

Electronic General Committee Meeting Minutes

Meeting Number: 17
November 16, 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	Grace Lombardi, Election and Council/Committee Coordinator
	Trinela Cane, Commissioner, Corporate Services	Terence Tang, Technology Support Specialist II
	Arvin Prasad, Commissioner Development Services	Debbie Walker, Library Director, Library Strategy & Innovation
	Claudia Storto, City Solicitor and Director of Human Resources	Claudia Marsales, Senior Manager Waste Management & Environment
	Joel Lustig, Treasurer	Shannon Neville, Financial Analyst, Development Finance
	Bryan Frois, Chief of Staff	Vincent Feng, QMS Coordinator
	Phoebe Fu, Director of Environmental Services	Eddy Wu, Manager, Operations & Maintenance
	Mary Creighton, Director of Recreation Services	Francesco Santaguida, Assistant City Solicitor
	Brian Lee, Director, Engineering	Mark Visser, Sr. Manager Strategy Innovation & Investments
	Alex Moore, Manager of Purchasing & Accounts Payable	Meg West, Manager of Business Planning and Projects
	Morgan Jones, Director, Operations	Lisa Chen, Sr. Manager, Financial Planning & Reporting
	Hristina Giantsopoulos, Election & Council/Committee Coordinator	Eric Lizotte, Manager
	John Wong, Technology Support Specialist II	Michael DiPasquale, Supervisor, Waste Management
	Graham Seaman, Director, Sustainability & Asset Management	

Shane Manson, Senior Manager,
Revenue & Property Taxation

Kevin Ross, Manager, Development
Finance & Payroll
Lisa Riegel, Assistant City Solicitor

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.

Mayor Scarpitti arrived at 10:04, exited the meeting at 12:25 PM and returned at 1:30 PM.

Councillor Usman arrived at 9:42 AM.

The Committee recessed for lunch at 12:45 PM and reconvened at 1:30 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE OCTOBER 21, 2020 SPECIAL GENERAL COMMITTEE (16.0)

Moved by Councillor Amanda Collucci
Seconded by Councillor Alan Ho

1. That the minutes of the October 21, 2020 Special General Committee meeting be confirmed.

Carried

3.2 MINUTES OF THE NOVEMBER 2, 2020 GENERAL COMMITTEE (16.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

1. That the minutes of the November 2, 2020 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

5.1 YORK REGION COMMUNICATIONS (13.4)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Keith Irish

1. That the communications dated October 26, 2020 and October 30, 2020 from York Region be received for information purposes:
 - a. 2019 Annual Waste Management Report
 - b. Update on Travel Patterns in York Region During COVID-19 Pandemic
 - c. Partnership Programs - Municipal Streetscape and Pedestrian and Cycling - Annual Update
 - d. Traffic Bylaw Amendments to Support Rapidways
 - e. Proposed Employment Area Mapping and Employment Conversions
 - f. Potential for Employment Lands Along 400 Series Highway
 - g. Potential Re-Opening of Businesses within York Region

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

7.1 MINUTES OF THE SEPTEMBER 21, 2020 MARKHAM PUBLIC LIBRARY BOARD (16.0)

Moved by Regional Councillor Joe Li

Seconded by Councillor Amanda Collucci

1. That the minutes of the September 21, 2020 Markham Public Library Board meeting be received for information purposes.

Carried

7.2 2021 INTERIM TAX LEVY BY-LAW (7.3)

Moved by Regional Councillor Joe Li

Seconded by Councillor Amanda Collucci

1. That the report “2021 Interim Tax Levy By-law” be received; and,
2. That Council authorize an interim tax levy for 2021; and,
3. That the attached by-law be passed to authorize the 2021 interim tax levy; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.3 PROPERTY TAX PAYMENT DEFERRAL PROGRAM (7.3)

The Committee discussed the following in relation to the Property Tax Payment Deferral Program report:

- The current status of property tax arrears for the 2020 taxation year and that tax receivables for 2020 are higher than in the previous years;
- That the implementation of the application based Property Tax Payment Deferral Program should be easy to apply and qualify for;
- The communication and roll out of the application based Property Tax Deferral Program;
- The Business Education Tax (BET) Reduction announced by the Province through the 2020 Provincial Budget;

- The establishment of the new optional property subclass for small business announced through the Provincial budget; and,
- Consideration that staff provide further details with respect to the new optional property subclass for small business in January if possible.

