

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
OPEN SESSION**

CL 23-2020

Thursday, December 17, 2020

Council Chamber / Video Conference

**Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Foster
Council Members Present via Video Conference:	Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugolini, Villella, Whalen, Witteveen, Zalepa
Staff Present in the Council Chamber:	D. Barnhart, Executive Officer to the Regional Chair, M. Lewis, Client and Support Advisor, K. Lotimer, Legislative Coordinator, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Video Conference:	H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, D. Giles, Acting Commissioner, Planning & Development Services, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, B. Menage, Director, Procurement & Strategic Acquisitions, C. Ogunniyi, Diversity, Equity & Inclusion Program Manager, D. Pasto, Risk Management Program Manager, G. Spezza, Director, Economic Development, J. Tonellato, Director, Water and Wastewater, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, N. Wolfe, Director, Construction, Energy, and Facilities Management, S. Wood, Legal Counsel, B. Zvaniga, Interim Commissioner, Public Works
Others Present via Video Conference:	Doug Rapelje, Resident, Welland

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:31 p.m.

2. ADOPTION OF AGENDA

2.1 Addition of Items

Moved by Councillor Edgar
Seconded by Councillor Huson

That Saleh Waziruddin, Marcel Stewart and Erika Smith, Niagara Anti-Racism Association, **BE PERMITTED** to appear before Council as a delegation respecting Report CAO 23-3030, Diversity, Equity and Inclusion Advisory Committee.

Carried

2.2 Changes in Order of Items

There were no changes in the order of items on the agenda.

Moved by Councillor Bellows
Seconded by Councillor Ugulini

That Council Agenda CL 23-2020, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

Ron Tripp, Acting Chief Administrative Officer, advised Council that he would be excusing himself from the discussion on Report HR 6-2020 (Agenda Item 8.2.3), respecting Chief Administrative Officer (CAO) Recruitment - Regional Councillor Appointments to the CAO Recruitment Committee.

See Minute Item 13.2.

4. PRESENTATIONS

4.1 T. Roy Adams Humanitarian of the Year Award

Regional Chair Bradley stated that T. Roy Adams was an eminent Niagaran, well known throughout the region, Canada and abroad for his service to the community. In 2003, Niagara Region initiated a memorial award in his name to honour a resident of Niagara who best exemplifies Roy's values and dedication to community service.

Chair Bradley announced Doug Rapelje as this year's recipient of the award.

Councillor Greenwood highlighted Mr. Rapelje's contributions to the community. Councillor Campion emphasized Mr. Rapelje's volunteerism, generosity and drive to give back to the community.

Mr. Rapelje thanked Regional Council for the recognition and award.

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region and the efforts of Niagara Region with respect to the COVID-19 pandemic.

6. DELEGATIONS

6.1 Diversity, Equity and Inclusion Advisory Committee (Report CAO 23-2020 (Agenda Item 10.1))

6.1.1 Saleh Waziruddin, Marcel Stewart, and Erika Smith, Niagara Anti-Racism Association

Saleh Waziruddin and Erika Smith, Niagara Anti-Racism Association, appeared before Council to advocate for the creation of separate anti-racism and LGBTQ2S+ committees.

7. ADOPTION OF MINUTES

Minutes CL 21-2020, Wednesday, November 18, 2020 (Special Meeting)

Minutes CL 22-2020, Thursday, November 19, 2020 (Regular Meeting)

Moved by Councillor Steele

Seconded by Councillor Rigby

That Minutes CL 21-2020, being the Open Session minutes of the Special Regional Council meeting held on Wednesday, November 18, 2020, and Minutes CL 22-2020, being the Open Session minutes of the Regular Regional Council meeting held on Thursday, November 19, 2020, **BE ADOPTED**.

Carried

8. CORRESPONDENCE

8.1 Receive and/or Refer

There were no correspondence items to receive and/or refer.

8.2 For Consideration

8.2.1 CSD 79-2020

COVID-19 Cash Flow Update Report – December

Moved by Councillor Whalen

Seconded by Councillor Zalepa

That Report CSD 79-2020, dated December 17, 2020, respecting COVID-19 Cash Flow Update Report – December, **BE RECEIVED** for information.

Carried

8.2.2 CL-C 111-2020

Appointment to Southwestern Integrated Fibre Technology (SWIFT) Board

Moved by Councillor Insinna
Seconded by Councillor Huson

That Correspondence Item CL-C 111-2020, being a memorandum from A.-M. Norio, Regional Clerk, dated December 17, 2020, respecting Appointment to Southwestern Integrated Fibre Technology (SWIFT) Board, **BE RECEIVED**; and

That Councillor Foster **BE APPOINTED** as Niagara Region's representative on the SWIFT Board of Directors for a two-year term ending at the SWIFT Board Annual General Meeting in 2023.

Carried

8.2.3 HR 6-2020

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

Moved by Councillor Easton
Seconded by Councillor Fertich

That Report HR 6-2020, dated December 17, 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, in accordance with the Terms of Reference in Corporate Procedure C-HR-026-001, Chief Administrative Officer – Recruitment, Selection, and Offer of Employment, four (4) Regional Councillors **BE APPOINTED** to the CAO Recruitment Committee;
3. That the rules of procedure, specifically clause 4.5 of Section 4 “Role of the Chair” of the Procedural By-law, **BE SUSPENDED** to permit Regional Chair Bradley to hold the position of Committee Chair of the CAO Recruitment Committee; and
4. That the process for selecting members of Regional Council to serve on the CAO Recruitment Committee **BE CONDUCTED** at this time.

The Regional Chair called the vote on the motion. Clause 3 of the motion was considered separately, as two-thirds majority was required, as follows:

That the rules of procedure, specifically clause 4.5 of Section 4 “Role of the Chair” of the Procedural By-law, **BE SUSPENDED** to permit Regional Chair Bradley to hold the position of Committee Chair of the CAO Recruitment Committee.

Two-thirds majority having been achieved, the Chair declared the vote,

Carried

The Regional Chair called the vote on the balance of the motion, and declared it,

Carried

Moved by Councillor Sendzik
Seconded by Councillor Zalepa

That each member **BE PERMITTED** two (2) minutes to speak respecting their interest in serving on the Chief Administrative Officer Recruitment Committee.

Carried

The following members put their names forward for consideration to sit as members of the Chief Administrative Officer Recruitment Committee:

Darte, Fertich, Foster, Huson, Redekop, Rigby, Whalen, Witteveen, Zalepa.

Members voted electronically for their preferred candidates.

Regional Chair Bradley recessed the meeting at 8:19 p.m. to tabulate the votes.

The meeting resumed at 8:37 p.m.

Electronic voting resulted in the following:

Voting for Councillor Darte (13): Bellows, Butters, Chiocchio, Darte, Diodati, Gale, Junkin, Nicholson, Redekop, Sendzik, Ugulini, Villella, Witteveen.

Voting for Councillor Fertich (6): Champion, Chiocchio, Gale, Jordan, Nicholson, Redekop.

Voting for Councillor Foster (17): Butters, Darte, Diodati, Easton, Edgar, Foster, Gibson, Greenwood, Huson, Insinna, Ip, Jordan, Rigby, Steele, Villella, Witteveen, Zalepa.

Voting for Councillor Huson (24): Bellows, Butters, Bylsma, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Witteveen, Zalepa.

Voting for Councillor Redekop (24): Bellows, Butters, Bylsma, Champion, Chiocchio, Darte, Diodati, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Sendzik, Steele, Ugulini.

Voting for Councillor Rigby (2): Gale, Rigby.

Voting for Councillor Whalen (7): Bellows, Disero, Gale, Junkin, Nicholson, Ugulini, Whalen.

Voting for Councillor Witteveen (14): Bylsma, Champion, Darte, Disero, Easton, Fertich, Gibson, Greenwood, Heit, Huson, Rigby, Sendzik, Villella, Witteveen.

Voting for Councillor Zalepa (11): Bylsma, Chiocchio, Disero, Edgar, Foster, Heit, Insinna, Ip, Junkin, Steele, Zalepa.

Based on the results of the votes cast, it was:

Moved by Councillor Fertich

Seconded by Councillor Gibson

That Councillors Foster, Huson, Redekop and Witteveen, **BE APPOINTED** to the Chief Administrative Officer Recruitment Committee.

Carried

9. **COMMITTEE REPORTS - OPEN SESSION**

9.1 **Budget Review Committee of the Whole**

Minutes BRCOTW 3-2020, Thursday, November 26, 2020

Moved by Councillor Zalepa

Seconded by Councillor Whalen

That Report BRCOTW 3-2020 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, November 26, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.2 **Audit Committee**

Minutes AC 3-2020, Monday, December 7, 2020

Moved by Councillor Rigby

Seconded by Councillor Whalen

That Report AC 3-2020 being the Open Session minutes of the Audit Committee meeting held on Monday, December 7, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.2.1 Minute Item 6.1 respecting Final Report on Non-Competitive Procurement Audit

The motion contained in Minute Item 6.1 was considered separately as follows:

That Report AC-C 11-2020, dated December 7, 2020, respecting Final Report on Non-Competitive Procurement Audit, **BE RECEIVED** for information; and

That staff **BE DIRECTED** to provide a report at the Audit Committee meeting being held February 8, 2021, respecting staff training on procurement processes and further analysis of the examples provided in the KPMG audit including justification, comparison to budget and contract splitting.

The Regional Chair called the vote on the motion and declared it,

Carried

Councillor Information Request(s):

Circulate the Confidential Burgoyne Bridge forensic audit to each member of Council. Councillor Sendzik.

9.2.2 Balance of the recommendations from Audit Committee

The Regional Chair called the vote on the balance of the recommendations from the Audit Committee and declared it,

Carried

9.3 Public Works Committee

Minutes PWC 11-2020, Tuesday, December 8, 2020

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report PWC 8-2020 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, December 8, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Moved by Councillor Gale
Seconded by Councillor Darté

That Report PW 44-2020, respecting Award of Contract 2020-T-116 Port Dalhousie Wastewater Treatment Plant (WWTP) Upgrades Contract 1, **BE DEFERRED** until an external legal opinion can be obtained advising if the company in question is considered to be part of the bid solicitation process/tender.

Recorded Vote

Yes (13): Bellows, Campion, Chiocchio, Darté, Diodati, Fertich, Gale, Huson, Insinna, Junkin, Nicholson, Villella, Whalen.

No (18): Butters, Bylsma, Disero, Easton, Edgar, Foster, Gibson, Greenwood, Heit, Ip, Jordan, Redekop, Rigby, Sendzik, Steele, Ugolini, Witteveen, Zalepa.

Defeated

The Regional Chair called the vote on the motion and declared it,

Carried

9.4 Public Health and Social Services Committee

Minutes PHSSC 11-2020, Tuesday, December 8, 2020

Moved by Councillor Greenwood

Seconded by Councillor Chiocchio

That Report PHSSC 11-2020 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, December 8, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.5 Corporate Services Committee

Minutes CSC 11-2020, Wednesday, December 9, 2020

Moved by Councillor Foster

Seconded by Councillor Whalen

That Report CSC 11-2020 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, December 9, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.5.1 Minute Item 5.3 respecting Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement

The motion contained in Minute Item 5.3 was considered separately as follows:

That Report CSD 81-2020, dated December 9, 2020, respecting Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That an Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement in a form substantially as set out in Appendix A of Report CSD 81-2020, **BE APPROVED** for purposes of advancing the Vision Zero Program;

2. That the Director of Legal and Court Services **BE AUTHORIZED** to make such revisions to the Amending Agreement as may be deemed necessary and approved by the Acting Chief Administrative Officer in response to requests from the local area municipalities in order to finalize the Amending Agreement; provided that the apportionment of costs and revenue remains the same as provided in Appendix A of Report CSD 81-2020;
3. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement once finalized, subject to approval by all 12 local area municipalities; and
4. That Report CSD 81-2020 and the Amending Agreement, attached as Appendix A of Report CSD 81-2020, **BE CIRCULATED** to the 12 local area municipalities and that the 12 local area municipalities **BE REQUESTED** to review and approve the Amending Agreement at the earliest opportunity in order to advance the Vision Zero Program.

Moved by Councillor Diodati
Seconded by Councillor Foster

That point two (2) of the definitions of Appendix A to Report CSD 81-2020, respecting Amending Agreement to the Niagara Region Inter-Municipal Agreement, **BE AMENDED** to read as follows:

Net revenues, consistent with the current agreement, from Red Light Cameras, Automated Speed Enforcement and such other automated technology-based traffic enforcement tools that may be approved by the Province, be shared 50/50 between the Region and the local area municipalities.

Carried

The Regional Chair called the vote on the motion, as amended, and declared it,

Carried

9.5.2 Balance of the recommendations of Corporate Services Committee

The Regional Chair called the vote on the balance of the recommendations from the Corporate Services Committee and declared it,

Carried

9.6 Planning and Economic Development Committee

Minutes PEDC 10-2020, Wednesday, December 9, 2020

Moved by Councillor Huson
Seconded by Councillor Darté

That Report PEDC 11-2020 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, December 9, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.7 Committee of the Whole

Minutes COTW 5-2020, Thursday, December 10, 2020

Moved by Councillor Bylsma
Seconded by Councillor Fertich

That Report COTW 5-2020 being the Open and Closed Session minutes of the Committee of the Whole meeting held on Thursday, December 10, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.8 Budget Review Committee of the Whole

Minutes BRCOTW 4-2020, Thursday, December 10, 2020

Moved by Councillor Zalepa
Seconded by Councillor Whalen

That Report BRCOTW 4-2020 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, December 10, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 23-2020

Diversity, Equity and Inclusion Advisory Committee

Moved by Councillor Ip

Seconded by Councillor Insinna

That Report CAO 23-2020, dated December 17, 2020, respecting Diversity, Equity and Inclusion Advisory Committee, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** the establishment of a Diversity, Equity and Inclusion (DEI) Advisory Committee to:
 - 1.1. Provide direction, support and advice on the creation and maintenance of an inclusive and barrier-free workplace, including matters such as training, hiring and promotion, policy review, and improving access to Regional services; and
 - 1.2. Serve as a steering committee for external community engagement in order to identify the community priorities and action plan.
2. That staff **BE DIRECTED** to prepare a report respecting a draft Terms of Reference, including membership requirements for a Diversity, Equity and Inclusion (DEI) Advisory Committee for consideration at the Corporate Services Committee being held on January 13, 2021.

Moved by Councillor Ip

Seconded by Councillor Disero

That Clause 2 **BE AMENDED** to read as follows:

2. That staff **BE DIRECTED** to prepare a report respecting a draft Terms of Reference, including membership requirements for a Diversity, Equity and Inclusion (DEI) Advisory Committee, ***an Anti-Racism Advisory Committee and a 2SLGBTQQA Advisory Committee*** for consideration at the Corporate Services Committee being held on January 13, 2021.

The following friendly **amendment** to the amendment was accepted by the Regional Chair, and the mover and seconder of the motion:

That Clause 2 **BE AMENDED** to read as follows:

2. That staff **BE DIRECTED** to prepare a report respecting a draft Terms of Reference, including membership requirements for a Diversity, Equity and Inclusion (DEI) Advisory Committee; an Anti-Racism Advisory Committee and a 2SLGBTQQIA Advisory Committee for consideration at the Corporate Services Committee being held on ~~January 13, 2024~~ **February 17, 2021**.

The Regional Chair called the vote on the amendment, as amended, and declared it,

Carried

The Regional Chair called the vote on the motion, as amended, as follows:

That Report CAO 23-2020, dated December 17, 2020, respecting Diversity, Equity and Inclusion Advisory Committee, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** the establishment of a Diversity, Equity and Inclusion (DEI) Advisory Committee to:
 - 1.1. Provide direction, support and advice on the creation and maintenance of an inclusive and barrier-free workplace, including matters such as training, hiring and promotion, policy review, and improving access to Regional services; and
 - 1.2. Serve as a steering committee for external community engagement in order to identify the community priorities and action plan.
2. That staff **BE DIRECTED** to prepare a report respecting a draft Terms of Reference, including membership requirements for a Diversity, Equity and Inclusion (DEI) Advisory Committee, an Anti-Racism Advisory Committee and a 2SLGBTQQIA Advisory Committee for consideration at the Corporate Services Committee being held on February 17, 2021.

Carried

10.2 CAO 24-2020

Second Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report “Inside Job”

Moved by Councillor Butters
Seconded by Councillor Rigby

That Report CAO 24-2020, dated December 17, 2020, respecting Second Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report “Inside Job”, **BE RECEIVED** and **CIRCULATED** to the Ontario Ombudsman for information.

Carried

10.3 CAO 25-2020

Recruitment – Associate Medical Officer of Health

Moved by Councillor Ugolini
Seconded by Councillor Whalen

That Report CAO 25-2020, dated December 17, 2020, respecting Recruitment – Associate Medical Officer of Health, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the addition of one (1) permanent full-time equivalent (FTE) for the position of Associate Medical Officer of Health (AMOH) in the Public Health department **BE REFERRED** for consideration as part of the 2021 budget process.

Moved by Councillor Sendzik
Seconded by Council Redekop

That consideration of the addition of one (1) permanent full-time equivalent (FTE) for the position of Associate Medical Officer of Health (AMOH) in the Public Health Department, **BE REFERRED** to the Budget Review Committee of the Whole meeting being held on January 14, 2021.

Carried

Moved by Councillor Huson
Seconded by Councillor Greenwood

That the Regional Council **EXTEND** this meeting's curfew to 11:00 p.m.

Carried

11. **MOTIONS**

11.1 Creation of a Lobbyist Registry for the Region of Niagara

Moved by Councillor Ip
Seconded by Councillor Foster

WHEREAS access to local government is an essential element of democratic governance;

WHEREAS lobbying by honest and appropriate means is a legitimate activity;

WHEREAS it is reasonable for Members of Council and the public at large to know the nature and amount of legitimate lobbying of local government;

WHEREAS Section 223.9 of the Municipal Act, 2001, authorizes the Region of Niagara to establish and maintain a Lobbyist Registry in which shall be kept registrations and returns filed by persons who lobby the Region of Niagara's public office holders;

WHEREAS Section 223.11 of the Municipal Act, 2001 authorizes the Region of Niagara to appoint a Lobbyist Registrar who is responsible for performing in an independent manner the functions assigned by the Region of Niagara with respect to the Lobbyist Registry; and

WHEREAS Sections 8, 9, and 10 of the Municipal Act, 2001 authorize the Region of Niagara to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 2 of subsection 10(2) authorizes by-laws respecting the accountability and transparency of the municipality and its operations.

NOW THEREFORE BE IT RESOLVED:

1. That Council **DIRECT** staff to research and report back with recommendations for the creation and maintenance of a Lobbyist Registry, which should include a regular, transparent reporting process and contains a jurisdictional scan for best practices from other municipal governments in Ontario, such as Toronto, Ottawa, Hamilton, Brampton, Peel Region, Vaughan, and Collingwood; and
2. That this motion **BE CIRCULATED** to Niagara's 12 local area municipalities.

Moved by Councillor Sendzik
Seconded by Councillor Huson

The the rules of procedure **BE SUSPENDED** to permit Council to extend this meeting's curfew until business is completed.

Two-thirds majority having been achieved, the Chair declared the vote,

Carried

The Regional Chair called to vote on the motion, respecting Creation of a Lobbyist Registry for the Region of Niagara, and declared it,

Carried

12. NOTICES OF MOTION

There were no notices of motion.

13. OTHER BUSINESS

13.1 Ministers' COVID-19 Vaccine Distribution Task Force

Moved by Councillor Rigby
Seconded by Councillor Easton

That the Regional Chair **BE DIRECTED** to write a letter to the Premier of Ontario requesting that at least one Medical Officer of Health from an Ontario municipality be appointed to the Ministers' COVID-19 Vaccine Distribution Task Force.

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

That the Regional Chair **BE DIRECTED** to send a letter to the Premier of Ontario, requesting that at least one Medical Officer of Health from an Ontario municipality be appointed to the Ministers' COVID-19 Vaccine Distribution Task Force; **and**

That a copy of the letter BE CIRCULATED to the local Members of Provincial Parliament.

The Regional Chair called the vote on the motion, as amended, and declared it,

Carried

13.2 Local Food Bank Donations

Councillor Gale advised that he would like to bring forward a motion for consideration at this Council meeting respecting Local Food Bank Donations.

The Regional Chair informed Council that in order to consider the motion at this meeting, notice would need to be waived with the affirmative support of two-thirds of the members present.

Moved by Councillor Gale
Seconded by Councillor Diodati

That the notice requirements under Section 18.1 of the Procedural By-law **BE WAIVED** to permit consideration of a motion from Councillor Gale with respect to Local Food Bank Donations.

Two-thirds majority having been achieved, the Regional Chair declared the motion,

Carried

Moved by Councillor Gale
Seconded by Councillor Diodati

Whereas the need to help families exists across Niagara Region; and

Whereas hunger does not take a holiday.

NOW THEREFORE BE IT RESOLVED:

That Niagara Region **MATCH** Regional Councillor donations to area food banks dollar for dollar;

That the Region's donation **BE DERIVED** from the 2020 budget surplus or other reserve account as best determined by staff; and

That this **OCCUR** for all Councillor donations made prior to January 1, 2021.

Councillor Heit declared an indirect pecuniary interest with the motion respecting Local Food Bank Donations, as his wife works for a local charitable organization, and therefore did not take part in the discussion or vote on this matter.

The Regional Chair called the vote on the motion and declared it,

Defeated

14. CLOSED SESSION

Moved by Councillor Witteveen
Seconded by Councillor Heit

That this Council **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001 - Director, Corporate Strategy and Innovation

Carried

Council resolved into closed session at 11:22 p.m.

15. BUSINESS ARISING FROM CLOSED SESSION

Council reconvened in open session at 11:26 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber: Bradley (Regional Chair), Foster

Council Members Present via Video Conference: Butters, Campion, Darte, Diodati, Disero, Easton, Edgar, Fertich, Gale, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Villella, Whalen, Witteveen

Absent/Regrets: Bellows, Bylsma, Chiocchio, Gibson, Ugulini, Zalepa

Staff Present in the Council Chamber: M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, A. Jugley, Commissioner, Community Services, B. Menage, Director, Procurement & Strategic Acquisitions, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing

15.1 Confidential HR 7-2020

A Matter of Labour Relations: ONA Homes Interest Arbitration Award

Moved by Councillor Villella

Seconded by Councillor Steele

That Confidential Report HR 7-2020, dated December 17, 2020, respecting A Matter of Labour Relations: ONA Homes Interest Arbitration, **BE RECEIVED** and the following recommendation **BE APPROVED**:

That the Regional Chair and the Regional Clerk **BE DIRECTED** to execute the collective agreement on behalf of The Regional Municipality of Niagara as per the binding November 2, 2020 Interest Arbitration Award (the "Award") of Arbitration Board Chair William Kaplan for the 4-year period of January 1, 2018 to December 31, 2021 for ONA Local 9 – Homes ("ONA Homes").

Carried

15.2 Confidential CL-C 112-2020

A Matter of Labour Relations or Employee Negotiations under s.239(2) of the Municipal Act, 2001 – Niagara Regional Housing Alternative Service Delivery (Confidential NRH Report 17-2020)

Moved by Councillor Diodati

Seconded by Councillor Edgar

That Confidential Correspondence Item CL-C 112-2020, being a memorandum from A.-M. Norio, Regional Clerk, dated December 17, 2020, respecting A Matter of Labour Relations or Employee Negotiations under s.239(2) of the Municipal Act, 2001 – Niagara Regional Housing Alternative Service Delivery (Confidential NRH Report 17-2020), **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Carried

15.3 Confidential CL-C 113-2020

A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001- Update on Whistleblower Policy Complaints

Moved by Councillor Fertich
Seconded by Councillor Sendzik

That Confidential Correspondence Item CL-C 113-2020, being a memorandum from R. Tripp, Acting Chief Administrative Officer, dated December 17, 2020, respecting A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001- Update on Whistleblower Policy Complaints, **BE RECEIVED** for information.

Carried

15.4 Confidential Verbal Update

A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001 - Director, Corporate Strategy and Innovation

Moved by Councillor Heit
Seconded by Councillor Huson

That the Confidential Verbal Update respecting A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001 - Director, Corporate Strategy and Innovation, **BE RECEIVED** for information.

Carried

16. **BY-LAWS**

Moved by Councillor Foster
Seconded by Councillor Butters

That the following Bills **BE NOW READ** and **DO PASS**:

Bill 2020-87

A by-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$35,754,409.00 for capital works of The Regional Municipality of Niagara.

Bill 2020-88

A by-law to authorize the borrowing upon serial debentures in the principal amount of \$15,335,000.00 for a capital work of the Regional Municipality of Niagara.

Bill 2020-89

A by-law to authorize the borrowing upon serial debentures in the principal amount of \$3,350,000.00 for a capital work of The Regional Municipality of Niagara.

Bill 2020-90

A by-law to accept, assume and dedicate Part of Township Lot 24 in the City of Niagara Falls as part of Regional Road No. 101 (Portage Road).

Bill 2020-91

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on December 17, 2020.

Bill 2020-92

A by-law to adopt the 2021 water budget and to set the requisition to be charged for water supplied to lower-tier municipalities for the period of January 1, 2021 to December 21, 2021.

Bill 2020-93

A by-law to set the requisitions to be charged for wastewater received from the lower-tier municipalities for the period of January 1, 2021 to December 31, 2021.

Bill 2020-94

A by-law to adopt the 2021 waste management budget for the Regional Municipality of Niagara.

Carried

17. ADJOURNMENT

There being no further business, the meeting adjourned at 11:30 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk