

THE REGIONAL MUNICIPALITY OF NIAGARA

CORPORATE SERVICES COMMITTEE

REPORT 11-2010

Minutes of a meeting of the Corporate Services Committee held in Council Chambers, Regional Municipal Building, 2201 St. David's Rd., Thorold, Ontario, on Wednesday, September 15, 2010 commencing at 10:00 a.m.

ATTENDANCE

Committee: Councillors Augustyn, Co-Chair; Partington, Regional Chair; Bentley; Burroughs; Bylsma; Casselman; D'Angela; Garcia, Greenwood; Henderson; Lepp; Puttick; Saracino.

Councillors

Other: Councillors Cordiner; Rigby.

Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bergsma, Commissioner, Corporate Services; Mr. Bain, Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

Others: Corporate Services: Mr. Boles, Manager, Financial Reporting; Mr. Dirks, Treasurer/Director, Financial Management & Planning; Ms. Learn, ESC; Mr. Lockyer, Associate Director, Finance Research & Strategy; Mr. Moffatt, Manager, Property Management; Ms. Murphy, Associate Director, Current and Capital Budgets; Mr. Pilon, Associate Director, Service Quality & Improvement; Mr. Roach, Manager, Financial Services (P.W.); Ms. Stranges, Capital Assets Analyst; Ms. Williams, Senior Financial Analyst.; Ms. Yarnell, Capital Accounting Analyst.

Integrated Community Planning: Ms. Anderson, Communications Specialist.

Public Works: Mr. Brothers, Commissioner, Public Works; Ms. Matthews-Malone, Director, Water & Wastewater Services.

INTRODUCTION

155. Mr. Bergsma, Commissioner, Corporate Services, introduced Mr. Jurgen Dirks as the new Treasurer/Director, Financial Management & Planning, highlighting Mr. Dirks' qualifications and broad range of experience. He commented that they are pleased to welcome Jurgen to the Corporate Services team in this key financial role.

PRESENTATIONS

156. Joedy Burdett, Niagara Tinting
Development Charges Act Complaint

Moved by Councillor Burroughs
Seconded by Councillor Saracino

That the presentation and minute item 19, as contained in Report 3-2010 being the minutes of the Regional Development Charges meeting of September 8, 2010, with respect to the Development Charges Act Complaint by Joedy Burdett, Niagara Tinting, be deferred.

Carried.

157. Water & Wastewater Rate Setting
and Billing Review 2010

Ms. Betty Matthews-Malone, Director, Water & Wastewater Services and Mr. Lockyer, Associate Director, Financial Research and Strategy, provided a presentation on the Water & Wastewater Rate Setting and Billing Review 2010.

(A copy of the presentation by Ms. Matthews-Malone and Mr. Lockyer, regarding the Water & Wastewater Rate Setting and Bill Review 2010, is attached to the Public Works Committee minutes.)

ITEMS FOR CONSIDERATION

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to eight members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

158. Water & Wastewater Rate Setting and Billing Review 2010
CSD 87-2010 (PWA 78-2010)

Moved by Regional Chair Partington
Seconded by Councillor Greenwood

That Report CSD 87-2010, September 15, 2010 (PWA 78-2010, September 14, 2010), respecting Water & Wastewater Rate Setting and Billing Review 2010, be received;

That the following guiding principles be endorsed and form the basis for the establishment of the Region's 2011 to 2014 Water and Wastewater requisitions and rates;

Water Rate Setting

- a. The Region will use 50% fixed requisition and 50% variable rate for the water supply.
- b. The fixed requisition will be based on half of the Region's water budget for the year and will be billed in 12 equal payments to the Area Municipalities apportioned based on their previous 3 year's average water supply volumes.
- c. The Region's variable water rate will be calculated by taking 50% of the Region's water budget and dividing by the estimated supply volume as calculated in 'f'. The variable amount will be billed monthly based on the previous month's metered flows to each Local Municipality.

Wastewater Rate Setting

- d. The Region will continue with 100% of the wastewater budget being a fixed requisition to the Area Municipalities. This will be billed in 12 equal payments to the Municipalities, apportioned based on their average wastewater flows to the Region over the previous three years.

Rate Stabilization Reserves

- e. That the Region establish sewer and water Rate Stabilization Reserves, that ultimately target 5 to 10% of the annual revenue as the ideal Reserve balance. The Reserves will be funded by an annual allocation in the budgets and any surpluses in one year will be set aside for future year revenue shortages.

Forecasting and Timing

- f. That the Region work with each of the Local Municipalities to forecast, as accurately as possible, the future years water demand from the Region, starting with the year 2011.

- g. That the Region work with each of the Local Municipalities to forecast future year's water demand projections in order that the Region can attempt to bring some sustainability to the water rates by projecting the water rate for the next four years.
- h. The Region will endeavour to set the following year's water and sewer rates before the end of the current year recognizing that in an election year this may not occur until January of the following year.

Communication

- i. Should both the Region and the Local Municipalities agree to action their respective recommendations so that the whole package can be communicated and implemented, The Region and Area Municipalities agree to meet to create a joint communications plan, and to agree on a timetable for implementation, that will be used by all the parties.

Local Municipalities

- j. That each of the participating municipalities be requested to consider the draft recommendations contained with Appendix A of this report for implementation and that their decisions be shared with the Region in order to determine possible next steps.
- k. That Regional staff be directed to report back on the status of the local municipal decisions.

Carried.

(Please note that Report CSD 87-2010 (PWA 78-2010) can be found behind the Joint Reports Tab in the Blue Book.)

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to seven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

159. Inter-Municipal Transit Pilot Project – Terms of Reference for Grant and Project Initiation and Transfer of Funds
CSD 90-2010 (PWA 79-2010)

Moved by Regional Chair Partington
Seconded by Councillor Casselman

That Report CSD 90-2010, September 15, 2010 (PWA 79-2010, September 14, 2010), respecting Inter-Municipal Transit Pilot Project – Terms of Reference for Grant and Project Initiation and Transfer of Funds, be received;

That Capital Levy financing in the amount of \$3,100,000 gross and net be approved from the 2010 Capital Program for Project ZGG1003 Inter-Municipal Transit.

That an exception to the Capital Asset Management Policy be granted and that an approval be given to increase the gross and net budget for project ZGG1003 Inter-Municipal Transit in the amount of \$600,000 to be financed from the Contingency Reserve.

That the Contingency Reserve be used as funding in the amount of \$600,000 and allocated to Project ZGG1003 Inter-Municipal Transit.

That Regional Council authorize the Commissioner of Public Works, on behalf of the Regional Municipality of Niagara, to sign a Pilot Project Agreement between Niagara Region and the three Service Providers (St. Catharines Transit Commission, the City of Niagara Falls, and the City of Welland) on terms satisfactory to the Director, Legal Services a draft of which is attached as Appendix I.

That staff be authorized to fund the total amount of \$3,700,000 as a grant for procuring eight transit buses as shown below:

St. Catharines Transit Commission (3 buses)	\$1,387,500
City of Niagara Falls (3 buses)	\$1,387,500
City of Welland (2 buses)	\$ 925,000

That Regional Council authorize staff to develop with the Service Providers, a plan for implementing a transit Trip Planner focusing on the operational details and costs of system maintenance and report back for future direction on implementation.

That Regional Council authorize staff to work with the Ministry of Transportation and the Transit Managers of the three Service Providers to explore the eligibility of the this pilot project (Pilot) for the Provincial Gas Tax program and subject to the eligibility quantify the necessary data for computation of the Gas Tax revenue related to the Pilot on an annual basis and/or on conclusion of the Pilot for reconciliation.

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council.

That a copy of this report and the relevant by-laws be forwarded to the area municipalities for information.

Carried.

(Please note that Report CSD 90-2010 (PWA 79-2010) can be found behind the Joint Reports Tab in the Blue Book.)

160. Transfer of Surplus Property at Broadway and Seaway Haulage Road to the Corporation of the City of St. Catharines
CSD 91-2010 (PWA 82-2010)

Moved by Councillor Henderson
Seconded by Councillor Burroughs

That Report CSD 91-2010, September 15, 2010 (PWA 82-2010, September 14, 2010), respecting Transfer of Surplus Property at Broadway and Seaway Haulage Road to the Corporation of the City of St. Catharines, be received;

That a portion of lands owned by the Region at the intersection of Broadway and Seaway Haulage Road, and described as Parts 1 and 2 on Plan 30R-13250 be declared surplus to the Region's needs and transferred to the Corporation of the City of St. Catharines for \$1.00;

That this transfer be exempt from the notification and consultation requirements of Corporate Administrative Policy C3.D02, which requires notification and consultation with internal divisions and departments, area municipalities, abutting owners, and general public; 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.

(Please note that Report CSD 91-2010 (PWA 82-2010) can be found behind the Joint Reports Tab in the Blue Book.)

161. Closure of Capital Projects
CSD 93-2010

Moved by Councillor Henderson
Seconded by Councillor Burroughs

That Report CSD 93-2010, September 15, 2010, respecting Closure of Capital Projects, be received; and

That total net transfers of \$9,077 from the Capital Variance Reserve – Levy Supported (CVRLEV) be approved to accommodate the closure of various levy-supported capital projects as shown in Appendix 1, Pages 1, 2, and 3; and

That total net transfers of \$4,731,448 to the Capital Variance Reserve - Wastewater (CVRSEW) be approved to accommodate the closure of Wastewater capital projects as shown in Appendix 2, Page 1; and

That total net transfers of \$2,512,621 to the Capital Variance Reserve - Water (CVRWAT) be approved to accommodate the closure of Water capital projects as shown in Appendix 2, Page 2; and

That total net transfers of \$43,404 to the Capital Variance Reserve – Waste Management (CVRWMT) be approved to accommodate the closure of Waste Management capital projects as shown in Appendix 2, Page 2; and

That total net transfers of \$184,775 to the Fleet Equipment Replacement Reserve Fund (0030-0945) be approved to accommodate the closure of Fleet capital projects as shown in Appendix 3, Pages 1 and 2; and

That project closures be completed as indicated in Appendices 1, 2 and 3; and

That a copy of this report be circulated to Integrated Community Planning, Public Works, and Public Health and Social Services standing committees for information purposes.

Carried.

(Report CSD 93-2010 can be found behind the Joint Reports Tab in the Blue Book.)

162. Authorization for the Issuance of Debentures
On Behalf of the City of Niagara Falls
CSD 94-2010

Moved by Councillor Henderson
Seconded by Councillor Burroughs

That Report CSD 94-2010, September 15, 2010, respecting Authorization for the Issuance of Debentures on behalf of the City of Niagara Falls, be received; and

That Debenture financing in the amount of \$32,812,500 for the funding of the Gale Centre be approved.

That Regional Council endorse the City of Niagara Falls application under the Infrastructure Ontario Lending Program for up to \$32,812,500 in long term (up to 40 Year) financing for the Gale Centre project.

That the Regional Chair, Commissioner of Corporate Services and Treasurer be authorized to execute a loan agreement with Infrastructure Ontario on behalf of the Regional Municipality of Niagara and the City of Niagara Falls for long term borrowing.

That the relevant details be presented to Regional Council for information upon finalization of the borrowing.

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council.

Carried.

163. Communication CSC 24-2010

Moved by Councillor Henderson
Seconded by Councillor Burroughs

That Communication CSC 24-2010 being a memorandum from John Bergsma, Commissioner, Corporate Services (September 15, 2010) respecting Wainfleet Request to Change Names of Certain Regional Roads, be approved.

Carried.

ITEMS FOR INFORMATION

164. Summary of Position Authorizations January to June 2010
According to Corporate Delegation of Authority Policy
CAO 6-2010

Moved by Regional Chair Partington
Seconded by Councillor Henderson

That Report CAO 6-2010, September 15, 2010, respecting Summary of Position Authorizations January to June 2010 According to Corporate Delegation of Authority Policy, be received for information.

Carried.

165. Capital Projects – 2010 Variance Report
CSD 96-2010

Moved by Regional Chair Partington
Seconded by Councillor Henderson

That Report CSD 96-2010, September 15, 2010, respecting Capital Projects – 2010 Variance Report, be received for information; and

That this Report be forwarded to the Public Works Committee for information.

Carried.

(Report CSD 96-2010 can be found behind the Joint Reports Tab in the Blue Book.)

CORRESPONDENCE

166. Moved by Councillor Bylsma
Seconded by Councillor Henderson

That the following communications be received:

CSC 21-2010 Joe Liscio, Director, Ministry of Finance (August 9, 2010)
regarding Ontario Status Indians Point of Sale Exemption
Implementation and Agency Preparation & Refunds.

CSC 22-2010 Joedy Burdett, Niagara Falls (July 20, 2010) filing a complaint to the Niagara Region regarding staff's decision with respect to the applicability of Regional Development Charges to his site in Niagara Falls.

CSC 23-2010 Mary Lou Tanner, Manager, Policy Development, regarding Development Charges Act Complaint – Joedy Burdett.

Carried.

MINUTES

167. 2-2010 (AC)

Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That Report 2-2010, Minutes of the Audit Committee meeting of Wednesday, September 1, 2010, be approved.

Carried.

168. Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That this Committee ratify the decisions of the Audit Committee at its meeting of Wednesday, September 15, 2010.

Carried.

(Report 3-2010, being the minutes of the Audit Committee meeting of Wednesday, September 15, 2010, are attached to the Corporate Services Committee minutes.)

169. 2-2010(RDCTF)

Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That Report 2-2010 (RDCTF), Minutes of the Regional Development Charges Task Force meeting of Thursday, July 29, 2010, be received.

Carried.

170. 3-2010(RDCTF)

Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That Report 3-2010(RDCTF), Minutes of the Regional Development Charges Task Force meeting of Wednesday, Sept. 8, 2010, be approved with the exception of Minute item 19, respecting the Joedy Burdett, Niagara Tinting, Complaint under the Development Charges Act, which is deferred.

Carried.

171. Regional Municipality of Niagara
Police Services Board

Moved by Councillor Henderson
Seconded by Regional Chair Partington

That the minutes of the Regional Municipality of Niagara Police Services Board meeting of Thursday, June 24, 2010, be received.

Carried.

CLOSED SESSION

172. Moved by Councillor Burroughs
Seconded by Councillor Casselman

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to A Proposed Acquisition of Land by the Municipality, 5853 Peer Street, Niagara Falls and Initiation of Capital Project ZGD0906 NF-SAEO Office; and a Matter of Labour Relations, Employee Negotiations and Identifiable Individuals: Position of Commissioner of Corporate Services.

Carried.

173. Proposed Acquisition of Land by the Municipality
5853 Peer St. Niagara Falls and Initiation of
Capital Project ZGD0906 NF – SAEO Office
CSD 92-2010 (COM 44-2010)

Moved by Councillor Greenwood
Seconded by Councillor Casselman

That Report CSD 92-2010, September 15, 2010 (COM 44-2010, September 14, 2010) respecting Proposed Acquisition of Land by the Municipality 5853 Peer St. Niagara Falls and Initiation of Capital Project ZGD0906 NF – SAEO Office, be received and the recommendations contained therein be approved.

Carried.

174. A Matter of Labour Relations, Employee Negotiations and
Identifiable Individuals: Position of Commissioner of
Corporate Services
CAO 7-2010

Moved by Councillor Bylsma
Seconded by Councillor Burroughs

That Report CAO 7-2010, September 15, 2010, respecting A Matter of Labour Relations, Employee Negotiations and Identifiable Individuals: Position of Commissioner of Corporate Services, be received and the recommendations contained therein approved.

Carried.

175. Moved by Councillor Bylsma
Seconded by Councillor Burroughs

That this Committee do now rise with report.

Carried.

ADJOURNMENT

Committee adjourned at 12:16 p.m. to meet again on Wednesday, October 6, 2010, 2010, at 9:30 a.m. in Council Chambers, Regional Headquarters.

Dave Augustyn
Co-Chair

Gail Reilly
Legislative Assistant

Kevin Bain
Regional Clerk