

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

CL 22-2021

Thursday, November 25, 2021

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, Zalepa
Council Members Present via Video Conference:	Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Redekop, Rigby, Sendzik, Ugulini, Whalen
Absent/Regrets:	Gale, Nicholson, Steele, Villella, Witteveen
Staff Present in the Council Chamber:	D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/ Deputy Treasurer, M. Elia, Technology Support Analyst, S. Fraser, Transportation Lead, T. Harrison, Commissioner, Corporate Services/Treasurer, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, H. Talbot, Financial & Special Projects Consultant, R. Tripp, Chief Administrative Officer
Staff Present via Video Conference:	N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, M. Greenfield, Program Financial Specialist, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, D. Rurak, Director, Asset Management Office, M. Sergi, Commissioner, Planning & Development Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk
Others Present in the Council Chamber:	Councillor M. Siscoe, Chair, Linking Niagara Transit Committee
Others Present via Video Conference:	R. Anderson, Vice-President, Student Success, Niagara College, M.E. Bench, External Legal Counsel, Dentons M. Kirkopoulos, Chief Administrative Officer, Town of Lincoln, S. Kosh, Executive Director, Niagara College Student Administrative Council, R. Rehan, President, Brock University Students' Union

1. **CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 3:02 p.m.

2. **ADOPTION OF AGENDA**

Moved by Councillor Greenwood
Seconded by Councillor Whalen

That Council Agenda CL 22-2021, **BE ADOPTED.**

Carried

3. **DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

4. **DELEGATIONS**

4.1 **Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission (Report PW 55-2021 (Agenda Item 5.1))**

4.1.1 Will Noiles, Ontario Network of Injured Workers Groups

Will Noiles, Ontario Network of Injured Workers Groups, spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.2 Sam Jemison, President, Niagara College Student Administrative Council, and Sean Kennedy, President, Niagara College

Sam Jemison, President, Niagara College Student Administrative Council, and Sean Kennedy, President, Niagara College, appeared before Council to provide information respecting the student experience with transit. They spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.3 Mishka Balsom, President and CEO, Greater Niagara Chamber of Commerce

Mishka Balsom, President and CEO, Greater Niagara Chamber of Commerce, appeared before Council to provide information respecting the economic impact of transit services. She spoke in favour of a consolidated transit service in Niagara.

4.1.4 Karl Dockstader, Executive Director, Niagara Regional Native Centre

Karl Dockstader, Executive Director, Niagara Regional Native Centre, spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.5 Elisabeth Zimmermann and Joanne Heritz, YWCA Niagara Region

Elisabeth Zimmermann, YWCA Niagara Region, appeared before Council to provide information respecting the necessity for equitable access to transit services. She spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.6 Dr. Johan Viljoen, Chief of Staff, Niagara Health, & Jean Davis-Fyfe, Manager of Physiotherapy & Occupational Therapy, Hotel Dieu Shaver Health & Rehabilitation Centre

Dr. Johan Viljoen, Chief of Staff, Niagara Health, & Jean Davis-Fyfe, Manager of Physiotherapy & Occupational Therapy, Hotel Dieu Shaver Health & Rehabilitation Centre, appeared before Council to provide information respecting the importance of transit access for patients, families and staff. They spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.7 Rafay Rehan, President, Brock University Students' Union

Rafay Rehan, President, Brock University Students' Union, appeared before Council to provide information respecting the Brock U-Pass transit program. He spoke in favour of the creation of a consolidated transit service in Niagara.

4.1.8 Henry Bosch and Dr. C. Fullerton, Citizen Transit Commissioners, City of St. Catharines

This delegation request was withdrawn.

5. REPORTS FOR CONSIDERATION

5.1 PW 55-2021

Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission

Matt Robinson, Director, GO Implementation Office, provided information respecting Moving Transit Forward. Topics of the presentation included:

- Why Integrate?
- The Plan
 - Governance and Niagara Service Standards
 - Financial Strategy
- Significant Consultation
- Next Steps
 - Triple Majority
 - Establish the Commission
- The Time is Now

Moved by Councillor Darte
Seconded by Councillor Sendzik

That Report PW 55-2021, dated November 25, 2021, respecting Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENACT** a By-law pursuant to section 189 of the Municipal Act, 2001, and substantially in the form attached as Appendix 1 of Report PW 55-2021, to provide The Regional Municipality of Niagara with the exclusive authority to establish, operate and maintain an intra-municipal passenger transportation system for the Region (having previously received inter-municipal authority), and such By-law, if adopted, to come into force and effect on January 1, 2023, provided that:
 - 1.1. a majority of the councils of the local area municipalities pass resolutions consenting to the By-law; and
 - 1.2. the total number of electors in the local municipalities that have passed resolutions in support of the By-law form a majority of all electors in the region of Niagara as established in the revised list of electors for the municipal election held in the year 2018.
2. That, subject to the adoption of the aforementioned By-law, a copy of the By-law and Report PW 55-2021 **BE FORWARDED** to the clerks of the 12 local area municipalities with a request that their councils consider adopting the following resolution, and advise the Regional Clerk of the results of that consideration, no later than January 31, 2022:

“That the Council of (name of municipality) consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region. ”
3. That subject to the adoption of the aforementioned By-law, the Chief Administrative Officer and General Manager of the future Transit Commission **BE AUTHORIZED** to negotiate municipal asset transfer agreements with the City of Niagara Falls, City of St. Catharines, and City of Welland, on the basis of the principles in Appendix 3 of Report PW 55-2021 and in a form satisfactory to the Director, Legal and Court Services; and

4. That subject to the adoption of the aforementioned By-law, the Chief Administrative Officer **BE DIRECTED** to report back to Regional Council early in 2022 on the creation of a Regional Transit Commission, as described in Report PW 55-2021 and the attached appendices, and recommending the roles and responsibilities of the Commission.

Moved by Councillor Chiocchio
Seconded by Councillor Campion

That Report PW 55-2021 **BE DEFERRED** for three weeks to allow staff to provide additional information addressing concerns raised by the City of Welland.

Recorded Vote:

Yes (3): Campion, Chiocchio, Gibson.

No (21): Butters, Bylsma, Darte, Disero, Easton, Edgar, Fertich, Foster, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Redekop, Rigby, Sendzik, Ugulini, Whalen, Zalepa.

Defeated

The Regional Chair called the vote on the motion.

Recorded Vote:

Yes (24): Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Redekop, Rigby, Sendzik, Ugulini, Whalen, Zalepa.

No (1): Gibson.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Huson
Seconded by Councillor Chiocchio

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

CL-C 86-2021

Addressing Input from the City of Welland - Transit Governance Consultant

LTNC 5-2021

Minutes of the Linking Niagara Transit Committee - Wednesday, September 29, 2021

CL-C 174-2021

A letter from S. Zorbas, Chief Administrative Officer, City of Welland, dated November 22, 2021, respecting Minor Pause Requested - Increased Transparency for Niagara Taxpayers

Carried

7. CORRESPONDENCE

Moved by Councillor Rigby
Seconded by Councillor Ugulini

That the submitted correspondence respecting Consolidated Transit in Niagara (Agenda Items 7.1 to 7.83), **BE RECEIVED** for information.

Carried

8. BY-LAWS

Moved by Councillor Disero
Seconded by Councillor Jordan

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

Bill 2021-96

A by-law to establish, operate and maintain a consolidated passenger transportation system for The Regional Municipality of Niagara.

Bill 2021-97

A by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held November 25, 2021.

Carried

9. ADJOURNMENT

There being no further business, the meeting adjourned at 6:31 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk