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**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**CORPORATE AND FINANCIAL SERVICES COMMITTEE**  
**REPORT 13-2003**

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Minutes of a meeting of the Corporate and Financial Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, July 16, 2003, commencing at 10:40 a.m.

**ATTENDANCE**

- Committee: Councillors Martin, Chair; Zimmerman, Regional Chair; Badawey; Bentley; Burroughs; Davidson; Hildreth; Muir; Saracino.
- Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bacchus, Commissioner of Corporate Services; Mr. Hollick, Regional Clerk; Mr. Lockyer, Treasurer; Ms. Reilly, Legislative Assistant.
- Staff  
(Part-time): Ms. Chamberlain, Fixed Assets Analyst; Ms. Cousins, Manager, Purchasing & Payables; Ms. Hepplewhite, Corporate Records Manager; Mr. Jones, Director, Administrative Services, P.H.; Mr. J. Murphy, Manager, Policy & Development; Ms. M. Murphy, Manager, Budgets & Reporting; Mr. Nicol, Commissioner of Human Resources; Mr. Robson, Director of Corporate Strategy; Ms. Williams, Senior Financial Analyst.
- Others: Councillors Eke and Harry. Acting Chief Moody, N.R.P.; Ms. Southall, C.A.O., N.R.P.; Ms. George, Finance Manager, N.R.P.; Ms. Morton, Executive Director, RMON Police Services Board; Ms. Berecz, Communications Manager, N.R.P.

**PRESENTATIONS**

157. Waiving of Development Charges on a Medical Clinic

Messrs. Lester and Todd Shoalts, Lester Shoalts Limited in Port Colborne, attended to request exemption from Regional Development Charges for their project in Port Colborne. Their project is the development of a medical clinic on a site that if determined as a Brownfield project, would exempt them from having to pay Regional Development Charges. Diagrams were distributed detailing the

site as it appears now and the proposed redevelopment project, highlighting the improvement to the Community which, they believe, falls under the criteria for Brownfield.

Mr. Bacchus, Commissioner of Corporate Services, advised that this matter was dealt with at the Staff Task Force on Development Charges and deferred, pending a report from Mr. Cambray, Commissioner of Planning, outlining the criteria for determining a Brownfield Site.

Moved by Councillor Saracino  
Seconded by Chair Zimmerman

That the presentation from Messrs. Todd and Lester Shoalts, Lester Shoalts Limited, be received and referred to the Staff Task Force on Development Charges for consideration, pending a report from the Commissioner of Planning.

Carried.

158. Niagara Peninsula Conservation Authority – Charles Daley Park

Councillor Harry, Chair, Niagara Peninsula Conservation Authority, Mr. Burt, General Manager and Mr. Baker, Director of Land Management, attended to request the Region to approve an increase in their multi-year program to upgrade and replace the aging infrastructure of its conservation lands. Councillor Harry provided an overview of the Charles Daley Park project, advising that the Conservation Authority Board of Directors believe that this is a significant parcel of land to both residents and visitors to the Region of Niagara and offers a great opportunity to develop a first class public facility on the shoreline of Lake Ontario. The total cost of implementing the development plan is \$1,050,000 which would increase the multi-year program in total cost to the Region from \$6.23 million to \$7.28 million and that the implementation timeframe would be extended to 8 years from the current 7.

Moved by Councillor Davidson  
Seconded by Councillor Burroughs

That the request of the Niagara Peninsula Conservation Authority respecting the development of Charles Daley Park, be supported and included in the 2004 Budget, conditional upon satisfactory resolution with the Town of Lincoln and a further report to Committee on this matter at that time.

Carried.

159. 2003 Debenture Issue

Mr. Bacchus provided an overview of Report CSD 102-2003 respecting the 2003 Debenture Issue. He advised that the Region and certain Area Municipalities

may require up to \$75,000,000 in long term financing for completed and ongoing capital infrastructure projects. He advised that included in that amount is financing of approximately \$17.4 million that was previously applied for under the new Ontario Municipal Economic Infrastructure Financing Authority loan program. To date, these loans have yet to be approved by OMEIFA, and inclusion of this amount was necessary to ensure that debenture financing will be available should any of the loan applications not be approved. Mr. Bacchus requested the authority to negotiate the sale of Regional Debentures to raise the necessary funds towards financing capital requirements of the Region and certain Area Municipalities in 2003.

Messrs. Berner, National Bank Financial Inc., Bartlett, CIBC World Markets Inc. and Berry, RBC Capital Markets, attended to apprise Committee of the Summer 2003 Market Conditions. Committee was advised that the market is very receptive at this time for municipal bonds. The Fiscal Agents concluded that the Region would be well advised to take advantage of the current rates rather than speculating on their future level, and to avail themselves of the considerable investor demand for quality municipal credits.

Moved by Councillor Davidson  
Seconded by Councillor Burroughs

That Report CSD 102-2003, July 16, 2003, respecting 2003 Debenture Issue, be received.

That the Region's Fiscal Agents, through its lead manager National Bank Financial, be authorized to negotiate on the Region's behalf the sale of debentures for financing requirements in 20-03 for the Region and certain area municipalities.

That the amount to be debentured shall not exceed \$75,000,000, and that the timing, term and interest costs be determined by the Region's Commissioner of Corporate Services in consultation with the Region's Chief Administrative Officer, the Region's Chair and the Chair and Vice-Chair of the Corporate and Financial Services Committee.

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

That the Region's Commissioner of Corporate Services execute an agreement on behalf of the Regional Municipality of Niagara for the issue and sale of said Regional Debentures with the term and interest costs as determined by the authorization stated in recommendation #2.

That \$387,500 of debenture financing (1-10 years) be approved to finance the 2003 Niagara Peninsula Conservation Authority (NPCA) capital budget.

That the Regional Clerk ensure that the necessary by-law(s) be prepared to effect the sale and issue of the debentures and that the by-law(s) be presented to Regional Council for approval.

Carried.

### **CORPORATE SERVICES DEPARTMENT**

160. Police Emergency Services Facility

Councillor Muir, Chair, Regional Municipality of Niagara Police Services Board, provided an overview of Communication CFS 44-2003 which is a response to the issues raised previously by the Corporate and Financial Services Committee regarding the Budget Adjustment for ZPO0211 Police Emergency Services Facility. He commented that while they regret having significantly underestimated the costs for the renovations and the financial implications caused, it is clear that there are considerable savings (over \$500,000) and advantages to be realized that would support the completion of this project. Councillor Muir advised that the acquisition of this facility and proposed renovations provides the Police Service with an opportunity to house Emergency Services Units personnel in a proper, fully functional and modern facility, while affording Police Headquarters staff with much needed office space at 68 Church Street.

### **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 five members, pursuant to Part 11, Section 11.7 of the Procedural By-law 7174-93.*

Moved by Councillor Muir  
Seconded by Councillor Badawey

That Report CSD 78-2003, May 28, 2003, respecting Budget Adjustment for ZPO0211, Police Emergency Services Facility, be received.

That the budget and financing in the gross and net amount of \$120,000 be transferred from the uninitiated ZPO0209, 2002 Mobile Data Tower to ZPO0211, Emergency Services Facility.

That the \$120,000 financing transferred from ZPO0209, Mobile Data Tower to ZPO0211, Emergency Services Facility be from the Police Capital Levy Reserve as per the 2002 Capital Budget.

That the budget and financing in the gross and net amount of \$187,475 be transferred from the uninitiated ZPO0311, C.P.I.C. Renewal to ZPO0211, Emergency Services Facility.

That the \$187,475 financing transferred from ZPO0311, C.P.I.C. Renewal to ZPO0211, Emergency Services Facility be debenture financing (1-10 years) as included in the 2003 Capital budget.

That the \$50,000 capital budget surplus in ZPO0102, 110 James Street and \$30,000 Operating Surplus as identified in PSB 115-2002 be transferred to the capital budget for ZPO0211, Emergency Services Facility as sources of financing.

Carried.

### **CLERK'S REPORTS**

161. Request for Fee Waiver – MFIPPA Request A.07.0002.2002.27

Moved by Councillor Muir  
Seconded by Councillor Badawey

That Report CLK 20-2003, July 14, 2003, respecting Request for Fee Waiver – MFIPPA Request A.07.0002.2002.27, be received; and

That the request for a fee waiver in whole or in part be denied as the requester has not supplied information to prove that a fee waiver is fair and equitable, demonstrating that payment of the fee will cause a financial hardship to the requester or that the dissemination of the record will benefit public health and safety.

Carried.

### **CORPORATE SERVICES DEPARTMENT** (continued)

*Report CSD 96-2003, respecting Request for Partial Capital Budget and Financing Approval for Project ZGC0302 – New Initiatives – from the 2003 Information systems Capital Program, was pulled.*

162. 2003 Claw Back Percentages and Municipal Tax Adjustments

Moved by Councillor Burroughs  
Seconded by Councillor Davidson

That Report CSD 108-2003, July 16, 2003, respecting Claw Back Percentages and Municipal Tax Adjustments, be approved, **as amended**.

That the percentage claw back for the affected property classes be as follows:

Multi-Residential	33.0946%
Commercial	93.7452%
Industrial	100.0000%

That the mandated capping program for the multi-residential and commercial classes of property be funded from within the class.

That the mandated capping program for the industrial class be funded first from within the class, with the remaining short-fall of **the Region's portion being \$64,183** funded from the Tax Rate Stabilization Reserve.

That the Region act as a banker for the **distribution of funds for the capping program for the 2003 Municipal Tax Adjustments as outlined in Appendix B.**

That the Regional Clerk be instructed to prepare the necessary by-laws to implement the recommendations contained in the report.

Carried.

### **ADMINISTRATION**

163. 2004 Capital Program Review

Moved by Councillor Muir  
Seconded by Councillor Davidson

That Report CAO 13-2003, July 16, 2003, respecting 2004 Capital Program Review, be received.

That Regional Council support the collaborative priority setting process and endorse the actions/directions being taken by staff of the Capital working team; a self managed team comprised of representatives from each of the project classification areas, including Regional departments, boards and agencies.

Carried.

164. Status on Achieving Sustainable Savings

Moved by Councillor Davidson  
Seconded by Councillor Muir

That Report CAO 14-2003, July 16, 2003, respecting Status on Achieving Sustainable Savings, be received and that Council endorse the action/directions being taken by staff.

Carried.

165. Hosting Nations in Bloom 2004

Mr. Robson, Director of Corporate Strategy, provided background information on the Nations in Bloom international competition which addresses the important issue of "Management of the Environment". Over 50 countries and approximately 225 delegates are involved in the competition. The Director commented that there has been great difficulty in securing sponsorships, due to unfortunate events of the past six months relative to public health and travel advisories, as many of the potential sponsors have experienced significant drops in their revenue stream. Senior government representatives are actively being canvassed to invest in Niagara as a world host location. The challenge is that sponsorships are difficult to secure absent a contractual relationship. He advised that the Nations in Bloom organization requires the commitment now from the host via a signed contract. The opportunity represented by hosting an international event, and to show the world that the Region of Niagara continues to invest in its role as an international destination, means that certain commitments must be made.

Moved by Chair Zimmerman  
Seconded by Councillor Davidson

That Report CAO 12-2003, July 16, 2003, respecting Hosting Nations in Bloom 2004, be received.

That Council authorize the Regional Chair and Regional Clerk to enter into a contract with the Board of Directors of Nations in Bloom to host the 2004 Nations in Bloom Final competition, on the understanding that signing the contract commits the Region to underwrite £150,000.00 (approximately \$330,000.00 Cdn.).

Carried.

166. Moved by Councillor Badawey  
Seconded by Councillor Burroughs

That Regional Council adopt the recommendations contained in the remaining reports. (Minute items 167 to 181.)

Carried.

**CORPORATE SERVICES DEPARTMENT** (continued)

167. "Lame Duck" Period  
Municipal Election 2003

That Report CSD 94-2003, July 16, 2003, respecting "Lame Duck" Period Municipal Election 2003, be received for information.

Carried.

168. Request for Alternate Financing Approval for ZGC0201,  
PCs, Printers and Software

That Report CSD 95-2003, July 16, 2003, respecting Request for Alternate Financing Approval for ZGC0201, PCs, Printers and Software, be received.

That financing for project ZGC0201, PCS, Printers and Software include debenture financing (1-3 years) of \$315,000.

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

Carried.

169. High Volume Duplicating Equipment for Print Shop  
Request for Proposal Number 2003-RFP-03

That Report CSD 97-2003, respecting High Volume Duplicating Equipment for Print Shop Request for Proposal Number 2003-RFP-03, be received.

That the Region's Print Shop equipment be replaced at a purchase price of \$81,300.40, including all taxes.

That funding be provided from the Print Shop Equipment Replacement Reserve Fund.

Carried.

170. Forecast of Year-end Results and Budget to Actual Comparison  
For the Month Ended May 31, 2003 Current Budget

That Report CSD 98-2003, July 16, 2003, respecting Forecast of Year-end Results and Budget to Actual Comparison for the Month Ended May 31, 2003 Current Budget, be received for information only.

Carried.

171. 911 Emergency Telephone System

That Report CSD 99-2003, July 16, 2003, respecting 911 Emergency Telephone System, be received.

That Council approve the execution of an agreement between all emergency services providers to commit the Region to a continued compliance with the "Primary Agency Policy" relative to the operation of the Niagara 911 emergency Response Telephone System.

Carried.

172. OMERS – Investment Policy

That Report CSD 100-2003, July 16, 2003, respecting OMERS –Investment Policy, be received for information.

Carried.

173. Waste Management System Financing Options Study

That Report CSD 101-2003, July 16, 2003 (PWA 104-2003 July 15, 2003), respecting Waste Management System Financing Options Study, be received.

That staff be authorized to prepare necessary Terms of Reference and initiate the process to retain consulting services to undertake a Waste Management System Financing Options Study.

Carried.

174. Regional Niagara Policy  
Road Traffic Noise Assessment and Control

That Report CSD 103-2003, July 16, 2003 (PWA 115-2003, July 15, 2003), respecting Regional Niagara Policy Road Traffic Noise Assessment and Control, be received.

That subject to Corporate and Financial Services Committee approval, previously approved debenture financing (PWA 47-2003 and CSD 38-2003) of \$60,000.00 gross and net amount be transferred from Capital Project RC0238 (Rehabilitation of Regional Road 89 (Glendale Avenue) from Merritt Street to Government Road, in the City of St. Catharines) to Capital Project ZRC0318 / RC0341 (Regional Niagara Policy on Road Traffic Noise Assessment and Control).

That the consulting firm of Aercoustics Engineering Limited be retained to develop and prepare a Policy on Road Traffic Noise Assessment and Control.

Further, that all project costs be charged against Capital Project ZRC0318 / RC0341 (Regional Niagara Policy on Road Traffic Noise Assessment and Control).

Carried.

175. Request for Capital Budget Allocation By-law and Financing Approval for the Balance of 2003 Public Works Capital Programs

That Report CSD 104-2003, July 16, 2003 (PWA 116-2003, July 15, 2003), respecting the Request for Capital Budget Allocation Bylaw and Financing Approval for the Balance of 2003 Public Works Capital Programs, be received.

That budget allocations for the individual projects from the Water and Wastewater, Roads, Buildings and Equipment Programs be approved in the amounts and funding sources as shown in the Schedules A, B, C and D, for the total gross and net amount of \$24,347,000.

That financing for the projects, including debenture financing of \$8,075,000, be approved for each individual project outlined in the schedules.

That the budget allocation of \$500,000 gross and net amount from the Waste Management Reserve be approved for Project ZGL0221 Re-Payment of Waste Management Transition Costs.

That financing in the amount of \$200,000 from the Building Standards Reserve (0035-0940) be approved for Project ZGD0203 Building Maintenance Program.

That financing in the amount of \$200,000 from the Water Capital Reserve (0030-0961) and \$250,000 from the Sewage Capital Reserve (0030-0962) be approved for Project ZRE0304 Innovation, Research and Implementation of New Technology.

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

Carried.

176. Legal Indemnification Policy

That Report CSD 105-2003, July 16, 2003 (PWA 105-2003/HR 28-2003, July 15, 2003), respecting Legal Indemnification Policy, be received and approved.

That the Corporate Policy attached be implemented, effective as of Council's approval, in principle, on April 17, 2003.

Carried.

177. Additional Information HRIS/Payroll/Time & Attendance Project

That Report CSD 107-2003, July 16, 2003 (HR 29-2003, July 15, 2003), regarding Additional Information HRIS/Payroll/Time & Attendance Project be received for information.

Carried.

178. Request for Proposals for Provision of Winter Maintenance Services 2003-RFP-07

That Report CSD 110-2003, July 16, 2003 (PWA 120-2003, July 15, 2003) respecting Request for Proposals for Provision of Winter Maintenance Services 2003-RFP-7, be received.

That Regional Council authorize staff to enter into negotiations with Hardrock Highway Maintenance Inc. for the purpose of negotiating a contract, for the provision of winter maintenance services, on various roads throughout the Regional Municipality of Niagara.

That Council authorize the Regional Clerk and Regional Chair to approve and sign the final negotiated contract on behalf of the Regional Municipality of Niagara.

Carried.

**MINUTES**

179. Report 4-2003

That Report 4-2003, being the minutes of the Audit Committee meeting of June 11, 2003, be approved.

Carried.

**CORRESPONDENCE**

180. That the following communications be received and dealt with as directed by this Committee and noted in these minutes:

CFS 37-2003      Andy Burt, General Manager, Niagara Peninsula Conservation Authority (June 26, 2003) regarding Charles Daley Park.

--Received.

- CFS 38-2003 Robert W. Runciman, MPP, Ministry of Public Safety and Security (June 16, 2003) regarding more funding for counter-terrorism measures for Ontario's border communities.
- Received.
- CFS 39-2003 Mayor Rigby, City of St. Catharines (June 9, 2003) regarding Amendment to Development Charges By-law No. 34-2003.
- Received and referred to the Staff Task Force on Development Charges.
- CFS 40-2003 Memorandum from Brad Whitelaw, Program Manager, Public Works, regarding Distribution of New Waste Collection Services Information with Water and Utility Bills
- Received.
- CFS 41-2003 Niagara Regional Housing Report #03-18-4.4, June 26, 2003, respecting Request for Contribution from the Federation of Canadian Municipalities. (Attached is original correspondence from Councillor Elisabeth Arnold, Co-Chair, National Housing Policy Options Team, Federation of Canadian Municipalities, (May 22, 2003) requesting a contribution for the National Housing Policy Options Team to continue to engage in the critical issues of homelessness and the need for affordable housing.
- Received.
- CFS 42-2003 Memorandum from Andrew Burt, General Manager, Niagara Peninsula Conservation Authority (June 26, 2003) regarding 2004 General Levy Apportionment Formula.
- Received.
- CFS 43-2003 Antonio Boccia, Owner, Antonio's Hairport (July 7, 2003) requesting exemption of Regional Development Charges under the "Smart Growth" criteria.
- Received and referred to the Staff Task Force on Development Charges for consideration.

CFS 44-2003 Letter from Bob Muir, Chair, RMON Police Services Board and Gary Nicholls, Chief of Police, regarding Budget Adjustment for ZPO0211 Police Emergency Services Facility. (Distributed under separate cover.)

--Received and approved with Report CSD 78-2003, May 28, 2003, respecting Budget Adjustment for ZPO0211, Police Emergency Services Facility (previously deferred).

CFS 45-2003 Deb Morton, Executive Director, RMON Police Services board (July 7, 2003) respecting Capital Project PO 0202, #22 Division, Niagara Falls Renovations.

--Received.

Carried.

### **TILE DRAINAGE**

181. 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 therefor, payable to the Treasurer of Ontario pursuant to The Tile Drainage Act, 1971, as may be directed by resolution of the Regional Council upon application of an area municipality from time to time;

BE IT RESOLVED THEREFORE THAT the Regional Chair and the Treasurer be and they are hereby authorized to issue a debenture of The Regional Municipality of Niagara payable to the Treasurer of the Province of Ontario to borrow on behalf of the area municipalities listed below the amounts specified for such area municipalities respectively, for the purpose of The Tile Drainage Act.

Town of Niagara-on-the-Lake	\$7,100.00
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Carried.

### **OTHER BUSINESS**

182. Donation to Health Bus

Mr. Bacchus presented a cheque in the amount of \$300 to Councillor Hildreth, Chair, Community and Health Services Committee, for the Region's Health Bus. The donation was made in memory of Mr. Bacchus' Mother-in-Law who recently passed away.

**CLOSED SESSION**

183. Moved by Councillor Muir  
Seconded by Councillor Badawey

That this Committee do now meet in closed Session for purposes of receiving information of a confidential nature relating to a legal matter.

Carried.

184. Oral Report  
Mr. Bruce Banting, Director, Legal Services

Mr. Banting, Director, Legal Services, provided an oral report on a legal matter.

Carried.

185. Moved by Councillor Badawey  
Seconded by Councillor Muir

That this Committee do now rise without report.

Carried.

**ADJOURNMENT**

Committee adjourned at 1:15 p.m. to meet on Wednesday, August 13, 2003, at 10:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin  
Chair

Gail Reilly  
Legislative Assistant

Thomas R. Hollick  
Regional Clerk