

THE REGIONAL MUNICIPALITY OF NIAGARA

CORPORATE SERVICES COMMITTEE

REPORT 7-2009

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, May 20, 2009 commencing at 9:08 a.m.

ATTENDANCE

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

Councillors

Other: Councillor Hodgson.

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

Staff

Others: Corporate Services: Mr. Diakow, Director, IT Solutions; Ms. Elliott, Director, Human Resources; Mr. Kyne, Director, Legal Services; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Ms. Maleszyk, Purchasing Manager; Mr. Moffatt, Manager, Property Management; Ms. M. Murphy, Associate Director, Current & Capital Budgets; Mr. Pilon, Associate Director, Service Quality & Improvement; Ms. Rae, Legal Counsel; Mr. Roach, Manager, Public Works Financial Services; Ms. Stranges, Capital Assets Analyst.

Administration: Mr. McQueen, Director, Administration; Mr. Roberts, Executive Officer to Regional Chair; Ms. Kennedy, Co-op Student Policy Assistant.

Community Services: Ms. Cousins, Director, Operational Support Services.

Integrated Community Planning: Ms. Anderson, Communications Specialist; Mr. Weaver, Director, Community & Corporate Planning.

Public Works: Mr. Brothers, Commissioner, Public Works; Mr. Steele, Associate Director, Strategy Business Management.

PRESENTATION

118. Regional Chair for a Day

Regional Chair Partington introduced this year's Regional Chair-for-a-Day, Felicity Croft. This is the Sixteenth Annual Chair-for-a-Day event, which is part of Niagara Region's ongoing participation in the Adopt-a-School Partnership with Kernahan Park Secondary School.

Felicity is a Grade 10 student interested in hairstyling, woodworking and music. After graduation, felicity hopes to begin a career working with animals. Felicity was chosen to be this year's Regional Chair-for-a-day by her teachers, for consistently displaying citizenship and school participation, while maintaining a positive and friendly attitude.

Felicity will tour Fleet Services and the Sign Shop, Emergency Services, GIS, the Environmental Centre, and Police Headquarters. She will also tour and enjoy lunch at the St. Catharines Regional Child Care Center. Felicity will also be attending the next Regional Council meeting on May 28th, 2009.

119. Infrastructure Stimulus Fund – Final Project Submission

John Bergsma, Commissioner, Corporate Services and Ken Brothers, Commissioner, Public Works, provided an overview of the Niagara Region Infrastructure Stimulus Funding Submission.

Mr. Brothers provided a summary of the Regional ISF Application Project Lists highlighting various individual projects. There are seven projects in the Wastewater Division; 3 Wastewater Treatment Plant Upgrades; 2 Combined Sewer Overflow Projects; and 2 Sanitary Sewer Projects, for a total of \$168 million. There are 13 projects in the Transportation Division; 8 Roads Projects and 5 Bridge Projects for a total of \$59.5 million. The Community Services Department has 1 project, Port Colborne Supportive Housing, for a total of \$5.9 million. The Project list totals \$233.4 million.

Mr. Bergsma apprised Committee of the time constraints for the submission commenting that the projects in the 2009 budget are not deemed incremental and that future years' projects need to be advanced. Costs after March 31, 2011 are ineligible. Therefore there are only 18 months within which to complete the projects. Mr. Bergsma commented that there is also an unprecedented quarterly project status reporting requirement which implies that funding may be withdrawn if projects do not proceed within planned timeframe.

Mr. Bergsma advised that the Region will be required to sign an agreement to receive Provincial and Federal funding shares. Prior to signing, the Region will also be required to approve funding for Regional share of projects. Plans are being made now for timely Regional approval and agreement signing.

The May 1, 2009 claim (excluding the Niagara-on-the-Lake Wastewater project) totaled \$184 million. As it was determined that the NOTL project could not be completed within the time constraint of March 31, 2011, application for this project has been made through the Building Canada Fund (BCF-MIC) as well. The Population based estimate for the total stimulus spending in Niagara is \$150 million. The May 11th ISF press release announced \$4 billion funding vs. \$6 billion in requests for funding. Therefore an alternative estimate would be that Niagara will receive 4/6 of \$184 million for a total "Stimulus Capital Spending" of \$120 million (\$40m-Federal; \$40m-Provincial and \$40m-Regional). The exact amount is unknown but expected to be substantial and could approximate a typical annual budget.

Mr. Bergsma highlighted the proposed approval process for the "Stimulus Capital Budget". The process would essentially advance the 2010 spending from the Capital budget Affordability Strategy. A Budget Review Committee of the Whole meeting is scheduled for June 18th, 2009 to deal with 2010 Budget Guidelines as well as the "Stimulus Capital Budget" since it is anticipated that the Provincial/Federal announcement will be made by that date.

The following Implementation challenges were highlighted:

- Potential \$ impact - \$75 to \$150 million in addition to 2009 Capital budget
- Challenging to implement before March 31, 2011 spending deadline
- Both Regional and Contractor resources will be strained
- Implementation not a "slam dunk"

The following possible mitigation measures are recommended:

- Expedite all phases (already underway)
- Prioritize ISF projects if necessary
- Consider purchasing policy revisions (to take out time-consuming hurdles)
- Consider enhanced resources to expedite
- Enhanced monitoring
- Further recommendations to follow as process continues

Summary/Next Steps

The May 1st applications are being reviewed with a decision by the Provincial and Federal governments in 4 to 6 weeks and an announcement expected by June 18th. A Budget Review committee of the Whole meeting will be held on June 18th to seek approval of the "Stimulus Capital Budget" including the Region share of funding and any other recommended measures. Upon Council approval, the Region would then sign the agreement and begin project implementation.

Moved by Councillor Bentley
Seconded by Councillor D'Angela

That the presentations by Mr. John Bergsma, Commissioner, Corporate Services and Mr. Ken Brothers, Commissioner, Public Works regarding the Niagara Region Infrastructure Stimulus Funding Final Project Submission, be received.

Carried.

ITEMS FOR CONSIDERATION

120. Budget Approval and Transfers for Emergency
Replacement of Port Dalhousie Digester Roof
CSD 78-2009 (PWA 51-2009)

Moved by Councillor Bylsma
Seconded by Councillor Augustyn

That Report CSD 78-2009 (PWA 51-2009), May 20, 2009 respecting Budget Approval and Transfers for Emergency Replacement of Port Dalhousie Digester Roof, be received;

That an exception to the capital management policy be allowed for an addition to the 2009 Wastewater Services Capital Budget for Project ZSW0911 Port Dalhousie Digester Roof Replacement with a gross and net budget of \$1,500,000;

That Wastewater Reserve Fund financing in the amount of \$900,000 be transferred to Project ZSW0911 from Project ZSW9711/SW0821 Biggar Lagoon Decommissioning;

That Wastewater Reserve Fund financing in the amount of \$600,000 be transferred to Project ZSW0911 from project ZSW0209/SW0209 Gravity Sewer on Rice Road; and

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

Carried.

(Please note that Report CSD 78-2009 (PWA 51-2009) can be found behind the Joint Reports Blue Book Tab)

(Refer to Councillor Information Requests.)

121. Initiation of Project ZRC0955 Cost Sharing on Bike Paths and
Approval of Funding for Bicycle Facilities on Fourth Avenue, in
the Town of Lincoln
CSD 79-2009 (PWA 53-2009)

Moved by Councillor Baty
Seconded by Councillor Gabriel

That Report CSD 79-2009 (PWA 53-2009), May 20, 2009 respecting Initiation of Project ZRC0955, Cost Sharing on Bike Paths and Approval of Funding for Bicycling Facilities on Fourth Avenue In the Town of Lincoln, be received;

That Capital Levy financing in the amount of \$200,000 gross and net be approved for Project ZRC0955 Cost Sharing on Bike Paths;

That the Region agree to fund the costs for bicycle lanes on both sides of Fourth Avenue, between Nineteenth Street and Jordan Road, in the Town of Lincoln, estimated at \$106,100;

That all project costs be charged against Project ZRC0955 Cost Sharing on Bike Paths;

That the Regional Clerk's Department forward a copy of this report to the Town of Lincoln and the Regional Niagara Bicycling Committee for their information.

Carried

(Please note that Report CSD 79-2009 (PWA 53-2009) can be found behind the Joint Reports Blue Book Tab)

122. Initiation of Capital Project ZPO0909
Capital Asset Acquisitions
CSD 82-2009

Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That Report CSD 82-2009, May 20, 2009, respecting Initiation of Capital Project ZPO0909 Capital Asset Acquisitions, be received.

That Project ZPO0909 – Capital Asset Acquisitions be initiated with a gross and net cost of \$135,950;

That financing for the project of \$135,950 be from the Police Capital Levy Reserve;

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

Carried.

123. Award of Funding from the Continuous Improvement Fund
- Project Initiations and Budget Transfers
CSD 83-2009 (PWA 52-2009)

Moved by Councillor Casselman
Seconded by Councillor Bentley

That Report CSD 83-2009 (PWA 52-2009), respecting Award of Funding from the Continuous Improvement Fund – Project Initiations and Budget Transfers, be deferred pending receipt of further information.

Carried.

124. Niagara Police Services Board Remuneration
CSD 86-2009

Conflicts of Interest

Councillor Martin declared a pecuniary interest with respect to Report CSD 86-2009 Niagara Police Services Board Remuneration as he is a Police Board member and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Bentley declared a pecuniary interest with respect to Report CSD 86-2009 Niagara Police Services Board Remuneration as he is a Police Board member and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Councillor Puttick
Seconded by Councillor Burroughs

That Report CSD 86-2009, May 20, 2009, respecting Niagara Police Services Board (NPS) Remuneration, be received.

That Council address NPS Board remuneration by implementing an increase for the year 2009 similar to Council's 2009 increase.

Carried.

125. Initiation of Capital Project ZPO0709 Telephone System Upgrades and ZPO0807 Telephone System Upgrades
CSD 87-2009

Moved by Councillor Saracino
Seconded by Councillor Martin

That Report CSD 87-2009, May 20, 2009, respecting Initiation of Capital Project ZPO0709 Telephone System Upgrades and ZPO0807 Telephone System Upgrades, be received.

That Project ZPO0709 – Telephone System Upgrades be initiated with a gross and net cost of \$75,000;

That Project ZPO0807 – Telephone System Upgrades be initiated with a gross and net cost of \$75,000;

That financing for both projects, totaling of \$150,000 be from the Police Capital Levy reserve;

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

Carried.

126. Support for Special Legislation
YMCA of Niagara Tax Exemption
CSD 88-2009

Conflict of Interest

Councillor D'Angela declared a pecuniary interest with respect to Report CSD 88-2009 Support for Special Legislation YMCA of Niagara Tax Exemption, as he has a business association with the YMCA in business, and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Councillor Casselman
Seconded by Regional Chair Partington

That Report CSD 88-2009, May 20, 2009, respecting Support for Special Legislation YMCA of Niagara Tax Exemption, be received.

That Regional Council support and consent to the YMCA of Niagara's application for special legislation as requested in the YMCA of Niagara's December 17, 2008 letter.

That Regional Council authorize the CAO to execute the Consent requested by the YMCA of Niagara.

That the Regional Clerk's office forward a copy of report and council resolution to the Chief Executive Officer of the YMCA of Niagara, and all area municipalities and local school boards.

Carried.

ITEMS FOR INFORMATION

127. Summary of Quotations, Tenders and Authorizations
First Quarter 2009 According to Purchasing Policy C3.P02
CSD 80-2009

Moved by Councillor Bentley
Seconded by Councilor Burroughs

That Report CSD 80-2009, May 20, 2009, respecting Summary of Quotations, Tenders and Authorizations First Quarter 2009 According to Purchasing Policy C3.P02, be received for information.

Carried.

128. Wind Energy Niagara Project Update
CSD 85-2009

Conflict of Interest

Councillor Bylsma declared a pecuniary interest with respect to Report CSD 85-2009 Wind Energy Niagara Project Update, as he has a family member involved in a Wind Energy Project Development in the Niagara Region, and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Regional Chair Partington
Seconded by Councillor Bentley

That Report CSD 85-2009, May 20, 2009, respecting Wind Energy Niagara Project Update, be referred to the next Corporate Services Committee meeting of Monday, June 15, 2009.

Carried.

CORRESPONDENCE

129. Moved by Councillor Burroughs
Seconded by Councillor Badawey

That the following communications be received and dealt with as noted in these minutes:

CSC 20-2009 Deb Morton, Executive Director, Regional Municipality of
Niagara Police Services Board (April 28, 2009) respecting
NRPS Variance Report to March 31, 2009 65.2009

--Received.

CSC 21-2009 Deb Morton, Executive Director, Regional Municipality of
Niagara Police Services Board (April 24, 2009) respecting
Niagara Police Services Board By-law 288-2009 75.2009

--Approved.

CSC 22-2009 Deb Morton, Executive Director, Regional Municipality of
Niagara Police Services Board (April 24, 2009) respecting
Niagara Police Services Board Community Policing
Partnership (CPP) Program – Contract Renewal 63.2009

--Approved.

Carried.

130. Moved by Councillor Bylsma
Seconded by Councillor D'Angela

That Communication CSC 23-2009, being a memorandum from John Bergsma, Commissioner of Corporate Services (May 12, 2009) respecting Councillor Information Request - Facilities Deficit, be received.

Carried.

131. Moved by Councillor Burroughs
Seconded by Councillor Bylsma

That Communication CSC 24-2009, being a memorandum from Gord Lockyer, Treasurer/Director Financial Management and Planning (May 13, 2009) respecting Suggested Approach re: Issue of Area Municipality O.M.P.F. Loss and Extent to which PMFSDR Uploading May Alleviate It, be received.

Carried.

MINUTES

132. 3-2009 (RDC)

Moved by Councillor D'Angela
Seconded by Councillor Badawey

That Report 3-2009 (RDC) being the minutes of the Regional Development Charges Task force meeting of Monday, April 27, 2009 be received and minute items 23 and 24 approved.

Carried.

133. 4-2009 (JAC)

Moved by Councillor Badawey
Seconded by Councillor Henderson

That Report 3-2009 (RDC) being the minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of Monday, April 27, 2009 be received.

Carried.

(Please note that Report 4-2009 (JAC)) can be found behind the Joint Reports Blue Book Tab)

OTHER BUSINESS

134. Offshore Wind-development

Councillor Puttick apprised Committee of a news article titled "Niagara gets ready for wind" which announced that The Niagara Industrial Association is expected to announce that it is working closely with a consortium of offshore wind developers to establish a local supply chain for manufacturing and assembling components for offshore wind turbines. It said that the Niagara association is partnering with the Tai-Wind Consortium, which is led by Toronto-based offshore developer Trillium Power. Councillor Puttick requested an oral report for the next meeting on this matter.

135. “Financial Implications” Section of Committee Reports
Councillor Burroughs referred to the Financial Implications section of Report CSD 88-2009 which indicated “There would be no financial implications to the Niagara Region” and requested that staff review the criteria governing information to be included in “Financial Implications” in order to strengthen the information provided in this section of reports.. He requested information on how the exemptions will be accounted for and shown in this section as well as what the implications would be on municipalities.
136. Development Charge Exemption Tracking
Councillor Burroughs also requested an update on how Development Charge exemptions will be accounted for as well as what the implications would be on municipalities.

CLOSED SESSION

137. Moved by Regional Chair Partington
Seconded by Councillor Greenwood

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to the Proposed Acquisition of Land by the Municipality NHS Facility Transfers; and Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, City of Thorold; and police correspondence respecting Award of Contract.

Carried.

138. Proposed Acquisition of Land by the Municipality
City of Port Colborne, City of Niagara Falls,
City of Welland, Town of Fort Erie
Town of Niagara on the Lake
NHS Facility Transfers
CSD 76-2009 (Confidential)

Moved by Councillor Augustyn
Seconded by Regional Chair Partington

That Confidential Report CSD 76-2009 respecting Proposed Acquisition of Land by the Municipality, City of Port Colborne, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Niagara on the Lake NHS Facility Transfers, be received and the recommendations contained therein approved.

Carried.

(Refer to Councillor Information Requests.)

139. Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, Reconstruction of Regional Road No. 20, City of Thorold
CSD 84-2009 (PWA 54-2009) (Confidential)

Moved by Councillor
Seconded by Councillor

That Confidential Report CSD 84-2009 (PWA 54-2009), May 20, 2009, respecting Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, Reconstruction of Regional Road No. 20, City of Thorold, be received and the recommendations contained therein approved.

Carried.

140. Police Correspondence:
CSC 19-2009 (Confidential)

Moved by Councillor Henderson
Seconded by Councillor Puttick

That Confidential Communication CSC 19-2009 from Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (April 28, 2009) respecting Award of Contract – Blackberry & Wireless Services C.86.2009, be received.

Carried.

141. Moved by Councillor Badawey
Seconded by Councillor Greenwood

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Prepare a report providing an updated list of Close-out Projects. (Augustyn) Refer to minute 120.
- (ii) Amend Confidential Report CSD 76-2009, April 29, 2009, to include a further condition as approved by Committee. (Badawey) Refer to minute 137.

ADJOURNMENT

Committee adjourned at 11:45 p.m. to meet again on Monday, June 15, 2009, at 9:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin
Co-Chair

Gail Reilly
Legislative Assistant

Dave Augustyn
Co-Chair

Janet Pilon
Acting Regional Clerk