

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

**CSC 9-2021
Wednesday, September 15, 2021
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Foster (Committee Chair), Rigby

Committee Members Present via Video Conference: Bradley (Regional Chair), Campion, Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Whalen (Committee Vice-Chair)

Absent/Regrets: Butters, Diodati

Staff Present in the Council Chamber: B. Brens, Acting Associate Director, Reporting & Analysis, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, S. Guglielmi, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, R. Fleming, Senior Tax & Revenue Analyst, F. Fucile, Manager, Real Estate, D. Gibbs, Director, Legal & Court Services, H. Koning, Director, Senior Services, M. Koren, Project Manager, Buildings, K. Lotimer, Legislative Coordinator, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, M. Murphy, Associate Director, Budget Planning & Strategy, D. Rurak, Director, Asset Management, D. Woiceshyn, Director, Homelessness Services, N. Wolfe, Director, Construction, Energy & Facilities Management

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:31 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

Councillor Gale declared an indirect pecuniary interest with respect to Report CSD 50-2021 (Agenda Item 5.1), respecting 2021-T-100 Award of Tender - Long Term Care (LTC), Gilmore Lodge, Fort Erie, as his daughter-in-law is employed at a Niagara Region long term care home.

See Minute Item 9.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 CSD 50-2021

2021-T-100 Award of Tender - Long Term Care (LTC), Gilmore Lodge, Fort Erie

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report CSD 50-2021, dated September 15, 2021, respecting 2021-T-100 Award of Tender - Long Term Care (LTC), Gilmore Lodge, Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That CCDC-2 Stipulated Price Contract 2021-T-100 "Gilmore Lodge Long Term Care (LTC) Home Redevelopment, Fort Erie" **BE AWARDED** to Walsh Canada, at their bid price of \$80,754,320 (including 13% HST);
2. That the Gross Budget for Gilmore Lodge LTC Home Redevelopment, Fort Erie, **BE INCREASED** by \$18,516,547 and that the increase **BE FUNDED** from:
 - Provincial Grant – \$3,987,680
 - Debentures – \$12,612,403
 - Development Charges – LTC Facilities – \$1,916,464;
3. That the Regional Chair and the Regional Clerk **BE AUTHORIZED** to execute a CCDC-2 Stipulated Price Contract between Niagara Region and Walsh Canada as proposed in Recommendation 1 of Report CSD 50-2021; and
4. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration as per Appendix 3 to Report CSD 50-2021.

Carried

5.2 CLK 9-2021
2022 Legislative Schedule of Meetings

Moved by Councillor Heit
Seconded by Councillor Redekop

That Report CLK 9-2021, dated September 15, 2021, respecting 2022 Legislative Schedule of Meetings, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2022 Legislative Schedule of Regular Meetings (attached as Appendix 1 to Report CLK 9-2021) **BE APPROVED**.

Carried

5.3 CSC-C 25-2021
Recommendations from the Joint Board of Management - Niagara Courts meeting held on August 19, 2021

Moved by Councillor Whalen
Seconded by Councillor Easton

That Correspondence Item CSC-C 25-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated September 15, 2021, respecting Recommendations from the Joint Board of Management - Niagara Courts meeting held on August 19, 2021, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **DIRECT** the Regional Chair to send a letter to request the Attorney General of Ontario to:
 - a) halt the proclamation of the Early Resolution reforms to the *Provincial Offences Act* included in Bill 177 *Stronger, Fairer Ontario Act*; and instead take action to review, streamline and modernize the Early Resolution provisions of the *Provincial Offences Act*;
 - b) enact changes to the *Provincial Offences Act* to permit the prosecutor and defendant or legal representative to agree, at any stage of a proceeding commenced under Part I, to a resolution in writing and to permit the Clerk of the Court to register the court outcome immediately upon receipt of the written agreement without requiring an appearance before a Justice of the Peace; and
 - c) support the proclamation of the remainder of the Bill 177 *Stronger, Fairer Ontario Act* reforms to the *Provincial Offences Act*; and

2. That a copy of this resolution **BE FORWARDED** to the Honourable Doug Downey, Attorney General of Ontario, and copied to other municipalities that administer Provincial Offences Courts, the Ministry of the Attorney General, and the Association of Municipalities of Ontario for support.

Carried

5.4 CSC-C 28-2021

Recommendations from the Regional Development Charges Policy Task Force meeting held on July 29, 2021

Moved by Councillor Fertich
Seconded by Councillor Gale

That Correspondence Item CSC-C 28-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated September 15, 2021, respecting Recommendations from the Regional Development Charges Policy Task Force meeting held on July 29, 2021, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Development Charges for water and wastewater services continue to **BE CALCULATED** on an urban-wide basis; and
2. That the approach to calculating Regional Development Charges for all other services on a uniform region-wide basis **BE APPROVED**.

Carried

5.5 CSC-C 27-2021

Motion Respecting National Day for Truth and Reconciliation

Moved by Councillor Ip
Seconded by Councillor Redekop

WHEREAS the Truth and Reconciliation Commission (TRC) released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Indigenous peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process; and

WHEREAS the Federal Government has announced September 30, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday.

NOW THEREFORE BE IT RESOLVED:

1. That the Council of the Regional Municipality of Niagara does hereby **COMMIT** to recognizing September 30, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

Recorded Vote:

Yes (10): Easton, Edgar, Fertich, Foster, Gale, Heit, Ip, Redekop, Rigby, Whalen.

No (0).

Carried

5.6 CSD 59-2021

Vacant Land at 745 Crescent Road in the Town of Fort Erie

Moved by Councillor Gale

Seconded by Councillor Rigby

That Report CSD 59-2021, dated September 15, 2021, respecting Vacant Land at 745 Crescent Road in the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That vacant land owned by Niagara Region and municipally known as 745 Crescent Road, Fort Erie, described as Parts 1 and 2 on Reference Plan 59R-16123, and as shown on the attached Appendix 1 to Report CSD 59-2021 (the "Land") **BE DECLARED** surplus to the needs of Niagara Region;
2. That the transfer of Land to Niagara Regional Housing ("NRH") for the nominal sum of \$1.00 **BE APPROVED**; and

3. That the Commissioner/Treasurer of Corporate Services **BE AUTHORIZED** to execute the necessary documents satisfactory to the Director, Legal and Court Services to facilitate these recommendations.

Carried

6. CONSENT ITEMS FOR INFORMATION

6.1 CSD 56-2021
Q2 2021 Financial Update

Beth Brens, Acting Associate Director, Reporting & Analysis, provided information respecting Q2 2021 Financial Update. Topics of the presentation included:

- Background
- Deliverables
- Q2 Operating Results - Levy & Rate
- 2021 COVID-19 Financial Impact

Moved by Councillor Campion
Seconded by Councillor Easton

That Report CSD 56-2021, dated September 15, 2021, respecting Q2 2021 Financial Update, **BE RECEIVED** for information.

Carried

6.2 CSD 49-2021
Customer Service Strategy

Nicole Wolfe, Director, Construction, Energy & Facilities Management, provided information respecting Customer Service Strategy. Topics of the presentation included:

- Background
- Service Modernization 2019 - 2022 Strategic Plan
- Interactive Approach
- Consolidated Customer Service at Headquarters
- Improving Customer Experience
- Next Steps

Moved by Councillor Edgar
Seconded by Councillor Fertich

That Report CSD 49-2021, dated September 15, 2021, respecting Customer Service Strategy, **BE RECEIVED** for information.

Carried

6.5 CWCD 2021-191

Response to Councillor Information Request re Ministry of Environment, Conservation and Parks Investigation

Moved by Councillor Gale
Seconded by Councillor Whalen

That Correspondence Item CWCD 2021-191, being a memorandum from B. Zvaniga, Interim Commissioner, Public Works, dated September 3, 2021, respecting Response to Councillor Information Request re Ministry of Environment, Conservations and Parks Investigation, **BE RECEIVED** for information.

Councillor Gale asked questions of staff regarding the Ministry of Environment, Conservation and Parks investigation into Thomas Nutrient Solutions as outlined in the memorandum from Interim Public Works Commissioner Zvaniga. Councillor Heit rose on a point of order that the questions to staff were inappropriate. Committee Chair Foster ruled that the line of questioning should not proceed and requested Councillor Gale provide his specific questions in writing to staff for review and response.

Committee Chair Foster called the vote on the motion and declared it,

Carried

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Fertich
Seconded by Councillor Ip

That the following items **BE RECEIVED** for information:

CSD 54-2021

Multi-Residential Tax Class Ratio Reduction from 1.97 to 1

CSC-C 26-2021

Demolition Credit Extension Correction - Grimsby

Carried

7. OTHER BUSINESS

There were no items of other business.

8. CLOSED SESSION

Moved by Councillor Gale
Seconded by Councillor Whalen

That Committee **DO NOW MOVE** into closed session for the purpose of receiving information of a confidential nature respecting:

A Matter or Advice that is Subject to Solicitor-Client Privilege, Including Communications Necessary for that Purpose under s. 239(2) of the Municipal Act, 2001 – Outstanding Development Charge Collections – 550 North Service Road, Grimsby; and

A Matter Respecting Litigation or Potential Litigation under s. 239 (2) of the Municipal Act, 2001 – Outstanding Development Charge Collections – Grimsby

Carried

Committee resolved into closed session at 11:03 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 11:18 a.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber: Foster (Committee Chair), Rigby

Committee Members Present via Video Conference: Bradley (Regional Chair), Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Whalen (Committee Vice-Chair)

Absent/Regrets: Butters, Diodati

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, S. Guglielmi, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, R. Fleming, Senior Tax & Revenue Analyst, D. Gibbs, Director, Legal & Court Services, K. Lotimer, Legislative Coordinator, M. Murphy, Associate Director, Budget Planning & Strategy

Others Present via Video Conference: P. DeMelo, Kagan Shastri LLP, External Legal Counsel

Councillor Campion declared a conflict of interest during the closed session portion of the meeting regarding Confidential CSD 53-2021 and therefore did not take part in the discussion or voting on this matter.

9.1 Confidential CSC-C 24-2021

A Matter of Advice that is Subject to Solicitor-client Privilege, Including Communications Necessary for that Purpose under s. 239(2) of the Municipal Act, 2001 - Outstanding Development Charge Collections - 550 North Service Road, Grimsby

Moved by Councillor Heit

Seconded by Councillor Rigby

That Confidential Memorandum CSC-C 24-2021, dated September 15, 2021, respecting A Matter of Advice that is Subject to Solicitor-Client Privilege, Including Communications Necessary for that Purpose under s. 239 (2) of the Municipal Act, 2001 – Outstanding Development Charge Collections – 550 North Service Road, Grimsby, **BE RECEIVED** for information.

Carried

9.2 Confidential CSD 53-2021

A Matter Respecting Litigation or Potential Litigation under s. 239(2) of the Municipal Act, 2001 - Outstanding Development Charge Collections - Grimsby

Moved by Councillor Gale

Seconded by Councillor Fertich

That Confidential Report CSD 53-2021, dated August 11, 2021, respecting A Matter Respecting Litigation or Potential Litigation under s. 239 (2) of the Municipal Act, 2001 – Outstanding Development Charge Collections – Grimsby, **BE RECEIVED** and the recommendations therein, **BE APPROVED**.

Recorded Vote:

Yes (10): Bradley, Easton, Edgar, Fertich, Foster, Heit, Ip, Redekop, Rigby, Whalen.

No (1): Gale.

Carried

10. NEXT MEETING

The next meeting will be held on Wednesday, October 13, 2021 at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 11:21 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk