

Electronic General Committee Meeting Minutes

Meeting Number: 18
November 30, 2020, 9:30 AM - 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Joel Lustig, Treasurer Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Phoebe Fu, Director of Environmental Services Hristina Giantsopoulos, Election & Council/Committee Coordinator	Alida Tari, Manager, Access & Privacy John Wong, Technology Support Specialist II Graham Seaman, Director, Sustainability & Asset Management Grace Lombardi, Election & Committee Coordinator Meg West, Manager of Business Planning and Projects Mark Visser, Sr Manager Strategy Innovation & Investments Rob Cole, Manager, Applications Lisa Chen, Sr. Manager, Financial Planning & Reporting Claudia Marsales, Senior Manager Waste Management & Environment Michael DiPasquale, Supervisor, Waste Management

1. CALL TO ORDER

Under the authority of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) and the City of Markham's *Council Procedural By-law 2017-5*, and in consideration of the advice of public health authorities, this meeting was conducted electronically with members of General Committee, staff, and members of the public participating remotely.

General Committee convened at 9:33 AM with Regional Councillor Jack Heath presiding as Chair for all items on the agenda. The Committee resolved into confidential session at 11:05 AM, and reconvened into open session at 11:30 AM. The Committee resolved into confidential session once more at 2:50 PM.

The Committee recessed for lunch at 1:02 PM and reconvened at 1:40 PM.

Regional Councillor Joe Li left the meeting at 2:26 PM and returned at 2:44 PM

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. DEPUTATIONS

There were deputations on item 8.1 Markham Environmental Advisory Committee (MEAC) Minutes February 20, 2020. Please refer to the item for details.

Moved by Councillor Alan Ho
Seconded by Councillor Isa Lee

That the Committee consent to proceed to address item 8.1 Minutes of the Environmental Advisory Committee (MEAC) Minutes February 20, 2020 and the deputations.

Carried

4. COMMUNICATIONS

There were none.

5. PETITIONS

There were no petitions.

6. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES

6.1 AUDITOR GENERAL - UPDATE (7.0)

Trinela Cane, Commissioner, Corporate Services, addressed the Committee to introduce the City's Auditor General, Geoff Rodrigues, Partner, National Internal Audit Leader, MNP LLP and his team who delivered three presentations on audit work that was undertaken in the first four years of the Auditor General

mandate. The first presentation, Auditor General Update is an overview presentation that highlighted the work that has been completed as part of the four year audit plan and included respective follow up on the status of the recommendations for the HRIS Implementation and Development Charges audits. There were additional audit presentations on Information and Records Management and on Cyber Security, in confidential session. It was indicated that the plan for the next five-year audit cycle is being developed and will be presented to the Committee in the new year.

Geoff Rodrigues addressed the Committee to introduce his team Veronica Bila, Partner, Enterprise Risk Services, Chris Wu, Manager, Enterprise Risk Services, Eugene Ng, Partner, Cyber Security Services, and Adriano Bertoni, Manager, Cyber Security Services and delivered the first presentation, Auditor General Update. He noted that even within the current COVID-19 environment, the audit work and follow-up reporting was conducted remotely and without delays or cost impact.

The Committee inquired about the timing of the subsequent Audit Plan. Mr. Rodrigues indicated that that it will be presented to the Executive Leadership Team and General Committee in January 2021.

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. The Auditor General Update Presentation be received; and,
2. HRIS Implementation Audit – Follow Up Report be received; and,
3. The Development Charges Audit - Follow Up Report be received; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.2 AUDITOR GENERAL – INFORMATION AND RECORDS MANAGEMENT AUDIT (7.0)

Geoff Rodrigues, Partner, National Internal Audit Leader, MNP LLP, introduced the item and indicated that this is a final audit for Information and Records Management. Veronica Bila, Partner, Enterprise Risk Services, and Christopher Wu, Manager, Enterprise Risk Services delivered the presentation entitled Auditor General - Information and Records Management Audit. The Auditors

noted the City's progress with respect to the approval of a Corporate records retention by-law and the development of a corporate records management policy. It was also noted that there were no "high risk" items to report on.

The Committee made the following inquiries in relation to the presentation:

- The status of the recruitment for the recently approved Privacy & Records Analyst - to implement records management initiatives and clarification on the role;
- Timeline to implement the recommended programs and strategies;
- The difference between an official record and a transitory record;
- Ensuring records are kept according to the City's Record's Classification and Retention By-law;
- Concerns with data storage relative to electronic records;
- The various types of Freedom of Information (FOI) requests and the City's routine disclosure plan;
- Legislated fees that are associated with FOI requests;
- The importance of policy development and implementation of numerous new software programs throughout the Corporation; and,
- Consideration to providing an update on initiatives and their timing in the third quarter of 2021.