Joel Lustig, Treasurer and Shane Manson, Senior Manager, Revenue & Property Taxation addressed the Committee provided confirmation on the following in relation to the discussion:

- The year-end collection rate is forecasted to be in the range of 92% - 95% and would be lower than the average collection rate of 96.5% received in previous years;
- The property tax reminder notice sent property owners November 13th, 2020 which should assist in improving the overall collection results for the 2020 taxation year;
- The Property Tax Payment Deferral Program will be communicated through the 2021 Property Tax Brochure along with electronic formats such as the City portal and digital media;
- That there is currently a wide range of BET rates across the Province and that the BET rates in Markham are currently on the lower end, however it is anticipated that the Provincial announcement will provide some savings to business owners;
- That York Region Council would have to approve the adoption of the new optional property subclass for small business, and while the new optional property class could allow for a reduction in property taxes for small business properties, it would result in a shift of property tax to one or both of the main Commercial / Industrial classes; and,
- That staff would review the new authority of the optional tax subclass with the Region of York, to determine its feasibility and impact, and will report back in the spring of 2021.

The Committee provided support to the Property Tax Deferral Program for 2021 and suggested that the property tax deferral application be made available digitally and be demonstrated at an upcoming General Committee meeting.

Moved by Councillor Keith Irish
Seconded by Mayor Frank Scarpitti

1. That the report entitled Property Tax Payment Deferral Program be received; and,
2. That Council authorize a Property Tax Payment Deferral Program for the 2021 taxation year for eligible taxpayers; and,
3. That the 2021 Interim Tax Levy By-law include the necessary clauses to permit the waiving of late payment charges for the 2021 taxation year for eligible property owners of the Property Tax Payment Deferral Program, and,
4. **That staff request a report from the Region on the impact of a new optional property subclass for small business by end of January 2021; and,**
5. **That staff provide a report on the financial impact to the City resulting from the Property Tax Payment Deferral Program to General Committee in June 2021, and further;**
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.4 STAFF AWARDED CONTRACTS FOR THE MONTH OF OCTOBER 2020 (7.12)

The Committee made inquiries relative to the the following:

- Contract 151-T-20 Cornell NP Park Maintenance Building - Construction; and,
- Contract 210-S-20 Wismer Park Washroom/Pavilion Building and Maintenance Building - Contract Extension.

Staff will provide information to verify the construction method utilized for the Cornell NP Park Maintenance Building.

Moved by Deputy Mayor Don Hamilton
Seconded by Regional Councillor Jim Jones

1. That the report entitled “Staff Awarded Contracts for the Month of October 2020” be received; and,

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

Carried

7.5 STATUS OF CAPITAL PROJECTS AS OF SEPTEMBER 30, 2020 (7.5)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Reid McAlpine

1. That the report dated November 16, 2020 titled “Status of Capital Projects as of September 30, 2020” be received; and,
2. That the Projects Completed within Scope with Surplus Funds and the Projects Completed within Scope without Surplus Funds, as identified on Exhibit B, be approved for closure and funds in the amount of \$3,891,898 be transferred to the original sources of funding as identified on Exhibit B; and
3. That the Projects Closed and Deferred to a Future Year and the Projects Closed and Not or Partially Initiated, as identified on Exhibit C, be approved for closure and funds in the amount of \$2,099,287 be transferred to the original sources of funding as identified in Exhibit C; and
4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$431,780 to the approved amount of \$250,000; and,
5. That the following new capital projects, initiated subsequent to the approval of the 2020 capital budget, be approved:
 - 20302 – Royal Orchard/Bayview Transportation Improvements – Budget of \$175,000 funded from Developer Fees.
 - 20303 – Residential Water Service Connections – Budget of \$401,105 funded from External Revenues (home owners).
 - 20306 – Seasonal Tennis Bubble - Lighting Upgrade (South Court) – Budget of \$111,936 funded from the Non-Development Charge Capital Contingency; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.6 AWARD OF TENDER 065-T-20 SUPPLY AND DELIVERY OF WATERWORKS AND SANITARY SEWER MATERIALS (7.12)

Moved by Regional Councillor Joe Li

Seconded by Councillor Amanda Collucci

1. That the report entitled “Award of Tender 065-T-20 Supply and Delivery of Waterworks and Sanitary Sewer Materials” be received; and,
2. That the contract for the supply and delivery of waterworks and sanitary sewer materials be awarded to the lowest priced Bidder, Wamco, for one (1) year with an option to renew the contract for two (2) additional one year terms at the same itemized pricing in the total amount of \$573,514.30 inclusive of HST, broken down as follows;
 - Year 1 (2021) \$191,171.43
 - Year 2 (2022) \$191,171.43
 - Year 3 (2023) \$191,171.43

