Meeting held on February 27, 2008 commencing at 10:00 a.m.

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


I YOUR BOARD RECOMMENDS:

1. (2) That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, the following actions be taken with respect to the supply and delivery of thirteen (13) Dump Bodies c/w Snow Plow Equipment (Project Nos. ME2007, ES2007, ES2008, EW2007 & EW2008), namely:

   (a) the bid submitted by Wiltsie Truck Bodies, Box 216, Aylmer, at its tendered price of $693,337.32 (PST included, GST extra), BE ACCEPTED; it being noted that the bid submitted by Wiltsie Truck Bodies was the lowest of three (3) bids received and meets the City's terms, conditions and specifications in all areas;

   (b) the funding for this purchase 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 08-20). (V04-00)

2. (3) That, on the recommendation of the Director of Fleet, Facilities and Departmental Resources, the following actions be taken with respect to the supply and delivery of thirteen (13) Tandem Axle Cab & Chassis (Project Nos. ME2007, ES2007, ES2008, EW2007 & EW2008), namely:

   (a) the bid submitted by Carrier Truck Center, 90 Enterprise Drive, London, at its tendered price of $1,196,629.20 (PST included, GST extra), BE ACCEPTED; it being noted that the bid submitted by Carrier Truck Center was the lowest of three (3) bids received and meets the City's terms, conditions and specifications in all areas;

   (b) the funding for this purchase 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 08-21). (V04-00)

3. (5) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the supply and installation of pathways and parking lots in City Parks (Project Nos. PD1170, PD1171, PD2061, PD2131, PD2241, PD2751 & PD2752), namely:

   (a) the bid submitted by Ekum-Sekum Incorporated, o/a Brantco Construction, 1555 Bishop Street, Cambridge, at a total contract price of $702,365 (GST extra), BE ACCEPTED; it being noted that the bid submitted by Ekum-Sekum Incorporated was the overall lowest of eight (8) bids received and meets the City's terms, conditions and specifications in all areas;
(b) the funding 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 08-24). (E06-00)

4. (6) That, on the recommendation of the General Manager of Finance and Corporate Services, the following actions be taken with respect to the Supply and Delivery of Photocopy and Fine Paper, namely:

(a) the bid submitted by Xerox Canada Limited, 1000-150 Dufferin Avenue, London, at its unit bid prices for 'High Yield' White Paper, 30% Recycled White Paper, and 8½ x 14" 100% Virgin Coloured Paper, **BE ACCEPTED**;

(b) the bid submitted by Buntin Reid, 1330 Courtney Park Drive, Mississauga, at its unit bid prices for 8-½" x 11" 100% Virgin Coloured Paper, **BE ACCEPTED**;

(c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this material supply contract; 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 08-10). (A15-00)

5. (7) That, on the recommendation of the General Manager of Finance and Corporate Services, the following actions be taken with respect to the Provincial Offences Administration Addition (Project No. GG1321), namely:

(a) the bid submitted by Mycon Construction, 1615 North Routledge Park, #9, London, at its tendered price of $213,500 (GST excluded), **BE ACCEPTED**; it being pointed out that the bid submitted by Mycon Construction 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) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts which are necessary in connection with this project; and

(d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work (Tender 08-04). (A09-07)

6. (8) 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 that part of a remnant unused strip of land lying between 1447 and 1461 Huron Street, north of Stronach Park, described as Part of Lot 7, Concession 2, which contains approximately 2,448 square feet (0.056 acres), **BE DECLARED SURPLUS**, subject to the City retaining a combined services easement on the entire parcel and that the Mayor and the City Clerk **BE AUTHORIZED** to execute a land for easement exchange agreement for a nominal consideration of $2.00 as follows:

(a) from City transfer to Twin Pines Village Co-operative Inc. land being that part of an unused strip of land lying between 1447 and 1461 Huron Street north of Stronach Park, shown as Area "A" on the attached sketch, that is 10 feet wide and contains approximately 2,448 square feet (0.056 acres) subject to a combined services easement in favour of the City, and in exchange for this conveyance to the Twin Pines Village Co-operative;
from Twin Pines Village Co-operative Inc. transfer to the City a combined services easement over an adjoining parcel of land, shown as Area “B” on the attached sketch, which is about 9.8 feet wide and contains approximately 2,409 square feet (0.056 acres), required by the City to expand its ability to access the water pipe on the subject land for its maintenance. (L15-03)

7. (9) That, on the recommendation of the General Manager of Finance and Corporate Services, savings from positions vacated since January 1, 2008 BE CONTRIBUTED to the appropriate vacancy management reserve that has been established for each rate supported fund; it being noted that the purpose of these funds is to provide a one time funding source as recommended by the Corporate Management Team; it being further noted that the Corporation has realized total corporate savings to date in 2008 of $185,465 ($116,612 - general; $23,259 – wastewater; and $45,594 – water). During the same period in 2007, total corporate savings were $122,274 ($101,384 - general; $0 – water; $20,890 – wastewater). (F03-00)

8. (1) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the construction of the Dingman Drive Trunk Sanitary Sewer - Contract 1 (Project No. ES5243) and Contract 2 (Project No. ES5244), namely:

(a) the bid submitted by Bre-Ex Limited, 247 Exeter Road, London, at its tendered price of $7,181,359.23 (excluding GST), for the construction of the Dingman Drive Trunk Sanitary Sewer Contract 1 project, BE ACCEPTED; it being pointed out that the bid submitted by Bre-Ex Limited was the lowest of fourteen (14) bids received and meets the City’s specifications and requirements in all areas;

(b) Stantec Consulting Ltd. BE AUTHORIZED to carry out the resident inspection and contract administration for Contract 1, together with its Sub-Consultant, Spriet Associates, in accordance with the estimate on file, at an amount of $255,145, including contingency (exclusive of GST), which is 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);

(c) the bid submitted by L-82 Construction Ltd., 15 Hamley Road, London, at its tendered price of $3,571,005.19 (excluding GST) for the construction of the Dingman Drive Trunk Sanitary Sewer Contract 2 project, BE ACCEPTED; it being pointed out that the bid submitted by L-82 Construction Ltd. was the lowest of thirteen (13) bids received and meets the City's specifications and requirements in all areas;

(d) Stantec Consulting Ltd. BE AUTHORIZED to carry out the resident inspection and contract administration for Contract 2, together with its Sub-Consultant, Spriet Associates, in accordance with the estimate on file, at an amount of $157,355, including contingency (exclusive of GST), which is 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);

(e) the financing for these projects BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix “A”;

(f) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects; and

(g) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to these projects (Tenders 08-01 & 08-02). (W10-01)
9. (4) 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 Spring 2008 Street Trees (Project Nos. PD1232 & TS3012), namely:

(a) the bid submitted by Kamarah Tree Farms Ltd., R.R. #1, 196312 Road 119, Lakeside, at an estimated contract price of $393,487.50 (taxes included), BE ACCEPTED; it being noted that the bid submitted by Kamarah Tree Farms Ltd. was the overall lowest of three (3) bids received and meets the City's terms, conditions and specifications in all areas;

(b) the funding for this purchase 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 08-13). (EO6-00)

10. That the Civic Administration BE REQUESTED to include an item on the responsibility for the cost of dealing with the Emerald Ash Borer problem on the agenda for the next Board of Control meeting with the local MPs.

11. (10) That a by-law BE INTRODUCED at the Municipal Council meeting to be held on March 3, 2008 to repeal Council Policy 5(2) entitled "Vacant Councillor Position"; it being noted that the Governance Task Force can consider the matter of how to deal with vacancies on Council if they so wish; it being further noted that the Municipal Act, 2001, as amended, includes provisions with respect to the filling of vacancies on Council. (G03-00)

12. (11) That, on the recommendation of the City Treasurer, the recommendations in the Tax Adjustment Agenda dated February 27, 2008 BE APPROVED; it being noted that at the public hearing associated with this matter there were no members of the public in attendance to speak to these matters before the Board of Control.

13. (12) That, on the recommendation of the City Treasurer, the taxes levied on the blocks of land described in the attached schedule BE APPORTIONED in accordance with the said schedule, pursuant to Section 356 of the Municipal Act, 2001; it being noted that at the public hearing associated with this matter there were no members of the public in attendance to speak to these matters before the Board of Control. (F16-00)

14. (13,Added) WHEREAS the tourism and hotel industry creates economic activity for the City of London which is of value to the City, but at the same time creates new infrastructure and servicing for the City of London;

AND WHEREAS this increased economic activity does not generate much in the way of new income to the City because of PST, GST and corporate taxes which result from tourism and hotel/motel activity are not available to the City, as only the property tax is available to the City;

AND WHEREAS additional revenue to the City from tourism and hotel/motel activity will assist in marketing tourism and hotel/motel activity in the City and will augment the existing City funding of Tourism London;

BE IT RESOLVED that the Council of The Corporation of the City of London petition the Province of Ontario to provide municipalities with the authority through enabling legislation to levy a hotel/motel room tax not to exceed 3% and that the enabling legislation dedicate the funding for use for the promotion of tourism and cultural activities;

BE IT FURTHER RESOLVED that this resolution be forwarded to the Large Urban Mayors Caucus of Ontario (LUMCO) and the Association of Municipalities of Ontario (AMO) for support and distribution to their members. (F16-00) (See attached.)
15. (14) That the following actions be taken with respect to the Purchase of Service Agreement with the London Economic Development Corporation (LEDC):

(a) on the recommendation of the General Manager of Finance and Corporate Services, with the advice of the City Solicitor's Office and the concurrence of the President of the London Economic Development Corporation, the Purchase of Service Agreement between the City of London and the London Economic Development Corporation BE APPROVED and that the attached by-law BE INTRODUCED at the Municipal Council meeting on March 3, 2008 to authorize the Mayor and the City Clerk to execute the attached revised Purchase of Service Agreement; it being noted that section 15(b) of the agreement has been revised to read as follows: "Representatives of the LEDC's Board of Directors shall meet annually with the Board of Control at the Municipal Council's direction and at the Municipal Council's option."; it being further noted that Brian Semkowski, Chair of the LEDC Board of Directors, appeared before the Board of Control in support of the Purchase of Service Agreement; and

(b) the governance structure and reporting relationship of LEDC to the Municipal Council BE REVIEWED prior to the end of this Purchase of Service Agreement. (M16-00)

16. That the Civic Administration BE REQUESTED to prepare a report that will provide a comparison of salary and benefit settlements in the Public and Private Sectors and that the report include the salary and benefit settlements for the Protective Services area within the Public Sector.

17. That the Civic Administration BE REQUESTED to prepare a report which will outline the attendance experience with respect to City staff and provide the policies in place regarding the provision of vacation and time off; it being noted that the Board of Control received an enquiry from Councillor Van Meerbergen with respect to the duties of the new position of Health and Wellness Specialist and the attendance experience regarding City staff; it being further noted that the Board of Control received a verbal update from the Director of Human Resources on the duties and responsibilities of the position of Health and Wellness Specialist.

18. (Added) That the following actions be taken with respect to the 2008 Emcy Awards:

(a) the attached communication from the Co-Chair, Emcy Awards Foundation Inc., advising that the City of London has been nominated for a 2008 Emcy Award for outstanding achievements in celebrating diversity and celebrating Canada and inviting the Mayor to attend the 2008 Emcy Awards Gala to be held April 16, 2008 in Regina BE RECEIVED; and

(b) the Mayor or her delegate BE AUTHORIZED to attend the 2008 Emcy Awards on April 16, 2008 in Regina. (M03-00)

II YOUR BOARD REPORTS:

19. (15) That the Board of Control received and noted the 2nd Report of the Town and Gown Committee from its meeting held on February 6, 2008. (See Report attached.)

20. (16) That the Board of Control received a communication from Jack Parker resigning his appointment as the Fanshawe College representative on the Trees and Forests Advisory Committee. The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Parker; it being noted that the City Clerk will request that Fanshawe College nominate a replacement representative. (G03-00)
21. That the Board of Control received a verbal presentation from the Chief Administrative Officer and the Division Manager of Corporate Security and Emergency Management with respect to City Hall Security.

22. That the Board of Control (BC) received a verbal presentation from the Chief Administrative Officer with respect to a potential "host" relationship for the City with the London based company, iLOOKABOUT. The BC noted that this firm takes photographs on City streets and uses technology to establish a visual record of the City that could be accessed for a variety of purposes. The BC asked the Chief Administrative Officer to pursue discussions with iLOOKABOUT about a potential "host" relationship with the City and report back to the Board.

23. That the Board of Control (BC) received a verbal update from the Director of Intergovernmental and Community Liaison with respect to the new Federal Budget. The BC noted that further details are being sought on the funding announced with respect to public transit and for new police officers. The BC asked the Director of Intergovernmental and Community Liaison to provide the Municipal Council with an update on the Federal Budget at the Municipal Council meeting on March 3, 2008.

24. That the Board of Control met in camera from 11:45 a.m. to 12:48 p.m. for the purpose of considering the following:

(a) a matter pertaining to personal matters involving identifiable individuals and labour relations or employee negotiations, including personal information relating to their employment;

(b) two matters to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition;

(c) a matter being pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation's associations or unions regarding an arbitration award and collective bargaining, and advice which is the subject of solicitor client privilege;

(d) a matter pertaining to personal matters involving an identifiable individual who is a municipal employee and labour relations or employee negotiations, including personal information relating to their employment;

(e) a matter pertaining to labour relations;
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 12:50 p.m.

Board of Control Action on Committee Reports

5th Report of the Environment and Transportation Committee

Clause 1 - Concurred in

5th Report of the Community and Protective Services Committee

Clauses 1 & 2 - Concurred in