

# THE REGIONAL MUNICIPALITY OF NIAGARA

## CORPORATE SERVICES COMMITTEE

### REPORT 9-2009

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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 Thursday, July 2, 2009 commencing at 9:06 a.m.

#### ATTENDANCE

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

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

Staff

Others: Corporate Services: Ms. Consigli, Manager, Client Services; Ms. Elliott, Director, Human Resources; Mr. Hager, Labour Relations Manager; Mr. Kaas, Tangible Capital Assets Analyst; Mr. Kyne, Director, Legal Services; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Mr. Pilon, Associate Director, Service Quality & Improvement; Mr. Roach, Manager, Public Works Financial Services; Ms. Stranges, Capital Assets Analyst.  
Administration: Mr. Roberts, Executive Officer to Regional Chair; Ms. Vanecko, Acting Director, Administration.  
Public Health: Mr. McKay, Associate Director, E.M.S.  
Public Works: Mr. Pollock, Director, Waste Management Services.

#### PRESENTATION

156. 2009 Debenture Issue

Mr. Dave Berner, Vice-President, Government Finance, National Bank Financial, attended on behalf of the Region's Fiscal Agents to provide information on the market conditions with respect to the 2009 Debenture Issue. Mr. Berner advised that the market is receptive at this time for municipal bonds and should yield all-in (with commissions) interest costs of approximately 4.40% for a (1-10 year) serial debenture. He also noted that as the markets have been quite volatile over the past several months and that these rates may change according to subsequent market conditions and timing of the actual debenture issue. (A copy of Mr. Berner's presentation is attached to the minutes.)

**ITEMS FOR CONSIDERATION**

157. 2009 Debenture Issue  
**CSD 103-2009**

Moved by Regional Chair Partington  
Seconded by Councillor Heit

That Report CSD 103-2009, July 2, 2009, respecting 2009 Debenture Issue be received.

- (i) 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 2009 for the Region and certain area municipalities.
- (ii) That the amount to be debentured shall not exceed \$42,031,000 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 Co-Chairs of the Corporate Services Committee.
- (iii) That the relevant details be presented to Regional Council for information upon finalization of the issue.
- (iv) 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.
- (v) 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.

(Refer to Councillor Information Request.)

**ITEMS FOR INFORMATION**

158. Summary of Position Authorizations since January 2009  
According to Corporate Delegation of Authority Policy  
**CAO 3-2009**

Moved by Councillor Augustyn  
Seconded by Councillor Puttick

That Report CAO 3-2009, July 2, 2009, respecting Summary of Position Authorizations since January 2009 According to Corporate Delegation of Authority Policy, be received for information.

Carried.

**ITEMS FOR CONSIDERATION**

159. Process Improvements and CIF Funding  
The Recycling Centre, Niagara Falls  
**“Revised” CSD 83-2009 (PWA 52-2009)**

Moved by Councillor Badawey  
Seconded by Councillor Heit

That “Revised” Report CSD 83-2009 (PWA 52-2009), July 2, 2009, respecting Process Improvements and CIF Funding the Recycling Centre, Niagara Falls, be received.

That Request for Proposal 2008-RFP-51 Design, Build and Install Optical Sorting System - The Recycling Centre, Niagara Falls be awarded to Machinex Recycling Technologies, Pickering, ON at their proposal cost of \$1,970,200;

That the gross budget for Project ZGL0810 - Recycling Centre Improvements be increased by \$1,120,855 to reflect the Continuous Improvement Fund funding and allocated as follows:

GL0810 – Optical Sorting System	\$595,855
GL0820 – Fibre Line Improvements	<u>\$525,000</u>
Total	\$1,120,855

That Project ZGL0717 Emergency Equipment Replacement be initiated with a budget of \$400,000 (Long Term Financing 1-10 years) and transferred to Project ZGL0810/GL0820 - Fibre Line Improvements;

That Project ZGL0805 - Emergency Equipment Replacement be initiated with a budget of \$400,000 (Waste Management Reserve Fund) and transferred to Project ZGL0810/GL0820 - Fibre Line Improvements; and

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

Carried.

(Please note that Revised Report CSD 83-2009 (PWA 52-2009) can be found behind the Joint Report Blue Book Tab)

160. Tender Award 2009-T-120 (RN 09-20)  
Reconstruction of Regional Road 101 (Mountain Road)  
From Dorchester Road to Portage Road  
In the City of Niagara Falls  
**CSD 96-2009/PWA 64-2009**

Moved by Councillor Puttick  
Seconded by Councillor Saracino

That Report CSD 96-2009 (PWA 64-2009), July 2, 2009, respecting Tender Award 2009-T-120 (RN 09-20) Reconstruction of Regional Road 101 (Mountain Road) from Dorchester Road to Portage Road in the City of Niagara Falls, be received.

That Tender 2009-T-120 (RN 09-20) Reconstruction of Regional Road 101 (Mountain Road) from Dorchester Road to Portage Road in the City of Niagara Falls be awarded to the low tenderer, V. Gibbons Contracting Ltd., at the bid price of \$2,856,998.25;

That a contingency allowance in the amount of \$300,000 be provided for this contract;

That approval be given to increase the gross budget for ZRC0814 Reconstruction of Regional Road 101 (Mountain Road) from Dorchester Road to Portage Road in the amount \$700,000 to reflect cost sharing from the City of Niagara Falls;

That the Engineering Agreement with the consulting firm of Urban and Environmental Management Inc. be extended to include contract administration and inspection services of \$134,000.00 with the engineering fees being calculated on a time plus disbursements basis;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of The Regional Municipality of Niagara, are presented to Regional Council on July 9, 2009; and

That all project costs be charged against Capital Works Project ZRC0814.

Carried.

(Please note that Report CSD 96-2009 (PWA 64-2009) can be found behind the Joint Report Blue Book Tab)

161. Initiation of Capital Project ZPO0905  
IT Equipment Replacement  
**CSD 97-2009**

Moved by Councillor Burroughs  
Seconded by Councillor Heit

That Report CSD 97-2009, July 2, 2009, respecting Initiation of Capital Project ZPO0905 IT Equipment Replacement, be received.

That Project ZPO0905 – IT Equipment Replacement be initiated with a gross and net cost of \$500,000;

That financing for the project of \$500,000 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.

162. Initiation of Roads Capital Projects  
**CSD 98-2009 (PWA 62-2009)**

Moved by Councillor D'Angela  
Seconded by Councillor Bylsma

That Report CSD 98-2009 (PWA 62-2009), July 2, 2009, respecting Initiation of Roads Capital Projects, be received.

That financing in the amount of \$1,855,000 gross and net be approved from the 2009 Roads Capital Program and allocated to the individual projects as summarized in Appendix A.

That financing in the amount of \$50,000 gross and net be approved from the 2008 Roads Capital Program and allocated to the individual project as summarized in Appendix A.

That approval be given to fund the projects with financing as summarized in Appendix A.

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

Carried.

(Please note that Report CSD 98-2009 (PWA 62-2009) can be found behind the Joint Report Blue Book Tab)

(Refer to Councillor Information Requests.)

163. 2009 Gross Recycling Revenue  
Forecast vs. Budget  
**CSD 99-2009 (PWP 29-2009)**

Moved by Councillor Bylsma  
Seconded by Councillor Heit

That Report CSD 99-2009 (PWP 29-2009), July 2, 2009, respecting 2009 Gross Recycling Revenue Forecast vs. Budget, be received for information.

Carried.

(Please note that Report CSD 99-2009 (PWP 29-2009) can be found behind the Joint Report Blue Book Tab)

164. Closure of Capital Projects  
**CSD 100-2009**

Moved by Councillor Saracino  
Seconded by Councillor Burroughs

That Report CSD 100-2009, July 2, 2009, respecting Closure of Capital Projects, be received.

That total net transfers of \$2,941,761 from projects that are complete and in a net surplus position be transferred to the Capital Levy Reserve (0035-0960). Projects are identified in Appendix 1, Pages 1 and 2.

That total net transfers of \$190,868 to the Sewage Operations Capital Reserve Fund (0030-0961) be approved to accommodate the closure of capital projects as shown in Appendix 2.

That total net transfers of \$612,096 to the Water Operations Capital Reserve Fund (0030-0962) be approved to accommodate the closure of capital projects as shown in Appendix 2.

That total net transfers of \$20,234 from the Waste Management Reserve Fund (0030-0970) be approved to accommodate the closure of Waste Management capital projects as shown in Appendix 2.

That project closures be completed as indicated in Appendices 1 and 2.

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

Carried.

165. 2008 Council Strategic Initiatives Capital Program  
- Brock University and Niagara College  
**CSD 102-2009**

Moved by Councillor Badawey  
Seconded by Councillor Casselman

That the recommendations in Report CSD 102-2009, be referred back to staff with the remaining \$350,000 in the 2008 Council Strategic Initiatives Capital Program to remain in the Capital Levy Reserve.

Carried.

### **CORRESPONDENCE**

166. Moved by Councillor Henderson  
Seconded by Councillor Greenwood

That the following communication be received:

CSC 28-2009                      Deb Morton, Executive Director, Regional Municipality of  
Niagara Police Services Board (June 8, 2009) regarding  
Purchasing – 2009 Vehicle Replacements – ZPO0901  
89.2009

Carried.

### **MINUTES**

167. 5-2009 (JAC)

Moved by Councillor Henderson  
Seconded by Councillor Greenwood

That Report 5-2009 (JAC) being minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of June 12, 2009, be received.

Carried.

168. 3-2009 (AC)

Moved by Councillor Henderson  
Seconded by Councillor Greenwood

That Report 3-2009 (AC) being the minutes of the Audit Committee meeting of June 15, 2009 be received and minute item 18 be approved.

Carried.

169. 4-2009 (AC)

Moved by Councillor Henderson  
Seconded by Councillor Greenwood

That Report 4-2009 (AC) being the minutes of the Audit Committee meeting of June 25, 2009 be received and minute item 22 be approved.

Carried.

**OTHER BUSINESS**

170. Request for Budget Review Committee of the Whole

Councillor Casselman requested information on how much money has been taken out of reserves (over the past Council term) as a result of the Provincial and Federal downloading (ie. EMS) and subsequently, not providing the Region with funds to sustain these programs.

171. Development Charges

Councillor Puttick spoke to a news article from the Toronto Star with respect to the significant increases in development charges by the Region of Halton and referred the article to Councillor D'Angela, Chair of the Regional Development Charges Task Force.

172. Audit \$1 million - NEDC

Councillor Puttick requested staff to look into his request for an audit with respect to how the \$1 million from the Province to the Niagara Economic Development Corporation was spent.

**CLOSED SESSION**

Conflict of Interest

Councillor Martin declared a pecuniary interest with respect to Confidential Report CSD 104-2009 respecting A Matter of Labour Relations – ONA 9 Public Health, as his spouse is a member of CUPE and he therefore vacated Committee Room 4 and took no part in the discussion of, or voting on, this matter.

173. Moved by Councillor Casselman  
Seconded by Councillor Burroughs

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to a Matter of Labour Relations with respect to ONA 9 Public Health.

Carried.

174. A Matter of Labour Relations – ONA 9 Public Health  
**Confidential CSD 104-2009**

Moved by Councillor Casselman  
Seconded by Councillor Greenwood

That Confidential Report CSD 104-2009, July 2, 2009, respecting A Matter of Labour Relations – ONA 9 Public Health, be received and approved.

That the Regional Chair and Regional Clerk be authorized to execute the collective agreement on behalf of the Regional Municipality of Niagara.

Carried.

175. Moved by Councillor Badawey  
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

**COUNCILLOR INFORMATION REQUESTS**

That staff:

- (i) Check the Debenture Authority Request amount for Pelham (amount in report is less) to ensure that the amount to be debentured is sufficient). (D. Augustyn) Refer to minute item 157.
- (ii) Investigate into Transport Canada's "Grade Crossing Improvement Program" to see if it applies to Railway Crossing Improvements as contained in Report CSD 98-2009/PWA 62-2009. (D. Augustyn) Refer to minute item 162.
- (iii) Forward March 23<sup>rd</sup> direction to staff regarding remaining funds in 2008 Council Strategic Initiatives Capital Program (Heit) Refer to minute item 165.
- (iv) Examine the reporting process for the Audit Committee to determine if the Audit Committee should report directly to Council. (G. Burroughs) Refer to minute item 169.
- (v) Provide a report on the interpretation of the PSAB financial statements. (G. Burroughs) Refer to minute item 169.
- (vi) Provide information identifying how and when the "Investing in Ontario" funds in the amount of \$20.16 million which were received late in 2008 would be spent. (H. D'Angela) Refer to minute item 169.

**ADJOURNMENT**

Committee adjourned at 10:35 p.m. to meet again on Wednesday, July 22, 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