

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
OPEN SESSION**

CSC 3-2020

Wednesday, March 11, 2020

Council Chamber

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

Committee: Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster (Committee Chair), Gale, Ip, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Heit, Redekop

Staff: D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, S. Hendrie, Chief Information Officer, M. Koren, Project Manager, Buildings, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, D. Pasto, Risk Management Program Manager, B. Ray, Associate Director, Facilities, Projects, Assets and Energy, M. Steele, Associate Director, Financial Reporting and Analysis, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer, A. Wheaton, Corporate Reporting Supervisor, B. Zvaniga, Commissioner, Public Works

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:32 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

See Minute Item 8.0.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **CSD 15-2020**

2019 Year End Results and Transfer Report

Melanie Steele, Associate Director, Reporting & Analysis, provided information respecting Q4 2019 Financial Results. Topics of the presentation included:

- Background
- Deliverables
- Q4 Summary Results
- Q4 Operating Results - Levy
 - Regional Departments
 - Agencies, Boards, and Commissions
- Q4 Operating Results - Rate
 - Water & Wastewater
 - Waste Management
- Year End Transfer Recommendations
- Q4 Capital Results

Moved by Councillor Whalen
Seconded by Councillor Diodati

That Report CSD 15-2020, dated March 11, 2020, respecting 2019 Year End Results and Transfer Report, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the unaudited summarized financial results of the Niagara Region as detailed in Appendix 1 of Report CSD 15-2020 **BE RECEIVED**;
2. That the 2019 year end operating surplus for levy supported programs including agencies, boards and commissions of \$3,453 thousand **BE TRANSFERRED** as follows:
 - \$48 thousand **BE TRANSFERRED** to the Ontario Police Video Training Alliance Reserve as per Niagara Regional Police Services recommendation to their Board (Appendix 6 to Report CSD 15-2020)
 - \$89 thousand **BE TRANSFERRED** to the Police Services Board Contingency Reserve as per Niagara Regional Police Services recommendation to their Board (Appendix 6 to Report CSD 15-2020)

- \$204 thousand **BE TRANSFERRED** to the Police Contingency Reserve as per Niagara Regional Police Services recommendation to their Board (Appendix 6 to Report CSD 15-2020)
 - \$580 thousand **BE TRANSFERRED** to the Niagara Regional Housing Owned Units Reserve to fund heat control system upgrades in owned units to be completed in 2020 as per Niagara Regional Housing recommendation to their Board (Appendix 7 to Report CSD 15-2020)
 - \$250 thousand **BE TRANSFERRED** to the Niagara Regional Housing Reserve to fund the Affordable Housing Master Plan to be completed in 2020 as per Niagara Regional Housing recommendation to their Board (Appendix 7 to Report CSD 15-2020)
 - \$355 thousand **BE TRANSFERRED** to the Niagara Regional Housing Reserve to be utilized for new capital development opportunities to reduce the housing waitlist as per Niagara Regional housing recommendation to their Board (Appendix 7 to Report CSD 15-2020)
 - \$177 thousand surplus related to the 2019 Smarter Niagara Incentives Program (SNIP) **BE TRANSFERRED** the Taxpayer Relief Reserve to fund the 2020 SNIP program as directed by Council at the December 5, 2019 Budget Review Committee of the Whole meeting
 - \$1,750 thousand **BE TRANSFERRED** the Taxpayer Relief Reserve
3. That the 2019 year end operating deficit for rate supported programs of \$2,840 thousand **BE TRANSFERRED** from reserves as follows:
- \$1,156 thousand **BE TRANSFERRED** from the Waste Management Stabilization Reserve in order to fund the operating deficit relating to Waste Management services
 - \$507 thousand **BE TRANSFERRED** from the Water Stabilization Reserve in order to fund the operating deficit related to Water services
 - \$1,177 thousand **BE TRANSFERRED** from the Wastewater Stabilization Reserve in order to fund the operating deficit relating to Wastewater services

4. That encumbrances of \$16,377 thousand, detailed in Appendix 2 to Report CSD 15-2020, **BE RECEIVED** for information and that the deferral of these expenditures be included in the 2020 operating budget; and
5. That the transfers of \$8,446 thousand from the capital variance project to Capital Reserves **BE RECEIVED** for information.

Carried

5.2 HR 3-2020

Chief Administrative Officer (CAO) Recruitment - Regional Councillor Appointments to the CAO Recruitment Committee

Moved by Councillor Butters
Seconded by Councillor Easton

That Report HR 3-2020, dated March 11, 2020, respecting Chief Administrative Officer (CAO) Recruitment – Regional Councillor Appointments to the CAO Recruitment Committee, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That a Chief Administrative Officer (CAO) Recruitment Committee **BE FORMED**;
2. That four (4) Regional Councillors **BE APPOINTED** to the CAO Recruitment Committee; and
3. That the process for appointing members of Regional Council to serve on the CAO Recruitment Committee **BE CONDUCTED** at the Regional Council meeting being held on March 26, 2020.

Carried

5.3 CLK 4-2020

Policy Update – Whistleblower Policy, Code of Ethics-Conflict of Interest Policy, and Recruitment and Selection Policy

Moved by Councillor Edgar
Seconded by Councillor Ip

That Report CLK 4-2020, dated March 11, 2020, respecting Whistleblower Policy, Code of Ethics-Conflict of Interest Policy, and Recruitment and Selection Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Whistleblower Policy (Appendix 1 to Report CLK 4-2020) **BE APPROVED**;
2. That the updated Policy C-A-007 Code of Ethics - Conflict of Interest (Appendix 2 to Report CLK 4-2020), **BE APPROVED**; and
3. That the updated Policy C-HR-010 Recruitment and Selection (formerly Employment and Staffing) (Appendix 3 to Report CLK 4-2020) **BE APPROVED**.

Carried

Councillor Information Request(s)

Consider provisions in the policy that would allow vendors and contractors to make a complaint under the Whistleblower Policy. Councillor Gale.

5.4 CSD 3-2020

Request to Write-Off Outstanding Amounts Over \$25,000

Moved by Councillor Easton
Seconded by Councillor Champion

That Report CSD 3-2020, dated March 11, 2020, respecting Request to Write-Off Outstanding Amounts Over \$25,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the write-off of uncollectible accounts receivable totaling \$100,348.58 **BE APPROVED**.

Carried

5.5 CSD 16-2020

Procurement Process for Insurance and Risk Management Services

Moved by Councillor Rigby
Seconded by Councillor Gale

That Report CSD 16-2020, dated March 11, 2020, respecting Procurement Process for Insurance and Risk Management Services, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to commence the procurement process for the acquisition of insurance and risk management services utilizing a Request for Proposal (“RFP”) process which employs the same methodology/wording as was issued in 2017, with the exception of engaging the services of a Fairness Advisor Commissioner;
2. That staff **BE AUTHORIZED** to procure the services of a Subject Matter Expert to assist with the RFP process and to provide an objective coverage compliance analysis report for evaluators; and
3. That staff **BE AUTHORIZED** to procure insurance and risk management services for a three year contract period with an option in favour of Niagara Region to extend the contract on the same terms and conditions for an additional term of up to two years.

Carried

5.6 CSD 21-2020

Canadian Radio-television Telecommunications Commission (CRTC)
Broadband Fund

Moved by Councillor Diodati
Seconded by Councillor Whalen

That CSD 21-2020, dated March 11, 2020, respecting Canadian Radio-television Telecommunications Commission (CRTC) Broadband Fund, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE AUTHORIZED** to redirect funding previously committed to the application of Connect to Innovate (CTI) program to fund an application to the federal CRTC Broadband Fund, not to exceed a contribution of \$400,000.

Carried

5.7 CSD 22-2020

Initiation Report for 2020 Capital Funds – 911 Backup Rationalization

Moved by Councillor Fertich

Seconded by Councillor Champion

That Report CSD 22-2020, dated March 11, 2020, respecting Initiation Report for 2020 Capital Funds – 911 Backup Rationalization, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That financing in the amount of \$1,000,000, **BE INITIATED** from the capital budget for 911 Backup Rationalization (20001271) and that the project **BE FUNDED** as follows:
 - Capital Levy: \$1,000,000; and
2. That staff **BE AUTHORIZED** to amend Recommendation #2 of Report CSD 4-2017, the existing agreement with Niagara Regional Police Services (NRPS) respecting the Region's commitment to maintain 68 Church Street, St. Catharines as an interim backup 911/NRPS Communications Centre, to reflect that the NRPS 3 District facility be outfitted and maintained as the temporary and interim backup 911/NRPS Communications Centre until such time as a permanent backup centre is established.

Carried

6. CONSENT ITEMS FOR INFORMATION

6.1 CSC-C 5-2020

Statement of Remuneration and Expenses for Members of Council and Council Appointees for 2019

Moved by Councillor Diodati

Seconded by Councillor Gale

That Correspondence Item CSC-C 5-2020, being a memorandum from T. Harrison, Commissioner/Treasurer, dated March 11, 2020, respecting Statement of Remuneration and Expenses for Members of Council and Council Appointees for 2019, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 Motion respecting Direct Election of the Regional Chair

Councillor Ip enquired as to when the motion respecting the direct election of the Regional Chair, which Council referred to the Corporate Services Committee at its meeting held on Thursday, February 20, 2020, would be considered by the Committee. Ann-Marie Norio, Regional Clerk, advised that the motion would be brought forward at the Corporate Services Committee meeting to be held on Wednesday, April 8, 2020.

8. CLOSED SESSION

Councillor Campion declared an indirect pecuniary interest with respect to the Confidential Verbal Update, respecting a Matter Respecting Litigation and a Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the *Municipal Act, 2001* - Application for Judicial Review - Niagara Home Builders' Association, as the City of Welland is named in the filing and he is the Mayor of the City of Welland.

Moved by Councillor Whalen
Seconded by Councillor Easton

That this Committee **DO NOW MOVE** into closed session.

Carried

Committee resolved into closed session at 10:15 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 11:07 a.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster (Committee Chair), Gale, Ip, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Campion, Heit, Redekop

Staff: D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Koren, Project Manager, Buildings, A.-M. Norio, Regional Clerk, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer

9.1 Confidential CSD 10-2020

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 – Carillion Canada Inc. v. Regional Municipality of Niagara (RMON) re Niagara Regional Police Services (NRPS) Headquarters and 2 District

Moved by Councillor Rigby
Seconded by Councillor Gale

That Confidential Report CSD 10-2020, dated March 11, 2020, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the *Municipal Act, 2001* – Carillion Canada Inc. v. Regional Municipality of Niagara (RMON) re Niagara Regional Police Services (NRPS) Headquarters and 2 District, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.2 Confidential CSD 14-2020

A Matter of Advice that is Subject to Solicitor-Client Privilege and Respecting Litigation – Summary of Civil Lawsuits Commenced Against the Regional Municipality of Niagara (Niagara Region), Niagara Regional Police Services (NRPS) and Niagara Regional Housing (NRH)

Moved by Councillor Diodati
Seconded by Councillor Fertich

That Confidential Report CSD 14-2020, dated March 11, 2020, respecting A Matter of Advice that is Subject to Solicitor-Client Privilege and Respecting Litigation – Summary of Civil Lawsuits Commenced Against the Regional Municipality of Niagara (Niagara Region), Niagara Regional Police Services (NRPS) and Niagara Regional Housing (NRH), **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.3 Confidential Verbal Update

A Matter Respecting Litigation and a Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - Application for Judicial Review - Niagara Home Builders' Association

Moved by Councillor Whalen
Seconded by Councillor Easton

That the Confidential Verbal Update respecting, A Matter Respecting Litigation and a Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - Application for Judicial Review - Niagara Home Builders' Association, **BE RECEIVED** for information.

Carried

10. NEXT MEETING

The next meeting will be held on Wednesday, April 8, 2020 at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 11:10 a.m.

Councillor Foster
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk