

# Electronic General Committee Meeting Minutes

**Meeting Number: 8**

**June 1, 2020, 9:30 AM - 1:00 PM**

**Live streamed**

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Alex Moore, Manager of Purchasing & Accounts Payable
	Trinela Cane, Commissioner, Corporate Services	Morgan Jones, Director, Operations
	Brenda Librecz, Commissioner of Community & Fire Services	Hristina Giantsopoulos, Elections & Council/Committee Coordinator
	Arvin Prasad, Commissioner Development Services	Scott Chapman, Elections & Council/Committee Coordinator
	Claudia Storto, City Solicitor and Director of Human Resources	John Wong, Technology Support Specialist II
	Joel Lustig, Treasurer	Graham Seaman, Director, Sustainability & Asset Management
	Bryan Frois, Chief of Staff	Shane Manson, Senior Manager, Revenue & Property Taxation
	Kimberley Kitteringham, City Clerk	Gord Miokovic, Manager, System Engineering
	Martha Pettit, Deputy City Clerk	Andrea Tang, Manager, Business Compliance
	Nasir Kenea, Chief Information Officer	Vincent Feng, QMS Coordinator
	Phoebe Fu, Director of Environmental Services	

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## 1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The General Committee Meeting convened at the hour of 9:32 AM in the Canada Room with Regional Councillor Jack Heath presiding as Chair for all items on the agenda.

General Committee recessed at 12:31 PM and reconvened at 12:50 PM.

Mayor Frank Scarpitti returned at 1:11 PM after the recess.

**2. DISCLOSURE OF PECUNIARY INTEREST**

There were none disclosed.

**3. APPROVAL OF PREVIOUS MINUTES**

**3.1 MINUTES OF THE MAY 19, 2020 GENERAL COMMITTEE (16.0)**

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Joe Li

1. That the minutes of the May 19, 2020 General Committee meeting be confirmed.

**Carried**

**4. DEPUTATIONS**

There were no deputations.

**5. COMMUNICATIONS**

There were no communications.

**6. PETITIONS**

There were no petitions.

**7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES**

**7.1 EXTERNAL AUDIT SERVICES CONTRACT EXTENSION (7.0)**

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the report entitled “External Audit Services Contract Extension” be received; and,
2. That the contract for the five year fiscal period commencing with the 2020 audit and ending with the 2024 audit be awarded to KPMG LLP Chartered Accountants in annual amount of \$91,737.00 inclusive of HST with a 1% increase in years 2–5 (2021 – 2024); and,
3. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with Canadian accounting standards for the public sector of The Corporation of the City of Markham, The Corporation of the City of Markham Trust Fund, City of Markham Public Library Board, Old Markham Village Business Improvement Area (MBIA), and Unionville Business Improvement Area (UBIA); and,
4. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with Canadian accounting standards for not-for-profit organizations (“ASNPO”) Varley-McKay Art Foundation, The Friends of Markham Museum Foundation, and The Markham Foundation for Performing Arts and Destination Markham Corporation; and,
5. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with International Financial Reporting Standards (“IFRS”) of Markham District Energy Inc. (MDEI) and Markham Enterprises Corporation (MEC); and,
6. That the contract include the preparation of income tax returns for MDEI and MEC; and,
7. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1, (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial” & (h) where it is necessary or in the best interests of the City to acquire Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service; and,
8. That the award for the audit for fiscal years 2020 to 2024 be funded from the respective annual operating budget as identified under financial considerations; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8. CONSENT REPORTS - ENVIRONMENT & SUSTAINABILITY ISSUES**

### **8.1 THE ONTARIO MINISTRY OF ENVIRONMENT, CONSERVATION AND PARKS – MARKHAM DISTRIBUTION SYSTEM – INSPECTION REPORT, JANUARY 29, 2020 (5.0)**

The Committee discussed concerns about inspections, that the report title should reflect the type of inspection report and requested information about the audit process.

Brenda Librecz, Commissioner of Community and Fire Services addressed the Committee to provide that this was a pilot report and the City fulfilled the content requirements as outlined by the Province. The Commissioner suggested that the concerns from the Committee can be submitted in a formal response to the Province and that an outline of the audit structure, process and testing can be prepared for Members of the Committee.

The Committee requested that staff bring back a potential response letter to the Province at the next General Committee Meeting on June 15, 2020 that addresses the concerns for review.

Moved by Councillor Reid McAlpine

Seconded by Councillor Isa Lee

1. That the report entitled “The Ontario Ministry of Environment, Conservation and Parks – Markham Distribution System –Inspection Report, January 29, 2020” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### **8.2 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (5.3)**

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the report titled “Quality Management System Management Review” be received; and,

2. That Council, as the Owner of the City's drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **9. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES**

### **9.1 DIGITAL MARKHAM STRATEGY UPDATE (7.13)**

Trinela Cane, Commissioner of Corporate Services addressed the Committee to introduce the item and noted that the presentation is a comprehensive update on the progress made so far with the collaborative contributions of all City departments and commissions. Ms. Cane introduced Nasir Kenea, Chief Information Officer, who delivered a presentation entitled, Digital Markham Strategy Update.

The Committee thanked staff for the presentation and discussed the following:

- The feasibility of providing universal free Wi-Fi for the City in public spaces including parks, community gardens;
- Consideration to facilitate the lending out of iPads at City libraries;
- Inquiries on key performance indicators, measurement of customer satisfaction, and time taken for task completion;
- Concerns with public engagement and how residents can engage with the City on initiatives;
- Concerns with technical access to services by residents;
- Concerns with broadband service in rural hamlets: Dixon Hill, Cedar Grove, and Locust Hill;
- Facilitation of improvements to fibre-optics and infrastructure for improved broadband and connectivity to residents;
- The York Telecom Network initiative to expand connectivity to municipal buildings and facilities;
- Access to ePlan to allow members of the community to obtain information on application status;

- Public promotion of YourVoice Markham;
- Consideration of interactive marketing to cross-promote other City services when residents make online inquiries;
- Live-streaming of Heritage and COA meetings;
- Access to AMANDA and ePlan;
- Inquiry about the potential Microsoft 365 Enterprise pilot;
- Use of sensors throughout the City, the data provided and their return on investment; and
- Consideration to support small business promotion and signage fees.

Staff addressed the Committee to provide details on most of the discussion items raised, and the current programs including some of the initiatives underway to support the digital strategy objectives.

The Committee acknowledged the many improvements and advancements made in the Digital Markham Strategy implementation, and requested that staff return to Committee in September 2020 with information on the inquiries made in relation to key performance indicators such as enhanced services/efficiencies, return on investment on the digital strategy, and a progress update on increased broadband including YTN (York Telecom Network).

The Committee requested that staff look into the costs and considerations of live-streaming Committee of Adjustment and Heritage Markham meetings. Andy Taylor, Chief Administrative Officer, will review the possibility of the extension of sign permits and discounts for small businesses and advise accordingly.

Moved by Mayor Frank Scarpitti  
Seconded by Councillor Khalid Usman

1. That the presentation entitled "Digital Markham Strategy Update" be received; and,
2. That staff be directed to do all things necessary to advance the implementation of the Digital Markham Strategy; and further,
3. That staff report back to Committee annually.

**Carried**

Moved by Mayor Frank Scarpitti  
 Seconded by Councillor Karen Rea

1. That Committee of Adjustment meetings be live-streamed; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **10. PRESENTATIONS - ENVIRONMENT & SUSTAINABILITY ISSUES**

### **10.1 CONSTRUCTION OF THE EAST MARKHAM WORKS YARD AT 10192 NINTH LINE (5.0)**

Brenda Librecz, Commissioner of Community and Fire Services addressed the Committee to provide information in relation to the current stage of this project that will improve winter maintenance service across the City, especially in the east and north areas and acknowledged the work completed together with Trinela Cane, Commissioner of Corporate Services, and staff from the Sustainability and Asset Management, Finance, Operations, and Legal departments. Commissioner Librecz indicated that additional approvals are necessary to proceed from a project management perspective.

Graham Seaman, Director, Sustainability and Asset Management, addressed the committee and delivered a presentation entitled, Construction of the East Markham Works Yard 10192 Ninth Line which highlighted the additional requirements, award of tenders and revised budget for the East Markham Works Yard project.

The Committee thanked staff for their presentation and discussed the following:

- Inquiries into the lessons learned and their implications in relation to the project progress and budget;
- The Region's requests for a left turn lane and allocation of surplus land towards future road widening;
- Allocation of financial responsibility to the Region's requests;
- Inquiries into the types of contingencies and due diligence undertaken;
- Providing opportunities for leasing of unused land;

- Project funding allocation and use of current and future development charges;
- Future development and zoning opportunities;
- Items of completion in each phase;
- Consideration of previous use of pesticides;

The Committee acknowledged the contributions by staff and requested that staff provide memo to Members of Council at the June 9, 2020 Council Meeting containing detailed information relative to the original and current budget to identify variances in addition to providing confirmation that the Region's request for the City to undertake a left turn lane, bike lanes, and road widening are standard.

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That the presentation entitled “Construction of the East Markham Works Yard at 10192 Ninth Line” be received; and,
2. That after the draft reference plan prepared by E.R. Garden Limited (File No. 20-7618) attached as Attachment No. 1 to this presentation (the “Draft R-Plan”) is deposited on title, the proposed declaration of the following lands as surplus to municipal purposes be added to a public agenda of a Council meeting: the lands described as Part of Lots 21 & 22, Concession 8, Markham, shown as Part 1 on the Draft R-Plan (being approximately 648.8m<sup>2</sup> (0.16 Acres); and,
3. That subject to recommendation #2, the lands described as Part of Lots 21 & 22, Concession 8, Markham, shown as Part 1 on the Draft R-Plan, be declared surplus to municipal purposes and conveyed to The Regional Municipality of York for road widening purposes; and,
4. That the Mayor and Clerk be authorized to execute agreement(s) with The Regional Municipality of York, in a form satisfactory to the Director of Operations, Director of Sustainability & Asset Management and the City Solicitor, required for the development of a works yard on the lands municipally known as 10192 9th Line; and,
5. That Council award the following tenders:



Tender 078-T-20 Construction of the East Markham Works Yard be awarded to the lowest priced bidder, Orin Contractors Corp. in the amount of \$11,494,687.42 inclusive of HST

Tender 117-T-20 Supply and Installation of the Office Trailer be awarded to the lowest priced bidder, City Core Construction Inc., in the amount of \$421,795.20 inclusive of HST; and,

6. That a 5% contingency in the amount of \$595,824.13 (\$574,734.37 + \$21,089.76) inclusive of HST, be established for each contract to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
7. That the cost of \$12,512,306.75 (\$11,494,687.42 + \$421,795.20 + \$574,734.37 + \$21,089.76) be funded from project #19288 Design and Construction of Works Yard (account # 056-5350-19288-005) with budget available of \$6,440,000.00; and,
8. That shortfall in the amount of \$6,072,306.75 (\$12,512,306.75 - \$6,440,000.00) be funded from the Development Charges Reserve Fund \$5,920,499.08 or 97.5% and Non-DC Growth Reserve \$151,807.67 or 2.5%; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**11. MOTIONS**

There were no motions.

**12. NOTICES OF MOTION**

There were no notices of motion.

**13. NEW/OTHER BUSINESS**

There was no new or other business.

**14. ANNOUNCEMENTS**

There were no announcements.

**15. CONFIDENTIAL ITEMS**

Deputy Mayor Don Hamilton addressed the Committee to request support to go into Confidential Session and obtain legal advice on New Business Item, 15.2.1.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

That the rules of procedure be waived to introduce an item to the Confidential Session Agenda regarding an identifiable individual and to seek legal advice.

**Carried by a Two Thirds Vote**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters:

**Carried**

## **15.1 FINANCE & ADMINISTRATIVE ISSUES**

### **15.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - FEBRUARY 18, 2020 (16.0) [Section 239 (2) (a) (b) (c) (e) (f)]**

General Committee confirmed the February 18, 2020 confidential minutes.

### **15.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (5.5) [Section 239 (2) (e)]**

General Committee consented to refer this item to the Confidential Council Agenda on June 9, 2020 for consideration.

## **15.2 NEW/OTHER BUSINESS**

### **15.2.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES; ADVICE THAT IS SUBJECT TO SOLICITOR- CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE [SECTION 239 (2) (b) (f)]**

General Committee received confidential and privileged advice from the City Solicitor on this matter.

Moved By Councillor Andrew Keyes Seconded By Regional Councillor Jim Jones

That the General Committee confidential session adjourn at 2:32 PM.

**Carried**

**16. ADJOURNMENT**

Moved by Deputy Mayor Don Hamilton  
Seconded by Regional Councillor Joe Li

That the General Committee meeting adjourn at 2:37 PM.

**Carried**