9TH REPORT OF THE BOARD OF CONTROL

Meeting held on March 22, 2006 commencing at 10:00 a.m.

PRESENT: Mayor A. M. DeCicco (Chair), Deputy Mayor T. C. Gosnell, Controllers W. R. Monteith, W. J. Polhill and G. D. Hume; and K. Bain (Secretary).


I YOUR BOARD RECOMMENDS:

MATTERS CONSENTED TO BY THE BOARD

Supply & Delivery of Waterworks Materials - Tender

1. (1) That, on the recommendation of the Director of Water, Environment & Customer Relations, the following actions be taken with respect to the supply and delivery of waterworks materials (Project No. EW3733), namely:

   (a) the bid submitted by Underground Specialties London, 2080 Huron Street, London, at its tendered price of $169,674.31 (PST included, GST extra), BE ACCEPTED; it being noted that the bid submitted by Underground Specialties London was the lowest of four (4) bids received and meets the City's specifications and requirements in all areas;

   (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A"; and

   (c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order or contract record relating to this matter (Tender 06-03). (W13-00)

Warranted Walkway Lighting Program - Tender

2. (3) That, on the recommendation of the Director of Roads & Transportation, the following actions be taken with respect to the Warranted Walkway Lighting Program, Group Two (11 sites) (Project No. TS4042), namely:

   (a) the bid submitted by Erie Thames Services Corporation, 143 Bell Street, P.O. Box 157, Ingersoll, at its submitted price of $99,761.60 (exclusive of GST), BE ACCEPTED; it being noted that the bid submitted by Erie Thames Services Corporation was the lowest of three (3) bids received and meets the City's specifications and requirements in all areas;

   (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix 'A';

   (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and

   (d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 06-15). (S07-00)

Rental of Pick-Up Trucks & Cargo Van - Seasonal - RFP

3. (5) That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, the following actions be taken with respect to the rental of pick up trucks and a cargo van - seasonal, namely:

   (a) the proposal submitted by Pollock NationalLease, 16 Second Street, Strathroy, at its proposed contract price of $255,949.20 (PST included, GST extra), BE ACCEPTED; it being noted that the proposal submitted by Polock NationalLease provided the lowest overall cost of four (4) proposals received and meets the City's terms and conditions in all areas; and
(b) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (RFP 06-11). (V04-00)

4. (6) That, on the recommendation of the General Manager of Community Services and the Director of Fleet, Facilities & Departmental Resources, the following actions be taken with respect to the Lambeth Arena - Phase II additions and alterations (Project Nos. RC2601 & RC2424), namely:

(a) the bid, as amended by post tender addendum No. 1, submitted by SDI Builders Ltd., 224 Riverside Drive, London, at its tendered price of $2,613,085 (GST excluded), **BE ACCEPTED**; it being noted that the bid submitted by SDI Builders Ltd. was the lowest of nine (9) bids received and meets the City’s specifications and requirements in all areas;

(b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix “A”;

(c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with the project; and

(d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract relating to this matter (Tender 06-06). (A09-04)

5. (7) That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the automatic irrigation upgrades to Fanshawe Golf Course (Phase III) (Project No. RC2821), namely:

(a) the bid submitted by Waterworks Lawn Sprinklers Incorporated, at its tendered price of $176,960.54 (excluding GST), **BE ACCEPTED**; it being noted that the bid submitted by Waterworks lawn Sprinklers Incorporated was the lower of two (2) bids received and meets the City’s specifications and requirements in all areas;

(b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix “A”; and

(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 06-23). (A09-05)

6. (10) That, on the recommendation of the General Manager of Environmental and Engineering Services & City Engineer, the following actions be taken:

(a) the Civic Administration **BE AUTHORIZED** to enter into negotiations with Wachs Canada Limited, 9 Aliaura Blvd., Unit #11, Aurora, for the purchase of a trailer mounted valve exerciser/swivel vac;

(b) the approval given herein **BE CONDITIONAL** upon the Civic Administration negotiating prices, terms and conditions with Wachs Canada Limited to the satisfaction of the General Manager of Environmental and Engineering Services & City Engineer; and

(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order or contract record relating to this matter. (V03-00)

7. (11) That, on the recommendation of the General Manager of Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the Bulk Water Upgrades project (Project No. EW3719), namely:

(a) the approved Capital Expenditure **BE INCREASED** by $150,000, inclusive of G.S.T., to account for revisions to the original scope of work.
which increased the number of new bulk water filling stations being constructed from one to two for the Bulk Water Upgrades project;

(b) the financing for the increase in fees for this project BE APPROVED in accordance with the Sources of Financing Report attached hereto as Appendix "A"; and

(c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done and the materials to be supplied on this project. (W13-00)

8. (13) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the supply, delivery and planting of new tree stock on City streets and parks (Project No. PD1231), namely:

(a) the bid submitted by Summit Tree Farm and Landscaping, 70602 Plutgown Line, R.R. #1, Kirkton, at a total price of $376,700 (GST extra), BE ACCEPTED; it being noted that the bid submitted by Summit Tree Farm and Landscaping meets the City's specifications and requirements in all areas; it being further noted that the one other bid received was incomplete and not accepted;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A"; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done and the materials to be supplied on this project. (W13-00)

9. (14) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the supply, delivery and planting of new tree stock on City streets in new subdivisions (Project No. PD1231), namely:

(a) the bid submitted by Ebert Tree Farms at a total price of $156,501 (GST extra), BE ACCEPTED; it being noted that the bid submitted by Ebert Tree Farms was the lower of two (2) bids received and meets the City's specifications and requirements in all areas;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A"; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done and the materials to be supplied on this project. (W13-00)

10. (15) That, on the recommendation of the Chief Administrative Officer, the following actions be taken with respect to the retention of external Agencies of Record to provide communications strategy and issues management support, namely:

(a) the proposals submitted by the following, at their proposed hourly rates, all taxes extra, BE ACCEPTED:

   The Lashbrook Group Inc.
   304-200 Queens Avenue
   London ON N6A 1J3

   Media Management Inc.
   294 Wolfe Street
   London ON N6B 2C5

   Hill & Knowlton Canada
   160 Bloor Street East
   Toronto ON M4W 3P7
Excalibur Communications
1653 Kathryn Drive
London ON N6G 2R7

Redbrick Communications Inc.
138 St. Lawrence Drive
Mississauga ON L5G 4V1

(b) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (RFP 08-02). (M12-00)

11. (16) That, on the recommendation of the Nominating Committee for the Transportation Advisory Committee (TAC), Lloyd L. Stacey **BE APPOINTED** to the Transportation Advisory Committee as the representative from the Commercial Parking Sector for the term ending November 30, 2006. (G03-00)

12. (17) That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the City Clerk, and with the support of the Nominating Committee for the London Advisory Committee on Heritage (LACH), the following actions be taken with respect to the LACH:

(a) the terms of reference for the London Advisory Committee on Heritage **BE AMENDED** so that representation from the "Movable Heritage – Museums & Galleries" category is not limited to an appointment from Museum London, but may alternatively be an appointment from The Royal Canadian Regiment Museum; and

(b) subject to the approval of (a) above, Claus Breede, Curator, The Royal Canadian Regiment Museum, **BE APPOINTED** to the London Advisory Committee on Heritage as the LACH representative from the "Movable Heritage – Museums & Galleries" category for the term ending November 30, 2006. (G02-00)

13. (18) That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the Manager of Realty Services, the property described as Part of Lot 21, Concession 1, described as Part 3 on a draft survey completed by FKS Land Surveyors (File 05-297-C) plotted March 13, 2006, which contains approximately 0.089 acres, **BE DECLARED SURPLUS** and that the Mayor and the City Clerk **BE AUTHORIZED** to execute a land exchange agreement as follows:

(a) from City transfer to Sifton Properties Limited land being Part of Lot 21, Concession 1, described as Part 3 on a draft survey completed by FKS Land Surveyors (File 05-297-C) plotted March 13, 2006, which contains approximately 0.089 acres; and

(b) from Sifton Properties Limited transfer to the City a parcel of similar area, which contains approximately 0.089 acres of development land described as Part 2 on a draft survey completed by FKS Land Surveyors (File 05-297-C) plotted March 13, 2006;

it being noted that the above land exchange corrects an existing encroachment of a City sanitary sewer on private property. (L03-02)

14. (19) That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the Manager of Realty Services, and in accordance with the Municipal Council resolution of April 4, 2005, the unopened portion of the Centre Street road allowance, described as Part 1, Plan 33R-16141, **BE DECLARED SURPLUS**, in order to finalize the Exchange of Lands Agreement between the City and the German Canadian Club; it being noted that financing has already been provided through Project No. ES5138. (W10-02)
15. (20) That, on the recommendation of the General Manager of Finance and Corporate Services, the Civic Administration BE AUTHORIZED to hire a summer student to assist the City Clerk in providing support services to the Members of Council with the source of funding being the 2006 Operating Budget. (G06-00)

16. (22) That, on the recommendation of the General Manager of Finance and Corporate Services, a public participation meeting BE HELD before the Board of Control on April 26, 2006 to review, in accordance with the provisions of the Municipal Act, 2001, as amended, the continuation of one third of remuneration paid to elected members of Council and its local boards being deemed as expenses incidental to the discharge of their duties as members of the Council or local board. (F07-00)

17. (29) That, on the recommendation of the Director of Management Support, Audit and Risk, the general insurance program negotiated on behalf of a seven-member group that includes the City and six (6) Boards (i.e. the City, Covent Garden Market Corporation, London Convention Centre Corporation, London Police Services Board, London Public Library Board, Museum London and the Middlesex-London Health Unit) at a total annual premium of $1,152,906.87, inclusive of Provincial Sales Tax, BE RENEWED. (L10-00)

18. (2) That, on the recommendation of the Director of Water, Environment & Customer Relations, the following actions be taken with respect to the Oxford Street East watermain replacement with major road works (Project Nos. EW3782/EW3783/ES2409/TS1161 & TS4062), namely:

(a) the bid submitted by J-AAR Excavating Limited, 31 Exeter Road, London, at its tendered price of $2,742,425.50 (excluding GST), BE ACCEPTED; it being noted that the bid submitted by J-AAR Excavating Limited was the lowest of five (5) bids received and meets the City's specifications and requirements in all areas;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A";

(c) Stantec Consulting Ltd. BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the final estimate, on file, at an upset amount of $122,750.00 (excluding GST), based upon the Suggested Schedule of Fees for Engineering Projects, recommended by Professional Engineers Ontario, and in accordance with Council Policy 7(9A), Clause (e); it being noted that this firm completed the engineering design;

(d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and

(e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done and the materials to be supplied on this project (Tender 06-14). (W13-00)

19. (4) That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, with the concurrence of the City Treasurer, the following actions be taken with respect to the provision of uniformed security guard services, namely:

(a) the bid submitted by Securitas Canada, 420-285 King Street, London, at its tendered price of $722,010 (excluding GST), and at its hourly rates for response services, for a 3 year period, BE ACCEPTED; it being noted that the bid submitted by Securitas Canada was the lowest overall bid of three (3) bids received and meets the City's specifications and requirements in all areas;
(b) the funding in the second and third year of the contract BE APPROVED subject to budget approval; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 06-02). (A06-00)

Management of Food & Beverage Services - River Road Golf Course

Increase in Consulting Fee & Contract Value - 2005 Sewer/Watermain Replacement Program Contract No. 4 - Weston Street

Review of Agreements with Utility Locate Companies

Thames Valley Parkway - Kilally Extension - Tender

Review of Potential Connection of Windermere Rd. and Kilally Rd.

Statement of Remuneration & Expenses for Elected and Appointed Officials

20. (8) That the recommendation of the General Manager of Community Services with respect to the management of food and beverage services at River Road Golf Course BE REFERRED to the Civic Administration in order for staff to pursue discussions with the operators of the food and beverage services at the other City golf courses to determine potential interest in the River Road operation and to enter into negotiations for the provision of food and beverage services if interest is shown by any of the vendors involved. (A09-05)

21. (9) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the 2005 Sewer and Watermain Replacement Program, Contract # 4 - Weston Street (Project Nos. ES2408 and EW3760), namely:

(a) the consulting engineering fees for Dillon Consulting Limited BE INCREASED from $168,300 to $228,300;

(b) the contract with L.T. Incorporated BE INCREASED from $1,335,950 to $1,485,950, to allow for the additional works required to complete this project; and

(c) the financing for this project BE APPROVED in accordance with the Sources of Financing Report attached hereto as Appendix 'A'. (W01-01)

22. (9) That the Civic Administration BE REQUESTED to undertake a review of the legal agreements with companies who provide utility locate services.

23. (12) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the construction of the Thames Valley Parkway - Kilally extension (Project Nos. PD2130, PD2143 & ES2678), namely:

(a) the bid submitted by J-AAR Excavating Ltd., 31 Exeter Road, London, at its tendered price of $562,201.10 (including PST and excluding GST), BE ACCEPTED; it being noted that the bid submitted by J-AAR Excavating Ltd. was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A"; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 06-16). (S07-00)

24. That the Civic Administration BE REQUESTED to report back through the Environment and Transportation Committee on the potential opportunity for connecting Windermere Road with Kilally Road.

25. (24) That, on the recommendation of the City Treasurer, the following actions be taken:

(a) in accordance with Section 284 of the Municipal Act, 2001 the attached 2005 Statement of Remuneration and Expenses for Elected and Appointed Officials BE RECEIVED for information; and
(b) in accordance with City Council Travel and Expenses Policy, the attached 2005 Statement of Travel Expenses for Senior Administrative Staff BE RECEIVED for information. (G06-00)

26. (26) That, on the recommendation of the Director of Intergovernmental and Community Liaison, the Mayor BE AUTHORIZED to submit to the Ministry of Health and Long-Term Care, an application by the City of London for Designation as Underserviced for Family Doctors; it being noted that the local MPPs will be asked for assistance regarding this matter and a delegation will be established to meet with the Minister of Health and Long-Term Care with respect to the City’s application. (C09-00)

27. (27) That, on the recommendation of the Director of Intergovernmental and Community Liaison, a by-law BE INTRODUCED at the Municipal Council meeting on March 27, 2006 to authorize the Mayor and the City Clerk to execute an Agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain provincial funding of $200,000 for the development of a local Immigration Portal on the City of London website. (G10-00)

28. That the Chief Administrative Officer BE REQUESTED to consider the establishment of a Task Force or other options to address immigration as a local issue and that any Task Force on this matter include City officials and the local MPs and MPPs.

29. (28) That the following actions be taken regarding the use of outside legal counsel:

(a) on the recommendation of the City Solicitor, the costs of outside legal counsel BE DISCLOSED in accordance with the Municipal Freedom of Information and Protection of Privacy Act; and that the City Treasurer BE DIRECTED to disclose the totals of costs paid to outside legal counsel on an annual basis or as City Council may otherwise direct on a case-by-case basis; and

(b) the City Solicitor BE REQUESTED to pursue a pilot project involving a request for proposals for outside legal counsel. (F17-00)

30. (35) That, on the recommendation of the General Manager of Finance and Corporate Services, the attached by-law to amend By-law L-6, the Business Licensing By-law, BE INTRODUCED at the Municipal Council meeting on March 27, 2006, to increase all business licence fees by $10.00 to cover the cost of verifying, over a three year cycle, the business name and ownership information provided by all business licence applicants through the Ministry of Consumer and Commercial Relations;

it being noted that at the public participation meeting held regarding this matter the following individuals made oral submissions in connection therewith:

- Susan Smith, 709 Alanbrook Street, questioning the reason for differences in the initial and renewal fee for licences in various licence categories. (P10-00)

31. (36) That the matter of a new Election Sign By-law BE REFERRED to the next Municipal Council for consideration together with a recommendation that a community consultation process be undertaken as part of the review of the by-law which should be completed by December 31, 2007;

it being noted that at the Public Participation Meeting held regarding the proposed Election Sign By-law the following individuals made submissions in connection therewith:

- Oliver Hobson, 45 Evergreen Avenue, on behalf of David Empey, indicating a number of concerns with the proposed by-law as outlined in the attached submission;
Milyn Hall, 9-50 Ridout Street South, expressing concern with the definition of owner in the by-law and the provisions of Section 3.3 regarding the placement of election signs on boulevards abutting public property;

Susan Smith, 709 Alanbrook Street, suggesting that the permitted size for election signs should be smaller than proposed in the by-law; expressing the view that the height restrictions should be lower than proposed, expressing opposition to the proposed date of September 1st for the erection of signs and suggesting that signs should be permitted any time in an election year; expressing opposition to the proposed exemption pertaining to signs in campaign offices and on billboards;

Dan O’Neail, 1065 Florence Street, commenting on the need for a definition for billboard and suggesting that signs should be permitted on bus shelters and benches;

Gina Barber, 2373 Main Street, expressing concerns regarding the proposed by-law as outlined in the attached submission;

Shawn Lewis, expressing concern with the definition of an owner in the by-law; suggesting that signs should not have to be removed until one week after an election; expressing concern over the difficulty experienced in obtaining a copy of the by-law and suggesting that it should have been on the City’s website; noting concern with the provisions on issue based signs and the need for more consultation on the proposed by-law;

Sam Trosow, 43 Mayfair Drive, on behalf of Imagine London, expressing concerns regarding the proposed by-law as outlined in the attached submission;

Stephen Orser, 601 Ross Street, expressing concerns regarding the proposed by-law as outlined in the attached submission. (G08-00)

Clause 3 – ETC Source Water Protection Grant Funding Agreement with the Ministry of the Environment

32. That part (b) of clause 3 of the 6th Report of the Environment and Transportation Committee BE AMENDED to read as follows:

"(b) a by-law BE INTRODUCED at the Municipal Council meeting to be held on March 27, 2006 to authorize the Mayor and the City Clerk to execute an agreement with the Ministry of the Environment in order for the City to obtain funding for the completion of technical studies regarding groundwater source protection."
36. (25) That the Board of Control received and noted an information report from the City Treasurer with respect to the disclosure of salary and benefits of at least $100,000 paid to public sector employees during 2005. (H05-00)

37. (30) That the Board of Control received and noted an information report from the Director of Management Support, Audit and Risk with respect to a legal action that has been commenced by Timothy D. Smith against The Corporation of the City of London and the London Police Services Board pertaining to a police dog bite. (L05-05)

38. (31) That the Board of Control (BC) received an information report from the Chief Administrative Officer with respect to the TechAlliance and Small Business Centre. The BC also received a presentation from Marilyn Sinclair of TechAlliance regarding a request for financial assistance of $105,000 to $110,000 to hire additional staff resources. The BC referred the request from TechAlliance to the Civic Administration for a report back to the Board on whether funding is available for this initiative. (M16-00)

39. (32) That the Board of Control (BC) received a communication from J. Howell, President, and D. Szoller, Project Manager, Thames Region Ecological Association (TREA) requesting delegation status at a Board of Control meeting to discuss TREA's funding requirements. The BC asked the City Clerk to arrange a delegation from this association. (F12-00)

40. (33) That the Board of Control received a presentation from A. Becker, C.E.O., London Public Library, with respect to the Library's Strategic Plan.

41. (34) That the Board of Control received a presentation from A. Halwa, Executive Director, London Arts Council, with respect to the Art Council's 2005 Adjudication and Allocations Report.

42. (37) That the Board of Control (BC) received the attached presentation from the Chief Administrative Officer with respect to the City's Human Rights Model. The BC also received the attached communication from the Ontario Human Rights Commission on Ontario's human rights system.

43. (38) That the Board of Control (BC) received presentations from the Chief Administrative Officer, Ted Hewitt, Vice-President (Research and International Relations), University of Western Ontario, Mike MacDonald, John Kime and Gerry Macartney regarding the Southwest Economic Assembly to be held May 23 and 24, 2006 in Stratford. The BC also received the attached submission regarding the Southwest Economic Assembly.

44. (39) That the Board of Control (BC) received a communication from Councillor White requesting that the City consider making a contribution towards the cost of renting the Middlesex County Building for the purpose of producing the "Donnelly Trial" as a tourist attraction during two weeks in June and also requesting a letter of support from the Chair of the Creative Cities Task Force acknowledging Chris Doty's contributions to London. The BC referred this communication to the Civic Administration for consideration. (F12-00)

45. (40) That the Board of Control (BC) received a communication from B. A. Wells with respect to Paul Haggis and the establishment of a Culture Division at City Hall. The BC also received the attached communication from Councillor White requesting an update with respect to the establishment of a Culture Division for the City of London. The BC referred these communications to the Civic Administration for consideration. (M03-00)

46. (Added) That the Board of Control (BC) received the attached communication from the Manager of the Old East Village Business Improvement Association with respect to the proposed closure of the gas station and 7-Eleven convenience store at 956 Dundas Street. The BC referred this communication to the Civic Administration for consideration of the requests from the Old East Village BIA. (D07-00)
That the Board of Control (BC) met in camera from 1:30 p.m. to
3:41 p.m. for the purpose of considering the following:

(a) a matter pertaining to litigation or potential litigation affecting the
municipality regarding an insurance claim;

(b) a matter pertaining to litigation with respect to property located at 375
Southdale Road, including matters before administrative tribunals,
affecting the municipality or local Board and advice that is subject to
solicitor-client privilege, including communications necessary for that
purpose;

(c) a matter pertaining to litigation or potential litigation affecting the
municipality and advice that is subject to solicitor-client privilege,
including communications necessary for that purpose, regarding 567
Queens Avenue;

(d) a matter pertaining to outstanding litigation commenced by 1068788
Ontario Limited and 1068789 Ontario Limited affecting the municipality,
Superior Court of Justice Court file 41742; advice that is subject to
solicitor-client privilege, including communications necessary for that
purpose; and a proposed or pending acquisition or disposition of land by
the municipality or local board;

(e) a matter pertaining to potential litigation commenced by AAR-CON
Enterprises Corporation and Sifton Properties Limited affecting the
municipality; advice that is subject to solicitor-client privilege, including
communications necessary for that purpose; and a proposed or pending
acquisition or disposition of land by the municipality or local board;

(f) a matter pertaining to a proposed or pending disposition of land by the
municipality regarding parking in the downtown;

(g) a matter pertaining to litigation or potential litigation, including matters
before administrative tribunals, affecting the municipality or local board
and labour relations or employee negotiations regarding employment
related matters pertaining to positions and individuals within the
Corporation;

(h) a matter pertaining to advice that is subject to solicitor-client privilege,
including communications necessary for that purpose, regarding a
request for leave to appeal a Court of Appeal decision respecting R.S.J.
Holdings Inc. to the Supreme Court of Canada;

(i) a matter pertaining to advice that is subject to solicitor-client privilege
concerning potential litigation and litigation concerning the award of
Arbitrator Howard Snow with respect to Policy Grievance 212-04
between the London Civic Employees’ Local Union No. 107 and The
Corporation of the City of London;

(j) a matter pertaining to labour relations or employee negotiations involving
CUPE Local 107;

(k) a matter pertaining to advice that is subject to solicitor-client privilege
concerning litigation regarding the costs of the motion for leave to appeal
to the Divisional Court from the decision of the Ontario Municipal Board
respecting ward boundaries;

(l) a matter pertaining to advice that is subject to solicitor-client privilege,
including communications necessary for that purpose in respect of the
2005 Sewer Watermain Replacement Contract #4, Weston Street
(Project Nos. ES2408 and EW3760);
and that the BC is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 9th Report of the Board of Control enclosed for Council Members only.)

The meeting adjourned at 3:42 p.m.

BOARD OF CONTROL ACTION ON COMMITTEE REPORTS

6th Report of the Environment and Transportation Committee
Clauses 1 and 2 - Concurred in
Clause 3 Amended
(See clause 32 of this Report)

7th Report of the Community and Protective Services Committee
Clauses 1 and 2 - Concurred in

10th Report of the Planning Committee
Clauses 1 and 2 - Concurred in