



**Executive Committee
Meeting Minutes
Monday September 25, 2006
7:30 pm
Council Chambers
Chair: Councillor McLean**

PRESENT:

Mayor Ryan

COUNCILLORS:

K. Ashe
M. Brenner
D. Dickerson
R. Johnson
B. McLean
D. Pickles

ALSO PRESENT:

T. J. Quinn - Chief Administrative Officer
E. Buntsma - Director, Operations & Emergency Services
G. Paterson - Director, Corporate Services & Treasurer
D. Bentley - City Clerk
R. Holborn - Division Head, Municipal Property & Engineering
D. Shields - Deputy Clerk

(I) ADOPTION OF MINUTES

Moved by Councillor Ashe
Seconded by Councillor Johnson

Meeting of September 11, 2006

CARRIED

(II) MATTERS FOR CONSIDERATION

1. Director, Operations & Emergency Services, Report OES 32-06
Tender T-12-2006
Sandy Beach Road Bridge Replacement & Road Reconstruction

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Pickles



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1. That Report OES-32-06 regarding the Sandy Beach Road Bridge Replacement and Road Reconstruction be received;
2. That Tender T-12-2006 submitted by Dagmar Construction Inc. for the Sandy Beach Road Bridge Replacement and Road Reconstruction at a cost of \$1,694,042.48 (GST included) be accepted;
3. That the total gross project cost of \$ 1,827,602.48 (GST included) including the tender amount, and other associated costs and the total net project cost of \$1,724,153.28, be approved;
4. That Council authorize the Director, Corporate Services & Treasurer to finance the project as follows:
 - a) the sum of \$666,665 to be funded from the Canada Ontario Municipal Rural Infrastructure Fund (COMRIF) Grant Intake 2;
 - b) the sum of \$1,050,000 to be financed by the issue of debentures through the Region of Durham, over a period not exceeding 10 years, at a rate to be determined;
 - c) the balance amount of \$7,488 to be funded from the 2006 Current Budget;
 - d) the annual repayment charges in the amount of approximately \$138,000 be included in the annual Current Budget for the City of Pickering commencing in 2007, continuing thereafter until the loan is repaid, and any financing cost to be paid out of the Current Budget;
 - e) the Director, Corporate Services & Treasurer has updated the City's 2006 Annual Repayment Limit and certified that this loan and the repayment thereof falls within the City's Annual Repayment Limit for debt and financial obligations, as established by the Province for municipalities in Ontario, and would not cause the City to exceed the updated Limit, and therefore, Ontario Municipal Board approval was not required prior to City Council's authorization;
 - f) the Treasurer is authorized to take any actions necessary in order to effect the foregoing; and



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5. That the appropriate City of Pickering officials be authorized to take necessary action to give effect thereto.

CARRIED

2. Director, Operations & Emergency Services, Report OES 33-06
Tender No. T-6-2006 – Playground Construction
Request for Proposal – RFP-9-2006 Playground Equipment
Quote Q-51-2006 – Quotation for Safety Surface Material

RECOMMENDATION

Moved by Councillor Pickles
Seconded by Councillor Johnson

1. That Report OES 33-06 of the Director, Operations & Emergency Services regarding playground construction, playground equipment, and safety surface material be received;
2. That Tender No. T-6-2006 as submitted by Royalcrest Paving & Contracting Ltd. for park and playground construction in the amount of \$98,094.00 (excluding GST) be accepted;
3. That the Request for Proposal, RFP-9-2006 as submitted by Crozier Agencies for the supply and installation of playground equipment in various parks in the amount of \$108,568.95 (excluding GST) be accepted;
4. That Quotation Q-51-2006 as submitted by Playcare Inc. for Safety Surface Material in various parks in the amount of \$33,845.00 be accepted;
5. That all other associated project costs of \$59,492.05, and the total project cost of \$300,000 (excluding GST), be accepted;
6. That the Director Corporate Services & Treasurer be authorized to transfer \$300,000 from the Parkland Reserve Fund as provided for in the 2006 Capital Budgets; and
7. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.

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3. Director, Operations & Emergency Services, Report OES 35-06
Tender T-5-2006 – Concrete Sidewalk Installations
Various Locations
-

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Brenner

1. That Report OES 35-06 of the Director, Operations & Emergency Services regarding the installation of concrete sidewalks in various locations in the City of Pickering be received;
2. That Tender T-5-2006, as submitted by Trisan Construction for concrete sidewalk installations at various locations in the City of Pickering in the amount of \$236,975.52 (GST included) be accepted;
3. That the total gross project cost of \$263,475.52 and a net project cost of \$248,561.81 (GST excluded), including the tender amount and other project costs as outlined in Report OES 35-06 of the Director, Operations & Emergency Services be approved;
4. That \$248,561.81 be financed from Development Charges Reserve Fund (\$119,794.79), City Share – DC Reserve (\$123,855.43) and Property Taxes (\$4,911.39) and the Director of Corporate Services & Treasury be authorized to transfer these funds; and
5. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.

CARRIED

4. Director, Operations & Emergency Services, Report OES 36-06
Supply and Delivery of Street Sweeper
Q-41-2006/Q-41A-2006
-

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Pickles



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1. That Report OES 36-06 of the Director, Operations & Emergency Services regarding the supply and delivery of a Street Sweeper be received;
2. That Quotation No. Q-41-2006 submitted by Joe Johnson Equipment for the supply and delivery of an Elgin Eagle Waterless Street Sweeper Factory Stock Demonstration Unit Serial No. FW-2303-D in the amount of \$240,500.00 (GST, PST extra) be accepted;
3. That the total gross purchase cost \$274,170.00 and a net purchase cost of 259,740.00 be approved;
4. That Council authorize the Director, Corporate Services & Treasurer to finance the project as follows:
 - a) the sum of \$240,000.00 to be financed by the issue of debentures through the Regional Municipality of Durham, over a period not exceeding five years, at a rate to be determined;
 - b) the balance amount of \$19,740.00 to be funded from the general savings realized per project code - 5320-0607-6178 - Tiger Mower and 5320-0608-6178 – Hot Box, both paid from property taxes
 - c) the annual repayment charges in the amount of approximately \$55,600 be included in the annual Current Budget for the City of Pickering commencing in 2007, continuing thereafter until the loan is repaid, and any financing cost to be paid out of the Current Budget
 - d) the Director, Corporate Services & Treasurer has updated the City's 2006 Annual Repayment Limit and certified that this loan and the repayment thereof falls within the City's Annual Repayment Limit for debt and financial obligations, as established by the Province for municipalities in Ontario, and would not cause the City to exceed the updated Limit, and therefore, Ontario Municipal Board approval was not required prior to City Council's authorization;
 - e) the Treasurer is authorized to take any actions necessary in order to effect the foregoing; and
5. That the appropriate City of Pickering officials be authorized to take necessary action to give effect thereto.

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5. Director, Operations & Emergency Services, Report OES 34-06
No Parking By-law – Wharf Street
Amendment to By-law 6604/05

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Pickles

1. That Report OES 34-06 regarding a proposed amendment to the municipal traffic by-law 6604/05 be received; and
2. That the attached draft by-law be enacted to amend Schedule '2' to By-law 6604/05 to provide for the regulating of parking on highways or parts of highways under the jurisdiction of the Corporation of the City of Pickering and on private and municipal property.

CARRIED

6. Director, Corporate Services & Treasurer, Report CS 49-06
Section 357/358 of the *Municipal Act* – Adjustment to Taxes

RECOMMENDATION

Moved by Councillor Pickles
Seconded by Councillor Johnson

1. That Report CS 49-06 of the Director, Corporate Services & Treasurer be received;
2. That the write-offs of taxes as provided under Section 357/358 of the *Municipal Act* be approved; and
3. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary action to give effect thereto.

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7. Director, Corporate Services & Treasurer, Report CS 50-06
Tender/Contract Approval
Councils' Summer Recess
-

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Johnson

1. That Report CS 50-06 of the Director, Corporate Services & Treasurer reporting on tendering and contract approvals during Councils' Summer Recess be received; and
2. That Council pass a resolution ratifying the approval of the Tenders and Contracts contained in this Report by the Chief Administrative Officer during Council's summer recess (i.e., from June 26 to July 23, 2006 and from July 24, 2005 to September 11, 2006) being RFP-7-2006 Network Switch Replacement Project; the Microsoft (Software) BPS Enterprise Agreement and Tender T-2-2006 Lighting Retrofit Pickering Civic Complex and Pickering Public Library.

CARRIED

8. Director, Corporate Services & Treasurer, Report CS 51-06
Veridian Corporation – Promissory Notes
-

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Johnson

1. That Report CS 51-06 of the Director, Corporate Services & Treasurer be received;
2. That the maturity dates on the Promissory Notes in the amount of \$7,095,000 to Veridian Corporation and \$17,974,000 to Veridian Connections Inc. be amended to November 1, 2009 at their face value with the existing terms and conditions including interest at 7.6% per annum;
3. That a By-law in the form attached providing for the approval and execution of a Note Amending Agreement be passed;



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4. That the Mayor and Clerk be authorized to execute the Note Amending Agreement on behalf of the City of Pickering in the form attached;
5. That the Director, Corporate Services & Treasurer be authorized to undertake any actions including negotiations or amendments to the terms and conditions necessary in order to put the foregoing into effect; and,
6. That the appropriate officials at the City of Pickering be given authority to give effect thereto.

CARRIED

9. Director, Corporate Services & Treasurer, Report CS 52-06
Investment Portfolio Activity for the Year Ended December 31, 2005

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That Report CS 52-06 of the Director, Corporate Services & Treasurer be received for information.

CARRIED

10. Director, Corporate Services & Treasurer, Report CS 53-06
Municipal Performance Measurement Program – Provincially
Mandated Public Report of Performance Measures

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That Report CS 53-06 of the Director, Corporate Services & Treasurer be received for information.

CARRIED



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11. Director, Corporate Services & Treasurer, Report CS 56-06
Points of Sale Agreement for Durham Region Transit Fares

Moved by Councillor Dickerson
Seconded by Councillor Johnson

1. That Report CS 56-06 of the Director, Corporate Services & Treasurer be received;
2. That the Mayor and Clerk be authorized to execute a Point of Sale Agreement with the Durham Region Transit Commission (DRTC) in a form substantially as attached and acceptable to the Director, Corporate Services & Treasurer and the City Solicitor;
3. That the Director, Corporate Services & Treasurer be authorized to make any changes necessary to effect the foregoing; and,
4. That the appropriate staff at the City of Pickering be given authority to give effect thereto.

CARRIED

12. Director, Corporate Services & Treasurer, Report CS 57-06
Formal Quotations – Quarterly Report for Information

RECOMMENDATION

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That Report CS 57-06 of the Director, Corporate Services & Treasurer be received for information.

CARRIED

(III) OTHER BUSINESS

1. Councillor Johnson questioned staff on when the tender would be issued for Old Brock Road, specifically in relation to his concern of ensuring the proposed sidewalk construction for new school year was completed.



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2. Councillor Pickles requested a status update with respect to lighting and safety upgrades to the pathway/walking area around Palmer Bridge.
3. Councillor Brenner advised that at the recent Regional Health & Social Services Committee meeting, the new ambulance facility in Pickering was discussed and concern was raised on the lack of cooperation with the City of Pickering. He noted that the concerns in fact are not City of Pickering related, but in fact are in relation to the mapping of TRCA flood lands on the subject property.
4. The following matters were considered prior to the meeting:

Moved by Councillor Johnson
Seconded by Mayor Ryan

That Council move 'In Camera' for the purposes of litigation or potential litigation including matters before administrative tribunals, affecting the municipality.

CARRIED

DECLARATION OF INTEREST

Councillor Pickles made a declaration of interest in accordance with the Municipal Conflict of Interest Act with respect to a verbal update from the City Solicitor with respect to David Sanford's Application for Judicial Review, as the subject matter pertains to information he deals with as a part of his employment. Councillor Pickles did not take part in the discussion or vote on the matter.

- a) Verbal Update from the City Solicitor with respect to David Sanford's Application for Judicial Review with respect to the Seaton Land Exchange Environmental Assessment

The City Solicitor provided a verbal update to the Committee with respect to the Application for Judicial Review with respect to the Seaton Land Exchange Environmental Assessment.

- b) Memorandum to the Chief Administrative Officer from the City Clerk with respect to extension of the Animal Shelter Arrangement with the Municipality of Clarington

The Director, Corporate Services & Treasurer provided a confidential brief overview of the contract negotiations that had been held.



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Moved by Councillor Dickerson
Seconded by Councillor Ashe

1. That the Animal Shelter Agreement with the Municipality of Clarington be extended for a further six month period, to June 30, 2007; and
2. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.

CARRIED

Moved by Councillor Johnson
Seconded by Councillor Brenner

That the Committee rise and ratify the actions taken.

CARRIED

- c) The Chief Administrative Officer provided a verbal update on recent Durham Regional Police Services activities.
- d) The Chief Administrative Officer provided a brief update to members present of a possible strike by the Durham Regional Transit drivers.
- e) The Chief Administrative Officer provided an update with respect to a recent 2007 strategy session held with senior staff. He advised that members would be provided with a copy of the minutes, and noted that the agenda focused on sustainability issues/objectives of the City.
- f) The City Clerk advised that a request had been made to have the agenda courier delivery times for Members of Council changed to later in the day on Friday's. Based on the discussion, the City Clerk was directed to have the courier time changed to 4:30 pm delivery on Friday afternoons. The timeframe for the agenda uploads to the internet will remain the same.

(III) ADJOURNMENT

The meeting adjourned at 8:15 p.m.