13TH REPORT OF THE BOARD OF CONTROL

Meeting held on April 29, 2009 commencing at 10:03 a.m.

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


YOUR BOARD RECOMMENDS:

1. (1) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the 2009 Infrastructure Life Cycle Renewal Program: Contract #3 - Hamilton Road and Maitland Street (Project Nos. ES2413 & EW3764), namely:

   (a) the bid submitted by Aar-Con Excavating (2001699 Ontario Inc.), 10998 Longwoods Road, Delaware, at its tendered price of $1,349,535.02 (excluding GST), BE ACCEPTED; it being pointed out that the bid submitted by Aar-Con Excavating was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas;

   (b) Spriet Associates BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $154,000 (excluding GST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with Schedule "D" Appointment of Consulting Services Policy of Council Policy By-law A-6151-17, noting that this firm completed the engineering design;

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

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

   (e) 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 this project (Tender 09-15); and

   (f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted there are no anticipated additional annual operating costs to the Environmental and Engineering Services Department budget in 2010 and subsequent years associated with approval of this tender. (S08-00)

2. (2) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the Vauxhall Pollution Control Plant Section 1 Electrical Upgrades (Project No. ES5162), namely:

   (a) the bid submitted by CDI Contracting Inc., 70 Pacific Court, Unit 12, London, at its tendered price of $589,004 (excluding GST) for the supply and installation of Electrical and Control System Upgrades and associated works for Vauxhall PCP Section 1, BE ACCEPTED; it being pointed out that the bid submitted by CDI Contracting Inc. was the lowest of six (6) 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 Limited **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 $23,715 (excluding GST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers, and in accordance with Schedule "D": Appointment of Consulting Services Policy of Council Policy By-law A-6151-17, noting 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 relating to this matter (Tender 08-86). (W06-00)

3. (3) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the SkyWay Industrial Park, Phase I Extension project (Project Nos. ID1265, ID2056 & ID2171), namely:

(a) the bid submitted by L-82 Construction Ltd., 2070 Huron Street, Suite A, London, at its tendered price of $353,484.05 (excluding GST), **BE ACCEPTED**; it being pointed out that the bid submitted by L-82 Construction Limited was the lowest of twelve (12) bids received and meets the City's specifications and requirements in all areas;

(b) IBI Group **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $32,800 (excluding GST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Schedule "D": Appointment of Consulting Services Policy of Council Policy By-law A-6151-17, noting that this firm completed the engineering design;

(c) future additional annual operating costs of $1,400.00 **BE APPROVED** as a first priority commitment from available assessment growth in 2010 subject to final budget approval;

(d) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A"; it being noted that the Civic Administration was requested to refine the wording pertaining to the financing.

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

(f) 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 this project (Tender 09-37); and

(g) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (D26-01)

4. (4) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the Mornington Avenue reconstruction project (Project Nos. ES2413/EW3764/TS3013/TS4066/TS5122), namely:
the bid submitted by Omega Contractors, 4104 Breck Avenue, London, at its tendered price of $3,447,076.45 (excluding GST), BE ACCEPTED; it being pointed out that the bid submitted by Omega Contractors was the lowest of eight (8) 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;

(d) 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 this project (Tender 09-40); and

(e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services Department budget in 2010. (SO8-00)

5. (5) That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the 2009 Arterial Road Rehabilitation-Contract (A) (Project Nos. TS1444 & TS1445), namely:

(a) the bid submitted by TCG Asphalt & Construction, P.O. Box 189, 2200 Jetstream Road, London, at its tendered price of $7,481,161.70 (excluding GST), BE ACCEPTED; it being pointed out that the bid submitted by TCG Asphalt & Construction was the lower of two (2) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional operating costs to the Environmental and Engineering Services Department budget in 2010 and subsequent years associated with approval of this tender;

(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;

(d) 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 this project (Tender 09-46); and

(e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (SO8-00)

6. (6) That, on the recommendation of the Director of Fleet, Facilities & Departmental Resources, the following actions be taken with respect to the design and construction of a winter operations facility at the Exeter Road Operations Centre (Project Nos. TS6181 & TS3218), namely:

(a) the bid submitted by 1603878 Ontario Limited, o/a Loaring Construction, 6260 Westar Drive, Suite 200, Windsor, at its tendered price of $1,486,857, BE ACCEPTED; it being pointed out that the bid submitted by 1603878 Ontario Limited, o/a Loaring Construction, 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";

(c) future annual operating costs of $5,000 **BE APPROVED** as a first priority from available assessment growth in 2010 subject to final budget approval;

(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 relating to this matter (Tender 09-42). (A09-06)

7. (7) That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2009 Infrastructure Life Cycle Renewal Program, Pall Mall and Miles Streets (Project Nos. EW3764 & ES2413), namely:

(a) the bid submitted by Blue-Con Inc., 1915 Crumlin Sideroad, London, at its corrected tendered price of $1,907,200.69 (excluding GST), **BE ACCEPTED**; it being pointed out that the bid submitted by Blue-Con Inc. was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas;

(b) IBI Group **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $223,446.11 (excluding GST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with “Schedule D: Appointment of Consulting Services Policy” of Council Policy By-law A-6151-17, noting that this firm completed the engineering design;

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

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

(e) 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 this project (Tender 09-27); and

(f) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services Department budget in 2010 and subsequent years associated with approval of this tender. (S08-00)

8. (8) That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply, delivery and unloading of pressurized chemical lime at Greenway Pollution Control Centre (Project No. ES5282), namely:

(a) the Civic Administration **BE AUTHORIZED** to enter into negotiations with Carmeuse Lime, (Canada), Inc., c/o Carmeuse North America, 11 Stanwix Street, 11th Floor, Pittsburgh, PA, 15222,
(b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;

(c) the approval given herein BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Carmeuse Lime, (Canada), Inc. to the satisfaction of both the Acting City Treasurer and the General Manager of Environmental and Engineering Services and City Engineer recognizing that following negotiations there will not be sufficient time to adhere to the normal Board of Control and Council approval due to a required incinerator shutdown for minor repairs; 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. (W06-00)

9. (10) That, on the recommendation of the General Manager of Environmental & Engineering Services & City Engineer, with the concurrence of the General Manager of Finance and Corporate Services & Acting City Treasurer, the following actions be taken with respect to the suppression of a tire fire at 57 Clarke Road on March 7, 2009:

(a) the following actions of the General Manager of Environmental and Engineering Services & City Engineer and the General Manager of Finance and Corporate Services & Acting City Treasurer for the purposes of the Procurement of Goods and Services Policy BE RATIFIED:

(i) the determination that an emergency had occurred, being the spill of a pollutant as contemplated by Part X of the Environmental Protection Act;

(ii) the determination that the services of a qualified contractor were required to remove water used to suppress the fire in order to prevent, eliminate and ameliorate adverse effects of the spill of a pollutant; and

(iii) the initiation of purchase orders for these services; and

(b) a by-law, attached as Appendix A, BE INTRODUCED at the Municipal Council meeting on May 4, 2009: it being noted that the by-law provides that the owner of the premises municipally known as 57 Clarke Road and any owner of the pollutant or person having control of the pollutant is ordered pursuant to section 100.1 of the Environmental Protection Act to pay to the municipality any reasonable costs or expenses incurred by the City to prevent, eliminate or ameliorate any adverse effects or to restore the natural environment including the costs incurred by the City of removing contaminated water used in the suppression of the fire. (E03-00)

10. (11) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2009 to:

(a) approve the standard form Licence Agreement for individuals or corporations requesting to rent the City of London Technology Services Division’s Training Room;

(b) authorize the Director of Technology Services, or written designate, to insert certain information into the Agreement approved in (a) above; and

(c) authorize the Director of Technology Services, or written designate, to execute the Agreement approved in (a) above. (L16-01)
11. (12) That, on the recommendation of the General Manager, Finance and Corporate Services and Acting City Treasurer, the attached by-law BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2009 to authorize the Mayor and the General Manager, Finance and Corporate Services and Acting City Treasurer, to execute a Letter of Agreement between the Province of Ontario and the City of London with respect to the Dedicated Gas Tax Funds for Public Transportation Program. (F16-00)

12. (13) That, on the recommendation of the General Manager, Finance & Corporate Services and Acting City Treasurer, Finance Division staff BE AUTHORIZED to proceed with appeals under the Assessment Act for the properties as set out in Schedule "A" attached. (F04-00)

13. (14) That, on the recommendation of the General Manager, Finance and Corporate Services and Acting City Treasurer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 to fully utilize new options available in 2009 to exclude properties in capped property classes from being capped in 2009 and future years. (F16-00)

14. (15) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the following actions be taken:

(a) the budget for the 2009 fiscal year submitted by the Old East Village Business Improvement Area in the amount of $32,346, attached as "Appendix A", BE APPROVED; it being noted that the said budget includes a Municipal Levy in the amount of $14,781;

(b) the amount to be raised by the Corporation for the 2009 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001, be fixed at $14,781;

(c) a special charge BE ESTABLISHED for the amount referred to in part (b), above, by a levy in accordance with By-law CP-1, as amended; it being noted that the said special charges shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and

(d) a by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 with respect to a municipal special levy for the Old East Village Business Improvement Area". (F05-00)

15. (16) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the following actions be taken:

(a) the budget for the 2009 fiscal year submitted by the London Downtown Business Association in the amount of $814,950, attached as "Appendix A", BE APPROVED; it being noted that the said budget includes a City of London Levy in the amount of $789,911 (which includes $707,647 for the City of London levy and an estimated allowance to provide for vacancy rebates);

(b) the amount to be raised by the Corporation for the 2009 fiscal year for the purposes of the London Downtown Business Association, and pursuant to subsection 208(1) of the Municipal Act, 2001, be fixed at $789,911 (which includes $707,647 for the City of London levy and an estimated allowance to provide for vacancy rebates);

(c) a special charge BE ESTABLISHED for the amount referred to in part (b), above, by a levy in accordance with By-law CP-2, as amended; it being noted that the said special charges shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
(d) a by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 with respect to a municipal special levy for the London Downtown Business Association. (F05-00)

16. (17) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, funding of $200,000 approved in the 2009 Budget BE RELEASED to the Stiller Centre, notwithstanding the fact that the Joint Venture Agreement has not been fully finalized. (M16-00)

17. (18) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 to authorize the execution of applications under the Federal Government's Infrastructure Stimulus Funding Program. (G10-00)

18. (19) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the proposed by-law, attached as Appendix “A”, to amend By-law A.-4640-291, entitled “A by-law to provide for the retention of documents and for the destruction of certain documents” BE INTRODUCED at the Municipal Council meeting on May 4, 2009. (I08-00)

19. (20) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, savings from positions vacated since February 20, 2009 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 2009 of $289,859 ($205,883 - general; $83,976 - wastewater; and $0 - water). During the same period in 2008, total corporate savings were $462,298 ($402,828 - general; $54,331 - wastewater; $12,139 - water). (F03-00)

20. (22) That, on the recommendation of the General Manager of Community Services, the following actions be taken:

(a) the attached Purchase of Service agreement between the City of London and Investing in Children, 205 Oxford St. E., Suite 206, London, for the Project Management and Development Services for the implementation of strategies developed by the Implementation/Working groups of the Child and Youth Agenda BE APPROVED for a period of twelve months with an option to renew for a second year;

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

(c) the Mayor and the City Clerk BE AUTHORIZED to execute the agreement in (a) above;

it being noted that implementation is within the upset limit of $260,000 as approved in the 2009 budget as a component of the reinvestment of annual savings towards the implementation of the Child and Youth Agenda. (C06-00)

21. (23) That Grant Hopcroft, Director of Intergovernmental and Community Liaison, BE NOMINATED to the 2009-2010 AMO Board of Directors - Director Large Urban Caucus. (A02-01)

22. (26) That, on the recommendation of the Director, Corporate Management Support, the attached letter to the Minister of Community and Social Services regarding the Employment Accessibility Initial Proposed Standard BE APPROVED for submission. (C02-00)
23. (28) That, on the recommendation of the London Police Services Board, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 to authorize the Mayor and the City Clerk to execute an agreement with the Minister of Community Safety and Correctional Services in relation to the Community Policing Partnerships Program. (P11-00)

24. (36) That, on the recommendation of the Manager, Financial Services, and Acting Deputy City Treasurer, the taxes on the blocks of land described in the attached Schedules BE APPORTIONED as indicated on the Schedules 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)

