

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

CL 4-2020

Wednesday, March 18, 2020

Council Chamber

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

Council: Bradley (Regional Chair), Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Fertich, Foster, Gibson, Greenwood, Huson, Ip, Jordan, Nicholson, Rigby, Sendzik, Steele, Ugulini, Whalen, Witteveen, Zalepa

Absent/Regrets: Bellows, Edgar, Gale, Heit, Insinna, Junkin, Redekop, Villella

Staff: D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 4:03 p.m.

Regional Chair Bradley noted that given the weight of the challenges before us as a community, and as a Council, the special meeting was called to ensure we are taking steps to safeguard the legislative continuity of the Regional Government. He stated that it was important to provide all Councillors with the opportunity to hear from senior staff regarding the numerous activities and plans that are underway to guarantee the Region's critical business, and essential services, remain as operational as possible during this time.

Chair Bradley advised that Council seating had been rearranged to ensure there is some social distancing between each member and that staff attendance at the meeting had been kept at an absolute minimum to demonstrate we are doing our part during these challenging times.

The Chair noted that some Councillors would not be joining the meeting due to self-isolation after travelling outside of the country and although they would have liked to be in attendance they believe it is important to follow the guidance of our public health professionals at the local, provincial and federal level.

The Regional Chair advised that as we move through the next several weeks, the Region will continue to take all necessary steps to combat the spread of COVID-19, while maintaining our essential Regional services and it is our responsibility to ensure we have the policies in place to make sure the critical business of the Region can proceed.

The Chair offered, on behalf of all of Regional Council, his thanks to all Regional staff for their dedication and commitment to the residents of Niagara and noted he could personally attest to the talented team of staff working around the clock in every department to ensure the business of the Region continues. He noted that under the leadership of the Acting CAO, staff at all levels and in every department are going above and beyond to protect the people of Niagara. He thanked the staff in the Public Health Department, under the leadership of Dr. Hirji who continue to manage an unprecedented response to this pandemic and recognized Commissioner Jugley and her team in Community Services who are also working diligently to ensure critical Regional services continue to be safely provide to our seniors, children and those who struggle with housing and homelessness.

In closing, the Chair offered the following message of reassurance to the people of Niagara - "It goes without saying that we are living through a challenging time of uncertainty. But I know as a community we will emerge as a stronger and more resilient Region. We are taking steps as a community to address these challenges head on; just this afternoon Niagara's 12 mayors, in partnership with the Region, announced the creation of a rapid response team to help plan for the economic recovery of our Region. We have all heard countless stories over the last few days of residents helping one another and taking care of each other – I trust that this spirit of community will continue to define us in the coming weeks."

2. ADOPTION OF AGENDA

2.1 Changes in Order of Items

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

Councillor Foster advised he would be bringing forward a notice of motion prior to the consideration of the by-laws.

Moved by Councillor Bylsma
Seconded by Councillor Butters

That Council Agenda CL 4-2020, **BE ADOPTED** as amended.

Carried

3. **DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

4. **CORRESPONDENCE**

Dr. Mustafa Hirji, Acting Medical Officer of Health, provided an overview of Correspondence Item PHD-C 1-2020 for Regional Council and answered questions from Members respecting the COVID-19 pandemic.

Moved by Councillor Huson
Seconded by Councillor Nicholson

That the following items **BE DEALT WITH** as follows:

PHD-C 1-2020 respecting COVID-19 Situational Update, **BE RECEIVED**;

CL-C 8-2020 respecting Appointment of Acting Deputy Regional Clerk, **BE RECEIVED**; and

CL-C 9-2020 respecting Community Services COVID-19 Measures, **BE RECEIVED**.

Carried

5. **REPORTS**

5.1 **CLK 5-2020**

Procedural By-law Update for Electronic Meeting Participation

Moved by Councillor Campion
Seconded by Councillor Steele

That Report CLK 5-2020, dated March 18, 2020, respecting Procedural By-law Update for Electronic Meeting Participation, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That given the extenuating circumstances of the COVID-19 (Novel Coronavirus), that Regional Council **WAIVE** the notice requirements required for amendments to the Niagara Region Procedural By-law 120-2010, as amended;

2. That the amendments to Niagara Region Procedural By-law 120-2010, as amended, as outlined in Appendix 1 to Report CLK 5-2020 to facilitate electronic participation during the COVID-19 (Novel Coronavirus) Pandemic, **BE APPROVED**; and
3. That the necessary by-law **BE PRESENTED** to Council for consideration.

Carried

6. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

6.1 CAO 9-2020

Delegated Authority – Council Failure to Meet Quorum Requirements During COVID-19 (Novel Coronavirus) Pandemic

Moved by Councillor Foster
Seconded by Councillor Ugulini

That Report CAO 9-2020, dated March 18, 2020, respecting Delegated Authority – Council Failure to Meet Quorum Requirements During COVID-19 (Novel Coronavirus) Pandemic, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That until the end of the COVID-19 (Novel Coronavirus) Pandemic, as declared by Health Canada, and where Council or its appointed Committees fail to meet the quorum requirements under Section 237 of the Municipal Act, 2001, the Acting Chief Administrative Officer **BE DELEGATED** authority to exercise the following actions in the interests of ensuring continuity of necessary municipal services:
 - 1.1 The disposition of any real or personal property of the municipality;
 - 1.2 Making any expenditure or incurring any other liability subject to them being included in the approved budget;
 - 1.3 The appointment or removal from office of any officer of the municipality, excluding those set out in s.23.3 (1)1 of the Municipal Act.

2. That the Regional Chair and Clerk **BE AUTHORIZED** to execute such agreements, instruments, conveyances and other related documents necessary to give effect to the transactions authorized by the Acting Chief Administrative Officer under the delegated authority approved until the end of the COVID-19 (Novel Coronavirus) Pandemic;
3. That the Acting Chief Administrative Officer **BE DELEGATED** authority to exercise any discretionary corporate actions in response to unforeseen circumstances that arise due to the COVID-19 (Novel Coronavirus) Pandemic and to exercise delegated authority where such authority has not already been provided by Council subject to the limitations prescribed in the Municipal Act, until the end of the COVID-19 (Novel Coronavirus) Pandemic; and
4. That the Acting Chief Administrative Officer **BE DIRECTED** to report to Regional Council all actions taken pursuant to this delegation.

Carried

7. NOTICE OF MOTION

7.1 Chief Administrative Officer Recruitment Committee

Councillor Foster advised that he would be bringing forward a motion to the next Council meeting respecting delaying the Chief Administrative Officer Recruitment process.

8. BY-LAWS

8.1 Bill 2020-11

A by-law to amend By-law 120-2010, The Procedural By-law

The Regional Chair noted that Bill 2020-11 required an affirmative vote of two-thirds majority of the members present in order to pass.

Moved by Councillor Campion
Seconded by Councillor Diodati

That Bill 2020-11, being a by-law to amend By-law 120-2010, The Procedural By-law, **BE NOW READ** and **DO PASS**.

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

Carried

Moved by Councillor Rigby
Seconded by Councillor Greenwood

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

Bill 2020-12

A by-law to appoint an Acting Deputy Regional Clerk for The Regional Municipality of Niagara

Bill 2020-13

A by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on March 18, 2020.

Carried

9. ADJOURNMENT

There being no further business, the meeting adjourned at 4:57 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk