

THE REGIONAL MUNICIPALITY OF NIAGARA

CORPORATE SERVICES COMMITTEE

REPORT 15-2009

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, November 25, 2009 commencing at 9:10 a.m.

ATTENDANCE

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

Councillors:

Other: Councillors Hodgson; Timms.

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

Staff

Others: Corporate Services: Mr. Bernard, Associate Director, Court Services; Ms. Brens, Tangible Capital Assets Analyst; Mr. Diakow, Director, IT Solutions; Ms. Elliott, Director, Human Resources; Ms. Garrett, Manager, Accounting & Reporting; Mr. Inman, Associate Director, Energy Management; Mr. Kyne, Director, Legal Services; Ms. Learn, Director, Employee Service Centre; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Mr. Moffatt, Manager, Property Management; Ms. Murphy, Associate Director, Current & Capital Budgets; Mr. Pilon, Associate Director, Service Quality & Improvement; Ms. Rae, Legal Counsel; Ms. Rose, Supervisor, Courts; Ms. Stranges, Capital Assets Analyst.
Administration: Mr. Roberts, Executive Officer to the Regional Chair; Mr. Weir, Director, Administration.

Others: Ms. Beckwith, General Manager, Niagara Regional Housing(NRH); Ms. Mino, Financial Program Analyst; Mr. Gedge, Chief Executive Officer, Niagara Economic Development Corporation (NEDC); Mr. Teichroeb, V.P. Operations, NEDC.

PRESENTATIONS

270. 2010 Corporate Services Operating Budget

Mr. Pilon, Associate Director, Service Quality & Improvement, provided an overview of the 2010 Corporate Services Operating Budget. The Corporate Services Budget reflects the functional responsibilities of Administration; HR Services; Employee Service Centre; IT Solutions; Facilities; Financial Management & Planning and Legal Services. Mr. Pilon highlighted the 2010 Department and Divisional Objectives, 2010 FTE Overview and Program Changes.

The 2010 Corporate Services Budget proposes gross expenditures of \$16,400,804 and net expenditures of \$14,390,485 representing a net change over 2009 of \$214,796 or 1.5%. This takes into account funding sources (Mitigation Fund; Efficiency Improvement Reserve) of \$505,322 and Debt charges of (\$3,332,112).

Mr. Pilon presented the budget details for each Division and pressures and mitigation efforts.

Moved by Councillor Burroughs
Seconded by Councillor Bentley

That the presentation by Mr. Pilon, Associate Director, Service Quality & Improvement, regarding the 2010 Corporate Services Operating Budget, be received.

Carried.

(Refer to Councillor Information Requests.)

(A copy of Mr. Pilon's presentation on the 2010 Corporate Services Operating Budget is attached to the minutes.)

271. 2010 Administration Operating Budget

Mr. Weir, Director of Administration, provided an overview of the 2010 Administration Operating Budget. The Administration Budget is comprised of: Office of the Regional Chair; Members of Council; and the Office of the Chief Administrative Officer.

The primary activity of Administration is to:

- Provide overall governance of Regional Municipality
- Council's Chief Executive Officer and Primary Representative
- Focal point liaison between Council and Corporation
- Strategic Management of Corporation and Implementation of Council Direction

Mr. Weir highlighted some of the major initiatives within the Corporation.

It was noted that the Administration Budget is three separate but intrinsically linked sections with their own budgets which are largely salary driven (86%) with little flexibility for mitigation of other direct operating expenses.

The 2010 Administration Budget is proposed at \$2,259,544. Mitigation reduces the budget by \$22,752 for a proposed budget of \$2,236,792 representing an increase of \$49,414 or a 2.2% net increase.

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That the presentation by Mr. Weir, Director of Administration, regarding the 2010 Administration Operating Budget, be received.

Carried.

(A copy of Mr. Weir's presentation on the 2010 Administration Budget is attached to the CSC minutes.)

272. 2010 POA Operating Budget

Mr. Bill Bernard, Associate Director, Court Services, provided an overview of the 2010 POA Operating Budget, highlighting Objectives, Pressures and Mitigation Efforts. Mr. Bernard noted the one proposed program change for an additional full time prosecutor, highlighting the increase in service demands; court sitting time; more complex charges; new legislation; changes in court schedule and difficulties in securing certified and qualified "on call" prosecutors.

The 2010 POA Operating Budget depicts revenues in the amount of \$7,174,258 (10.52% increase) and expenditures in the amount of \$4,924,258 (10.25% increase). Mr. Bernard highlighted expenditure increases for 2010 in the amount of \$583,215 or 10.25%. Provincial payments total \$1,789,000, representing an increase of 14.02%; Reserves total \$450,000, representing an increase of 12.77%; Distribution to Area Municipalities and the Region total \$900,000 each, representing an increase of 12.43%.

Moved by Councillor D'Angela
Seconded by Councillor Henderson

That the presentation by Mr. Bernard, Associate Director, Court Services, regarding the 2010 POA Operating Budget, be received.

Carried.

(A copy of Mr. Bernard's presentation on the 2010 POA Operating Budget is attached to the minutes.)

273. 2010 Niagara Economic Development Corporation (NEDC)

Mr. Patrick Gedge, Chief Executive Officer, NEDC, provided an overview of the 2010 NEDC Operating Budget, highlighting the changes and enhancements impacting the 2010 Budget. Charts were presented detailing expenditures by Division and Programs.

The 2010 NEDC Budget request totals \$2,222,110 as compared to the cumulative budget guidance to 2010 of \$2,329,768.

Moved by Councillor Casselman
Seconded by Councillor D'Angela

That the presentation by Mr. Gedge, Chief Executive Officer, NEDC, regarding the 2010 NEDC Operating Budget, be received.

Carried.

(Refer to Councillor Information Requests.)

(A copy of Mr. Gedge's presentation on the 2010 NEDC Budget is attached to the minutes.)

The Corporate Services Committee recessed at 12:35 p.m. to meet again on Thursday, November 26, 2009 at 3:00 p.m. in the Council Chamber.

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.

ATTENDANCE

Committee: Councillors Augustyn, Co-Chair; Badaway; Burroughs; Casselman; D'Angela; Garcia, Henderson; Puttick.

Councillors:

Other: Councillors Hodgson; Timms.

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

Staff

Others: Corporate Services: Mr. Diakow, Director, IT Solutions; Ms. Elliott, Director, Human Resources; Mr. Inman, Associate Director, Energy Management; Mr. Kyne, Director, Legal Services; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Mr. Moffatt, Manager, Property Management; Mr. Pilon, Associate Director,

Service Quality & Improvement; Ms. Rae, Legal Counsel; Mr. Roach, Manager, Financial Services, P.W.; Ms. Stranges, Capital Assets Analyst.

Administration: Mr. Roberts, Executive Officer to the Regional Chair; Mr. Weir, Director, Administration.

ITEMS FOR CONSIDERATION

274. Agreement with the Town of Niagara-on-the-Lake
For Improvements to the Niagara District Airport
Under the Infrastructure Stimulus Funding Program
CSD 157-2009 (PWA 111-2009)

Moved by Councillor Burroughs
Seconded by Councillor Casselman

That Report CSD 157-2009 (PWA 111-2009), November 25, 2009, respecting Agreement with the Town of Niagara-on-the-Lake for Improvements to the Niagara District Airport under the Infrastructure Stimulus Funding Program, be received.

That the Region enter into an agreement with the Town of Niagara-on-the-Lake, as owner of the Niagara District Airport (NDA), which sets out each party's roles and responsibilities with respect to proposed improvements to the NDA under the Infrastructure Stimulus Funding program, such agreement to be satisfactory to the Director of Legal Services; and

That the Regional Chair and Regional Clerk be authorized to execute the agreement.

Carried.

(A copy of Report CSD 157-2009/PWA 111-2009 is behind the Joint Reports Tab in the Blue Book.)

275. Group Property and Casualty Benefit
CSD 159-2009

Moved by Councillor Badawey
Seconded by Councillor Puttick

That Report CSD 159-2009, November 25, 2009, respecting Group Property and Casualty Benefit, be received.

That Regional Council be advised of the introduction of a Group Property and Casualty Benefit to all employees, Councillors and retirees of Niagara Region by TD Meloche Monnex as part of the Region's Total Rewards Compensation package.

Carried.

276. Capital Project Initiation – ZRC1034
Reconstruction of RR 87 (Lakeshore Road)
CSD 162-2009

Moved by Councillor Garcia
Seconded by Councillor Casselman

That Report CSD 162-2009, November 25, 2009, respecting Capital Project Initiation – ZRC1034 – Reconstruction of RR 87 (Lakeshore Road), be received.

That approval be given to initiate long-term financing (1-20 years) associated with ZRC1034 – Reconstruction of RR 87 (Lakeshore Road) in the amount of \$100,000.

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

Carried.

277. Tax Rebates for Charitable Organizations Policy
Legions and Other Similar Organizations
CSD 165-2009

Moved by Councillor Badawey
Seconded by Councillor Henderson

That Report CSD 165-2009, November 25, 2009, respecting Tax Rebates for Charitable Organizations Policy – Legions and Other Similar Organizations be received.

That the Regional Municipality of Niagara repeal and replace by-law 9055-98 to reflect changes to the *Municipal Act* and *Assessment Act*.

That the Regional Municipality of Niagara repeals Corporate Administrative Policy C3.T04 Tax Rebates for Charitable Organizations.

That this report be received and circulated to the Councils of the Area Municipalities for information and be requested to instruct their respective Treasurers to implement the same for the taxation year 2009 and beyond.

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

Carried.

A quorum was reached at 3:30 p.m.

278. Initiation of Project ZGG0901
Emergency Capital Levy Program
Emergency Sidewalk Repairs on Burgoyne Bridge
City of St. Catharines
CSD 168-2009 (PWA 114-2009)

Moved by Councillor Casselman
Seconded by Councillor Henderson

That Report CSD 168-2009 (PWA 114-2009), November 25, 2009, respecting Initiation of Project ZGG0901 Emergency Capital Levy Program Emergency Sidewalk Repairs on Burgoyne Bridge, be received;

That Capital Levy financing in the amount of \$625,000 gross and net be approved for Project ZGG0901 Emergency Capital Levy Program included in the 2009 Capital Budget and that this amount be transferred to RC0956, Emergency Sidewalk Repairs on Burgoyne Bridge;

That Rankin Construction Inc. be retained to complete the necessary emergency repairs to the Burgoyne Bridge sidewalks on a time plus material basis estimated at \$490,000;

That the consulting firm of Hatch Mott MacDonald be retained to provide the necessary engineering, contract administrations and inspection services with the engineering fees being calculated on a time plus disbursements basis estimated at \$60,000;

That a contingency allowance in the amount of \$75,000 be provided for this emergency repair work;

That the Regional Clerk be directed to ensure that the appropriate by-law(s) are prepared for presentation to Regional Council on December 3, 2009;

That all project costs be charged against Project RC0956, Emergency Sidewalk Repairs Burgoyne Bridge.

Carried.

(A copy of Report PWA 114-2009/CSD 168-2009 is behind the Joint Reports Tab in the Blue Book.)

ITEMS FOR INFORMATION

279. Summary of Quotations, Tenders and Authorizations
Third Quarter 2009 According to Purchasing Policy C3.P02
CSD 158-2009

Moved by Councillor D'Angela
Seconded by Councillor Puttick

That Report CSD 158-2009, November 25, 2009, respecting Summary of Quotations, Tenders and Authorizations Third Quarter 2009 According to Purchasing Policy C3.P02, be received for information.

Carried.

280. Forecast and Year-End Results and Budget to Actual
Comparison for the Month Ended September 30, 2009
CSD 164-2009

Moved by Councillor D'Angela
Seconded by Councillor Puttick

That Report CSD 164-2009, November 25, 2009, respecting Forecast and Year-End Results and Budget to Actual Comparison for the Month Ended September 30, 2009, be received for information.

Carried.

281. Wind Energy Niagara (WEN) Project Update
CSD 161-2009

Moved by Councillor Casselman
Seconded by Councillor Henderson

That Report CSD 162-2009, November 25, 2009, respecting Wind Energy Niagara (WEN) Project Update, be received for information.

Carried.

CORRESPONDENCE

282. Moved by Councillor Burroughs
Seconded by Councillor Henderson

That the following communications be received:

CSC 42-2009 Deb Morton, Executive Director, Regional Municipality of
Niagara Police Services Board (November 3, 2009)
respecting Police Service Capital Projects – 2009 Update

--Receive.

CSC 43-2009 Jim Watson, Minister of Municipal Affairs and Housing
(October 19, 2009) respecting Municipal Internship Program

--Receive.

Carried.

MINUTES

283. 7-2009 (JAC)

Moved by Councillor Burroughs
Seconded by Councillor Henderson

That Report 7-2009 (JAC) being the minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of October 26, 2009, be received

Carried.

(7-2009 (JAC) can be found behind the Joint Report Tab in the Blue Book.)

284. 8-2009 (RDCTF)

Moved by Councillor Burroughs
Seconded by Councillor Henderson

That Report 8-2009 (RDCTF) being the minutes of the Regional Development Charges Task Force meeting of November 9, 2009, be received and the following recommendations contained therein, be approved:

- That the memorandum from Patrick Robson, Commissioner of Integrated Community Planning, respecting Interim Criteria for the Evaluation of Requests for Regional Development Charge Relief, be received and approved, **as amended**.

That the interim criteria detailed in this memorandum be used by staff in evaluation of requests for development charge relief from eligible organizations until the Phase 2 Development Charges Review is complete.

That Development Charge relief be made by way of an Interim Regional Development Charge (RDC) Relief Grant equivalent to the development charges collected and that this relief be tracked as part of our forgone Development Charge (DC revenue with a funding source recommended as part of the Phase 2 Review).

That, subject to acceptance of the interim criteria, Interim RDC Relief Grants be provided to the following organizations in the following amounts:

| | |
|------------------------------------|----------|
| Habitat Niagara | \$ 8,000 |
| St. David's & District Lion's Club | \$18,225 |

That future requests for development charge relief be directed to the RDC Staff Working Group for evaluation and recommendation as part of the Phase 2 Review of the DC By-law.

That staff review the discussions that took place at this task force meeting, and to be formulated as part of the Philosophical review of the Regional Development Charges.

That staff clarify the interim criteria related to compliance with the Regional Policy Plan where it refers to being within a planned settlement area.

- That Communication RDCTF 7-2009, being a letter from Peter Colosimo, Director, Development Services Division (November 2, 2009) to Mr. Paul Pattison regarding Installation of sidewalks in the Heritage Point Subdivision, be received and referred to staff for further information from the City of St. Catharines and a further report to the next Regional Development Charges Task Force meeting.

285. 6-2009 (AC)

Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That 6-2009 (AC) being the minutes of the Audit Committee meeting of Monday, November 23, 2009, be received and the following recommendations be approved:

- That the presentation by Ms. Janet Allan, Associate Partner, KPMG regarding the Audit Planning Report for the year ending December 31, 2009, be received; and

That KPMG LLP, be appointed as the Region's Auditors for the year ending December 31, 2009, and

That the Regional Clerk prepare the necessary By-laws.

- That Report CSD 151-2009, November 4, 2009, respecting Proposed Procedures for RBC Express Wire Payments, be received.

That the RBC Express Wire Payment procedures, attached as Appendix A, be approved.

That the procedures be forwarded to the auditors for information and comments.

- That Report CSD 152-2009, November 4, 2009, respecting 2009 Management Letter – Funding to Not for Profit/Service Provider Organizations, be received.

That this Committee recommends to Regional Council:

- (i) That the attached Management Letter from KPMG be received,
 - (ii) That management's responses to the auditors' comments and observations contained herein, be approved, and
 - (iii) That this report be circulated to Public Health, Public Works and Integrated Community Planning for their information and appropriate action where they also contract in with Not for Profit entities.
- That Report CSD 153-2009, November 4, 2009, respecting VISA Purchasing Card Program and Audit, be received.

That this Committee:

- (i) Receive this report for information purposes, including the present policy and procedures being applied to the purchasing card program.
 - (ii) Receive the KPMG "management letter" relating to their previous review of the purchasing card program, and approve management's responses to their findings, and;
 - (iii) Approve the addition of an annual review of the purchasing card program, to be undertaken by the Region's auditors, KPMG, with the next review to be completed in conjunction with the 2009 interim audit work, which is scheduled to commence in November.
- That Report CSD 167-2009, November 23, 2009, respecting Request to Write-Off Outstanding Account over \$10,000, be received; and

That Regional Council approve the write off of one uncollectible account totaling approximately \$44,301 as indicated in this report.

- That Report CSD 149-2009, November 4, 2009, respecting 2009 Financial Statements Agencies, Boards, and Commissions, be received for information.
- That Report CSD 150-2009, November 4, 2009, respecting the Financial Statements of the Regional Municipality of Niagara – Public Health Programs for the years ended, December 31, 2008 and March 31, 2009, be received for information.
- That Report CSD 164-2009, November 25, 2009, respecting Forecast and Year-End Results and Budget to Actual Comparison for the Month Ended September 30, 2009, be received for information.
- That the presentation and Report CSD 166-2009, November 23, 2009, respecting 2008 Financial Statements – PSAB Reporting Changes, be received.
That the following communications be received:

AC 1-2009 Memorandum from Cathy Cousins, Director, Operational Support Services, Community Services, regarding Staff Direction from Audit Committee meeting.

AC 2-2009 Memorandum from Gord Lockyer, Treasurer/Director, Financial Management and Planning regarding Councillor Information Request – October 14, 2009

Carried.

CLOSED SESSION

286. Moved by Councillor Puttick
Seconded by Councillor Casselman

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to Personal Matters About an Identifiable Individual – Appointment to the Position of Director of Facilities; Proposed Acquisition of Land by the Municipality Police and Fire Station Site, Town of Fort Erie.

Carried.

287. Personal Matters About an Identifiable Individual Appointment to the Position of Director of Facilities
Confidential CSD 155-2009

Moved by Councillor Casselman
Seconded by Councillor Burroughs

That Confidential Report CSD 155-2009, November 25, 2009, respecting Personal Matters About an Identifiable Individual Appointment to the Position of Director of Facilities, be received and the recommendations contained therein be approved.

Carried.

288. Proposed Acquisition of Land by the Municipality Police and Fire Station Site, Town of Fort Erie
Confidential CSD 160-2009

Moved by Councillor Puttick
Seconded by Councillor Badawey

That Report CSD 160-2009, November 25, 2009, respecting Proposed Acquisition of Land by the Municipality Police and Fire Station Site, Town of Fort Erie, be received and the recommendations contained therein be approved.

Carried.

289. Confidential Communication CSC 44-2009

Moved by Councillor Casselman
Seconded by Councillor Henderson

That Confidential Communication CSC 44-2009, September 29, 2009, respecting Niagara Police Services Board Facilities – 5 District For Erie Police Facility Project PO 0702, C.245.2009, be received.

Carried.

Moved by Councillor D'Angela
Seconded by Councillor Burroughs

That this Committee do now rise with report.

Carried.

OTHER BUSINESS

290. Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That staff review both the Heads & Bed Tax and PIL calculations and what action should be taken on these matters.

Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Amend Slide 12 of the Corporate Services Committee presentation to include gross change over 2009. (Burroughs) Refer to minute 270.
- (ii) Include in the Budget, a budget line item to show development charges exemptions (i.e. \$26,000 recently approved by the Regional Development Charges Task Force) (D'Angela) Refer to minute 270.
- (iii) NEDC provide a breakdown of expenditures.(Casselman) Refer to minute 273.
- (iv) NEDC specify amount allocated in the 2010 Budget for "Ports Niagara". (Timms) Refer to minute 273.

ADJOURNMENT

Committee adjourned at 4:08 p.m. to meet again on Wednesday, December 9, 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