25. (37a) That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, with the concurrence of the General Manager of Community Services, on the advice of outside legal counsel, a by-law BE INTRODUCED at the Municipal Council meeting on May 4, 2009 to authorize the Mayor and the City Clerk to execute a Joint Venture Agreement, Lease Agreement and User Agreement in connection with a City of London and YMCA of Western Ontario Multi-Use Community Facility in North London subject to confirmation that the YMCA’s financing terms are in keeping with the agreements; it being noted that the Civic Administration was requested to include a provision for discussions to occur between the YMCA and the City of London, for continued City use of the facility upon expiration of the lease agreement in 40 years’ time;

it being also noted that the Board of Control heard a verbal presentation from the General Manager of Finance and Corporate Services and Acting City Treasurer, W. Coxhead, City of London, D. Bryant, McKenzie Lake and S. Elliott, YMCA of Western Ontario with respect to this matter. (A09-02)

26. (37b) That, on the recommendation of the General Manager of Community Services and the General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Phase II construction of the new community recreation centre and library (Project Nos. RC2762 & RC3465), namely:

(a) the award of the construction contract to McKay-Cocker Construction Limited, 1665 Oxford Street East, P.O. Box 7345, London, at the guaranteed maximum price of $20,969,000 (exclusive of GST), BE APPROVED;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached 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 with the contractor for the work. (A09-02)

27. (38) That Nicole Buteau BE APPOINTED to the London Diversity and Race Relations Advisory Committee (LDRRAC) to replace Michelle Cialacu on LDRRAC as the French Committee Services ACFO de London-Sarnia representative for the term ending November 30, 2010. (G03-00)

28. (Added) That the 2009 Bluesfest London to be held at the north-west corner of King and Clarence Streets from July 17 to 19, 2009, BE DESIGNATED as a Municipally Significant Event in the City of London. (See attached.)

29. That the following actions be taken with respect to Eldon House and Museum London:
(a) City of London funding in the amount of $25,000 to assist with the 175th Anniversary Celebrations for Eldon House **BE APPROVED**; it being noted that the source of financing for this funding is the Corporate Revenues and Expenses Contingency Fund; and,

(b) the City of London Culture Office **BE REQUESTED** to take the necessary steps to update the agreement between The Corporation of the City of London and Museum London for the management of Eldon House;

it being noted that the Board of Control (BC) heard a verbal update and received the attached communication from B. Meehan with respect to these matters.

II YOUR BOARD REPORTS:

30. (9) That the Board of Control reviewed and received an information report from the General Manager of Environmental and Engineering Services & City Engineer with respect to custodial maintenance at the Exeter Road Operations Centre and the South London Community Centre. (A09-00)

31. (21) That the Board of Control reviewed and received an information report from the General Manager of Finance and Corporate Services and Acting City Treasurer with respect to the installation of a new sound system in the Council Chambers. (A09-07)

32. (24) That the Board of Control reviewed and received an information report from the Director of Intergovernmental and Community Liaison with respect to the Canada-European Union Trade Agreement, the Trade Investment and Labour Mobility Agreement (TILMA), the Agreement on Internal Trade (AIT) and the Quebec-Ontario Economic Partnership Agreement. (M16-00)

33. (25) That the Board of Control reviewed and received an information report from the Director of Intergovernmental and Community Liaison, as well as a communication dated March 30, 2009 from Councillor W. Lonc, with respect to the authority to prohibit corporate and trade union contributions to municipal election campaigns. (G08-00)

34. (27) That the Board of Control reviewed and received an information report from the Director, Corporate Management Support, with respect to Statements of Claim naming The Corporation of the City of London as a Defendant received for the period November 16, 2008 to March 30, 2009. (L05-00)

35. (29, Added) That the Board of Control (BC) reviewed and received a report from the Fire Chief and the attached report from the Chief Administrative Officer with respect to the development of a Fire Services Master Plan; it being noted that a presentation will be made to the Board of Control at its meeting on June 3, 2009 regarding this matter.

36. (30) That the Board of Control (BC) reviewed and received an information report from the Fire Chief with respect to 2008 absenteeism and overtime costs. The BC requested the Fire Chief to report back to the Board of Control on a quarterly basis on absenteeism and overtime, in keeping with other corporate quarterly attendance reports, and to also monitor overtime and absenteeism trends and report to the Board of Control thereon, including an identification of remedial steps to be taken in the event that any negative trends become apparent. (H02-00)

37. (31) That the Board of Control reviewed and received a communication dated April 22, 2009 from the Chair, Board of Directors, London Hydro, with respect to the addition of service charges to the accounts of customers who are in arrears. (P07-02)
38. (32) That the Board of Control reviewed and received a copy of a communication dated April 6, 2009 from the Executive Correspondence Officer, Office of the Prime Minister, acknowledging receipt of the City's correspondence regarding the Employment Insurance program. (L18-00)

39. (33) That the Board of Control reviewed and received a copy of a communication dated April 14, 2009 from the Area Manager/A, London Centre Probation and Parole, Ministry of Community Safety and Correctional Services, with respect to its relocation in London. (P11-00)

40. (34) That the Board of Control reviewed and received a copy of a communication dated March 30, 2009 from the Past President, Palace Theatre, with respect to an update on the Palace Theatre's capital grant. (F12-00)

41. (35) That the Board of Control reviewed and received a copy of a communication dated April 8, 2009 from the Chair, London St. Thomas Automobile Dealers Association, with respect to the 2009 Budget deliberations. (F16-00)

42. (39) That the Board of Control (BC) reviewed and received a communication dated April 7, 2009 from Edward Soldo resigning his appointment to the Transportation Advisory Committee (TAC). The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Soldo. The BC also asked the City Clerk to take the necessary steps to fill the vacancy. (G03-00)

43. (40) That the Board of Control (BC) reviewed and received a communication dated April 24, 2009 from Susan Ryans resigning her appointment to the Child Care Advisory Committee (CCAC). The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Ms. Ryans. The BC also asked the City Clerk to take the necessary steps to fill the vacancy. (G03-00)

44. (41) That the Board of Control reviewed and received a communication dated April 16, 2009 from the President, Fanshawe College, with respect to its representative on the Trees and Forests Advisory Committee (TFAC). (G03-00)

45. (42) That the Board of Control reviewed and received a copy of a communication dated April 3, 2009 from Brian Masse, MP, Windsor West, requesting City Council to pass a resolution concerning Canadian Pacific Railway's (CPR) attempt to eliminate the mechanical force at the Windsor yard. (SO5-00)

46. (Added) That the Board of Control (BC) heard a verbal update from the General Manager of Finance and Corporate Services and Acting City Treasurer with respect to the City of London's applications for stimulus funding. The BC extended its sincere appreciation to all staff involved in completing the applications in such a short turn around time; it being noted that as a result of their diligent efforts, the City of London is very likely the first large municipality to submit its applications for funding.

47. (Added) That the Board of Control (BC) was advised by the General Manager of Finance and Corporate Services and Acting City Treasurer that the London International Airport project was not eligible under the present stimulus funding initiative. The BC requested that the Chief Administrative Officer report back to the BC by the end of May 2009 with respect to an action plan to move the "Gateway" project forward, including those plans for the London International Airport, in partnership with the London International Airport and the London Economic Development Corporation.

48. That the Board of Control (BC) passed the following resolution prior to moving in camera from 11:18 a.m. to 12:29 p.m.:

That the Board of Control move in camera to consider the following matters:
a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation;

(b) a matter pertaining to litigation in the Superior Court of Justice, Court File No. 61809, The Corporation of the City of London v. Hatch Ltd. et al. or potential litigation, affecting the municipality and arising out of the Springbank Dam Rehabilitation Project; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(c) a matter pertaining to litigation or potential litigation with respect to property located at 232 Oxford Street West and 236 Oxford Street West, 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;

(d) two matters pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation’s unions;

(e) two matters pertaining to personal matters involving an identifiable individual who is a municipal employee with respect to an employment related matter;

(f) a matter pertaining to personal matters involving an identifiable individual with respect to an employment related matter;

and that the BC is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 13th Report of the Board of Control enclosed for Council Members only.)

The meeting adjourned at 12:29 p.m.

Board of Control Action on Committee Reports

9th Report of the Environment and Transportation Committee
Clauses 1 & 2 - Concurred in

8th Report of the Community and Protective Services Committee
Clause 1 - Concurred in; it being noted that this matter has been brought before the local MPPs at the April 24, 2009 meeting of the Board of Control and further that the City of London is already on record with the Federal and Provincial Governments with respect to the City concerns regarding the loss of the Best Start funding.