The Committee thanked MNP LLP for their presentation and findings and thanked staff for the implementation of the recommendations. They also requested an update report in the third quarter of 2021.

Staff responded to the inquiries posed by the Committee and indicated that Scott Chapman is the City's new Corporate Privacy and Records Coordinator and will work with Alida Tari, Manager, Access and Privacy to implement the audit recommendations. Staff indicated that as part of an ongoing review of routinely disclosed information, additional information will continue to be made available on the City's website. It was also noted that there is a MFIPPA request disclosure summary currently on the City's website that outlines the various FOI requests received by the City, and that the link will be forwarded to Members of the Committee.

Trinela Cane, Commissioner, Corporate Services, addressed the Committee and indicated that while there were no high risk items reported on, information

management is an important initiative and that under the leadership of the City Clerk, the City is moving in a positive direction and will provide a report back in the third quarter of 2021.

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. The Information and Records Management Audit Presentation be received; and,
2. The Information and Records Management Audit Report be received; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 2021 STORMWATER FEE UPDATE (7.0)

Joel Lustig, Treasurer, addressed the Committee to provide an update with respect to the reinstatement of the stormwater fee in 2021 for residential and non-residential properties. He advised Committee that the reinstatement of the stormwater fee is scheduled to commence in 2021. It was recommended that should Council consider extending relief into 2021 that an application based approach similar to property tax relief program should be implemented.

The Committee suggested that if property owners are able to pay their property taxes that they also pay the stormwater fee. There was discussion on the following:

- Implications of not reinstating the stormwater fee in 2021 and beyond;
- Consideration to implement the fee with the option to defer the payment;
- Consideration to an application process to defer the payment;
- Consideration to make the application process easy and consistent with that of property tax payment deferral;
- Impact on current cash flow;
- Inquiry into when would there be an increase in the peak borrowing;
- Inquiry into the net present value of the increased cost;

- Consideration to refer to 'postponed' versus 'deferred'; and,
- The inclusion of a timeframe for the deferral of the fee.

Staff provided information in response to the Committee's inquiries.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

That the presentation entitled Stormwater Fee Update be received; and,

1. That the stormwater fee be reinstated in 2021; and,

That Council approve the implementation of an application based program for the **deferral of the 2021** stormwater fee for eligible taxpayers; and further,

That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. CONSENT - COMMUNITY SERVICES ISSUES

7.1 UPDATED BLUE BOX TRANSITION TIMING AND UPDATE (5.1)

The Chair acknowledged staff for their work on the updated comments from the City to the Environmental Registry of Ontario (ERO).

There was a brief discussion in relation to the following:

- Waste Diversion Committee input to comment letter;
- Outline of potential differences between the information provided at the last General Committee meeting;
- Inquiry into the definition of service delivery options; and,
- The City's position related to Region transition timing.

Staff confirmed that there are no fundamental differences between the information provided at the last General Committee meeting versus the information provided today other than the updated comments that will be submitted on behalf of the City to the ERO Ministry registry with respect to holiday collection, schedule changes, and program review. It was further indicated that the City is requesting

to be placed on 2023 transition year, apart from the Region's transition date of 2025.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Karen Rea

1. That the presentation entitled "New Provincial Blue Box Regulation and Preferred Program Transition Date" be received; and,
2. That the City of Markham submit the attached document entitled "City of Markham Comments – ERO (Environmental Registry Ontario) Number 019-2579" and Council Resolution to the Minister of the Environment, Conservation and Parks and Ontario's Environmental Registry as the City of Markham's official comments on the draft Blue Box Regulation; and,
3. That the City of Markham requests that the Minister of the Environment, Conservation and Parks include Markham as an Eligible Community on the final Transition Schedule and be assigned the transition date of January 1st, 2023; and,
4. That if an earlier transition date is not provided, the City of Markham requests the right to negotiate directly with the Producers for a date earlier than the one indicated on the final Transition Schedule; and,
5. That the City of Markham requests that the eligible sources, as indicated by the Draft Blue Box Regulation, be expanded to include recycling depots in communities with curbside Blue Box collection, municipal facilities including public-facing community facilities, all public spaces, Blue Boxes located at Canada Post super mailboxes, and small retail businesses within Business Improvement Areas; and,
6. That the City of Markham requests that the obligations for collection after the transition period (2026+) be equal to or exceed the service standards applicable in transitioning communities on August 15, 2019, specifically, increase Blue Box collection from every other week to weekly collection; and,
7. That, if provided with the ability to select the service delivery option, the City of Markham reserves the right to select the service delivery option determined to be the most financially and operationally beneficial for its residents and report back to Council on the preferred service delivery option; and,

8. That Staff be directed to update Council following the release of the final Regulation and Transition Schedule by the Ministry of the Environment, Conservation and Parks; and,
9. That the City Clerk be directed to forward a copy of this resolution and Comment Letter to the Association of Municipalities of Ontario, York Region and Local Municipalities and the Ontario Ministry of the Environment, Conservation and Parks; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. REGULAR REPORTS - ENVIRONMENT & SUSTAINABILITY ISSUES

8.1 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (MEAC) MINUTES – FEBRUARY 20, 2020 (16.34)

There were deputations in relation to this item as follows:

Martin Bush, Markham Environmental Advisory Committee (MEAC) representative and expressed his support for the Climate Emergency Declaration.

Ethan Ly, Team Program at Milliken Mills High School student representative addressed the Committee and expressed his support for the Climate Emergency Declaration.

Allen Small, Markham resident addressed the Committee and expressed his opposition for the Climate Emergency Declaration.

The Committee suggested that the Climate Emergency Declaration be received and referred to staff for analysis and discussion.

Graham Seaman, Director, Sustainability and Asset Management addressed the Committee to provide context on the declaration written by MEAC and will review the entire document and will report back on this matter in the second quarter of 2021.

Moved by Councillor Andrew Keyes
Seconded by Deputy Mayor Don Hamilton

That the minutes of the Markham Environmental Advisory Committee (MEAC) meetings held February 20, 2020 be received for information purposes.

Carried

Moved by Councillor Amanda Collucci
Seconded by Councillor Reid McAlpine

That the Climate Emergency Declaration be referred to staff for analysis and discussion.

Carried

9. MOTIONS

There were no motions.

10. NOTICES OF MOTION

There were no notices of motion.

11. NEW/OTHER BUSINESS

The following New Business Items were introduced by the Members of the Committee:

1. Councillor Rea addressed the Committee and requested a follow up on a previous motion with respect to backyard paving in the first quarter of 2021;
2. Councillor Rea inquired about the number of by-law officers that will address the recent enforcement blitz and what the potential budget impact may be;
3. Councillor Ho inquired about availability of outdoor community maintained ice-rinks; and,
4. Councillor Irish inquired about extending outdoor use of City amenities such as basket ball and tennis courts, and pathways.

Staff provided information in relation to these these items and will provide additional updates as requested.

12. ANNOUNCEMENTS

The Mayor and Members of Committee acknowledged Councillor Andrew Keyes' birthday and extended their best wishes.

13. CONFIDENTIAL ITEMS

The Committee convened into closed session at 11:05 AM to address Item 13.1.1 and again at 2:50 PM to address Item 13.1.3.

Moved by Councillor Amanda Collucci
 Seconded by Mayor Frank Scarpitti

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

Carried

Moved by Regional Councillor Joe Li
 Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session a second time to discuss item 13.1.3 Labour Relations or Employee Negotiations: Personnel Matter (11.) [Section 239 (2) (d)]

Carried

13.1 FINANCE & ADMINISTRATIVE ISSUES

13.1.1 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM; CYBER SECURITY (7.0) [SECTION 239 (2)(h)]

General Committee consented to place this matter on the December 9, 2020 confidential Council agenda for consideration.

13.1.2 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM; INFORMATION MANAGEMENT AUDIT RESULTS (7.0) [SECTION 239 (2) (h)]

Note: This item has been moved to the open session.

13.1.3 LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS; PERSONNEL MATTER (11.0) [SECTION 239 (2) (d)]

The Committee consented to place this item on the December 7, 2020 General Committee confidential agenda for further consideration.

That the General Committee confidential meeting adjourn at 3:51 PM.

Moved By Councillor Reid McAlpine

Seconded By Councillor Amanda Collucci

Carried

14. ADJOURNMENT

General Committee adjourned at 2:47 PM and convened into closed session. The Committee did not return to open session and consented to place Item 13.1.1 on the December 9, 2020 confidential Council agenda for consideration. The Committee consented to place item 13.1.3 on the December 7, 2020 General Committee agenda for further consideration.

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

That the General Committee meeting adjourn at 2:47 PM.

Carried