be received and that:

- (i) ONE – The Public Sector Group of Funds, Equity Fund and Universe Corporate Bond Fund, be added as eligible investment vehicles for the placement of Regional investments.
- (ii) Investment Policy C3.I06 be replaced with an amended version attached as Appendix A.
- (iii) The Treasurer and Clerk be authorized to execute agreements on behalf of the Regional Corporation which would permit the Regional Municipality to participate in the ONE Equity Fund and ONE Universe Corporate Bond Fund.

Carried.

237. A Restructured Facilities Organization
CSD 137-2009

Moved by Councillor Henderson
Seconded by Councillor Bylsma

That Report CSD 137-2009, October 14, 2009, respecting A Restructured Facilities Organization, be received and the following recommendations be approved:

That the facility asset lifecycle be managed within one organization under a new Director, including:

- New facilities planning function
- Facilities engineering including project management and energy management
- Properties
- Surveys

- Facilities maintenance
- Increase cooperation and coordination with other Niagara Region Facility Managers within the lines of business.

Moved by Councillor Casselman
Seconded by Councillor Burroughs

That Report CSD 137-2009, October 14, 2009, respecting A Restructured Facilities Organization, be deferred pending receipt of further information as requested by Committee and a staff presentation to Committee.

Carried.

(Refer to Councillor Information Requests.)

238. Financing Approval for Initiation of Capital Project ZPO0509
Long Term Accommodations
CSD 139-2009

Moved by Councillor Badawey
Seconded by Councillor Burroughs

That Report CSD 139-2009, October 14, 2009, respecting Financing Approval for Initiation of Capital Project ZPO0509 Long Term Accommodations, be received.

That financing for Project ZPO0509 Long Term Accommodations, with a gross and net cost of \$69,700,000, be provided through long term debenture financing (1-25 years);

That the Regional Clerk be directed to ensure that the appropriate bylaw(s) are prepared for presentation to Regional Council.

Carried.

239. Housing Properties Purchased by the Niagara Region
CSD 140-2009 (COM 55-2009)

Moved by Councillor Bylsma
Seconded by Councillor Henderson

That Report CSD 140-2009, October 14, 2009 (COM 55-2009, October 13, 2009), respecting Housing Properties Purchased by the Niagara Region, be received; and

That this Committee recommends to Regional Council that Niagara Region Community Services, through third party agencies, utilize housing acquired by the Region for Public Works capital and other projects, to support homelessness in Niagara until such time as the property is required for the intended use.

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report CSD 140-2009, October 14, 2009 (COM 55-2009, October 13, 2009), respecting Housing Properties Purchased by the Niagara Region be referred for consideration at the Council meeting of October 22, 2009, pending receipt of further information as requested by Committee prior to this meeting.

Carried.

(A copy of Report CSD 140-2009 (COM 55-2009) is behind the Joint Reports Tab in the Blue Book.)

(Refer to Councillor Information Requests.)

240. Agreement for Part 8 Sewage System Management
Town of Fort Erie
CSD 141-2009 (PWA 103-2009)

Moved by Councillor Martin
Seconded by Councillor Bentley

That Report CSD 141-2009 (PWA 103-2009), October 14, 2009, respecting Agreement for Part 8 Sewage System Management Town of Fort Erie, be received.

That the Region enter into an agreement with the Town of Fort Erie, satisfactory to the Director, Legal Services, with respect to the administration and enforcement of the Ontario Building Code Part 8 (Sewage System);

That the agreement outline the responsibilities and respective duties in the transfer of the administration of sewage system management from the Town of Fort Erie to the Development Services Division of the Public Works Department;

That the effective date of providing this service to the Town of Fort Erie be established as November 1, 2009;

That Bylaw No. 125-2008, a Bylaw for the Regulation of small on-lot sewage systems in the Regional Municipality of Niagara, which came into force on December 18, 2008, be amended to include the Town of Fort Erie;

That the Regional Chair and Regional Clerk be authorized to execute this agreement; and

That the Town of Fort Erie be circulated a copy of this report.

Carried.

Report CSD 141-2009 (PWA 103-2009) can be found behind the Joint Reports Tab in the Blue Book.

(Refer to Councillor Information Requests.)

241. Tile Drainage
Town of Niagara-on-the-Lake

Moved by Councillor Burroughs
Seconded by Councillor Bylsma

WHEREAS By-law No. 5988-90 authorizes The Regional Municipality of Niagara to borrow an amount not exceeding \$4,657,000 and to issue debentures therefore, payable to the Treasurer of Ontario pursuant to The Tile Drainage Act, 1971, upon application of an area municipality from time to time.

BE IT RESOLVED THEREFORE THAT a special annual rate over and above all other rates, sufficient for the payment of the principal and interest of the amount of the debenture in Schedule A be levied to the Town of Niagara-on-the-Lake.

<u>Area Municipality</u>	<u>Amount</u>
Town of Niagara-on-the-Lake	\$8,400.00
TOTAL SUM TO BE LOANED	\$8,400.00

Carried.

ITEMS FOR INFORMATION

242. Cash Management Activities for the
First and Second Quarters 2009
CSD 138-2009

Moved by Councillor Badawey
Seconded by Councillor Bentley

That Report CSD 138-2009, October 14, 2009, respecting Cash Management Activities for the First and Second Quarters 2009, be received for information.

Carried.

243. Addressing Resident Care Needs
Through Projected Budget Surplus
COM 56-2009

Moved by Councillor Badawey
Seconded by Councillor Bentley

That Report COM 56-2009, October 13, 2009, respecting Addressing Resident Care Needs through Projected Budget Surplus, be received for information.

Carried.

(Report COM 56-2009 can be found behind the PHSS Committee minutes.)

CORRESPONDENCE

244. Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That the following communications be received:

CSC 37-2009 Memorandum from Brian Hughes, Associate Director, Transportation Engineering, regarding Grimsby Police Facility Update on Recent Approvals (Attached – letter from Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (September 8, 2009) regarding NPSB Facilities – Project PO0407 District 8 Grimsby Police Facility Tender 2009-T-128 C.231.2009

CSC 38-2009 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (October 1, 2009) regarding Capital Project PO05015 Central Accommodations – HQ/Admin – Project Initiation 182.2009. (Refer to Report CSD 139-2009)

Carried.

MINUTES

245. Moved by Councillor Martin
Seconded by Councillor Burroughs

That Report 4-2009 (JBM), being the minutes of the Joint Board of Management Niagara Region Courts meeting of Thursday, September 17, 2009, be received and that minute items 31, 32 be approved and that minute item 35 be referred to the Budget Review Committee of the Whole.

Carried.

CLOSED SESSION

246. Moved by Councillor Badawey
Seconded by Councillor Casselman

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality Reconstruction of Regional Road 89 (Glendale Avenue), City of St. Catharines; Proposed Acquisition of Land by the Municipality Reconstruction of Regional Road 87 (Lakeshore Road), City of St. Catharines; A Matter of Labour Relations – Niagara Region “A Learning Organization” Supports to Learning, Education and Training; and Matters Concerning the Security of the Property of the Municipality and in respect of which a Closed meeting may be held under another Act, namely the Police Services Act (Budget Approval, Initiation and Transfers for ZPO0913 Interim 911 Backup)

Carried.

247. Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality Reconstruction of Regional Road 89 (Glendale Avenue), City of St. Catharines
Confidential CSD 129-2009 (PWA 101-2009)

Moved by Councillor Martin
Seconded by Councillor Bylsma

That Confidential Report CSD 129-2009 (PWA 101-2009), October 14, 2009, respecting Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality Reconstruction of Regional Road 89 (Glendale Avenue), City of St. Catharines, be received and the recommendations contained therein approved.

Carried.

248. Proposed Acquisition of Land by the Municipality Reconstruction of Regional Road 87 (Lakeshore Road), City of St. Catharines
Confidential CSD 130-2009 (PWA 102-2009)

Moved by Councillor Bylsma
Seconded by Councillor D'Angela

That Confidential Report CSD 130-2009 (PWA 102-2009), October 14, 2009, respecting Proposed Acquisition of Land by the Municipality Reconstruction of Regional Road 87 (Lakeshore Road), City of St. Catharines, be received and the recommendations contained therein approved.

Carried.

249. A Matter of Labour Relations – Niagara Region
“A Learning Organization” Supports to Learning, Education and Training
Confidential CSD 133-2009

Moved by Councillor Badawey
Seconded by Councillor Bentley

That Confidential Report CSD 133-2009, October 14, 2009, respecting A Matter of Labour Relations – Niagara Region “A Learning Organization” Supports to Learning, Education and Training, be received for information as requested by Regional Council at their meeting of July 30, 2009 (COM 45-2009/PHD 33-2009).

Carried.

250. Matters Concerning the Security of the Property of the Municipality
And in respect of which a Closed Meeting may be held under
Another Act, namely the Police Services Act (Budget Approval,
Initiation and Transfers for ZPO0913 Interim 911 Backup)

Confidential CSD 135-2009

Moved by Councillor Bentley
Seconded by Councillor Garcia

That Confidential Report CSD 135-2009, October 14, 2009, respecting Matters Concerning the Security of the Property of the Municipality and in respect of which a Closed Meeting may be held under another Act, namely the Police Services Act (Budget Approval, Initiation and Transfers for ZPO0913 Interim 911 Backup), be received and the recommendations contained therein be approved.

Carried.

251. Moved by Councillor Casselman
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Forward a copy of the Purchasing Policy to Councillor Garcia. (Report CSD 144-2009) (Refer to minute 231.)
- (ii) Provide the following information regarding A Restructured Facilities Organization: (Report CSD 137-2009)
 - A formal presentation to Corporate Services Committee.
 - Detailed listing of savings as projected through efficiencies of about 5% (or \$300,000 to \$400,000 annually).
 - Include in report savings from Energy Management.
 - How will restructured facilities organization fit into Corporate Services?
 - Report net numbers for the savings from the proposed reorganization
 - Why are 2 new FTE's required when functional day to day processes and policies are in place?
 - Provide firm numbers on savings achieved – detail objectives and goals and monitoring process to ensure objectives are met.(Requests from various Committee members) Report CSD 137-2009) (Refer to minute item 327.)

- (iii) Provide further information with respect to Report COM 55-2009/CSD 140-2009 regarding Housing Properties Purchasing by the Niagara Region as follows:
- Risk management and liability
 - How do you reconcile Tangible Capital Assets for Insurance purposes?
 - How do you identify true value of properties; who owns the assets; and who is responsible for insurance?
 - Why are we taking on a new line of business?
 - How much staff time will be required to administer this?
 - Does the Landlord Tenant Act supersede a lease agreement e.g. its winter and we need tenants to vacate in order to proceed with construction as per agreement – but LTA does not allow this?
- (Requests from various Committee members) (Report COM 55-2009/CSD 140-2009) (Refer to minute item 239.)
- (iv) Provide clarification on the transfer of assets – operating agreement?
(Burroughs) (Report CSD 141-2009/PWA 103-2009) (Refer to minute item 240.)

ADJOURNMENT

Committee adjourned at 10:35 a.m. to meet again on Wednesday, November 4, 2009, at 9:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin
Co-Chair

Gail Reilly
Legislative Assistant

Dave Augustyn
Co-Chair

Kevin Bain
Regional Clerk