Total (3 years) \$573,514.29

3. That the 2021 award in the amount of \$191,171.43 (Inclusive of HST) be funded from the operating accounts identified in the Financial Considerations section of this report with total available budget of \$177,188.00; and
4. That the budget shortfall in the amount of \$13,983.43 (\$191,171.43 - \$177,188.00) be included as part of the 2021 Waterworks operating budget; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. CONSENT REPORTS - COMMUNITY SERVICES ISSUES

8.1 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (3.0)

Moved by Regional Councillor Joe Li

Seconded by Councillor Amanda Collucci

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 - COMMUNITY SERVICES ISSUES

9.1 MARKHAM PUBLIC LIBRARY BOARD PRESENTATION TO COUNCIL (3.19)

Alick Siu, Chair of the Library Board addressed the Committee and together with Margaret McGrory, Board Vice-Chair, and Library Board members, Raymond Chan, Edward Choi and David Whetham delivered a presentation entitled, Markham Library's Future that provided an overview of the library initiatives since the COVID-19 pandemic closure that was enacted on March 13, 2020 and details of their strategic plan for 2021. Catherine Biss, Library, Chief Executive Officer, provided information in relation to the time frame to execute the goals and objectives.

Moved by Councillor Alan Ho
Seconded by Councillor Isa Lee

That the presentation entitled, Markham Library's Future be received.

Carried

9.2 NEW PROVINCIAL BLUE BOX REGULATIONS AND PREFERRED PROGRAM TRANSITION DATE (5.1)

Claudia Marsales, Senior Manager Waste & Environmental Management addressed the Committee and delivered a presentation entitled, New Provincial Blue Box Regulations and Preferred Program Transition Date, that provided an

overview of the draft regulations and details on the preferred transition date for the City.

The Committee discussed the following in relation to the presentation:

- The timeline of December 3, 2020 to provide comments to the Province and the City's preferred transition date;
- Clarification on the service and financial impacts of transition and potential savings to the City and tax payers;
- The financial implications on the collection contract when the service is transitioned to Producers;
- Inquiry into the recovery/diversion rates;
- Consideration for marketing and recycling of recyclable materials from the updated blue box acceptance list and increased recycled content;
- The criteria used to determine municipal transition dates and what provisions there are to allow for municipalities to transition early;
- Consideration to increase the WDO funding level to 100% in the event the City's preferred transition date be delayed;
- The inclusion of all business into the recycling program within and outside the Business Improvement Areas;
- The possibility of Miller Waste being contracted by the Producers to undertake the City's recycling services and the provisions for the City to avoid financial penalties under the current contract;
- Concerns with potential contract penalties and transition options;
- Concerns with pick up frequency compared to current weekly service level;
- Concerns with service level at recycling depots;
- Consideration to include in the comment letter to the Province:
 - the City's preference for which company should be contracted to undertake the new recycling program in Markham
 - blue bags as an accepted receptacle
 - standardization of product packaging from producers
 - maintain current level of service (weekly and depot collection) and the types of accepted recyclable materials; and,

- Ensure materials such as black plastic, coffee cups and lids are recycled and not incinerated.

Staff acknowledged the Committee's concerns and advised that the letter to the Province with the preferred transition date of January 1, 2023 will include the items discussed. Additional information was provided on the financial benefits and costs of the new program and that current service levels would be maintained until at least 2026 when producers may initiate efficiency opportunities. Staff indicated that producers have to meet specific diversion targets and it is to their benefit to recycle as much material as possible. Once final details of the program are announced, the City can evaluate the best service delivery options to meet the needs of residents and businesses.

The Committee suggested that there be an additional examination of the draft regulations and comments to the Ministry through the Waste Diversion Committee, prior to the next General Committee meeting on November 30, 2020.

Moved by Councillor Reid McAlpine

Seconded by Councillor Keith Irish

1. That the presentation entitled “New Provincial Blue Box Regulations 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 Regulations; and,
3. That the City of Markham request 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, or as early as possible, prior to 2025; and,
4. That if an earlier transition date is not provided, the City of Markham request 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 request 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, public-facing 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 request 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 right to select the service delivery option, the City of Markham reserve 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

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

There were no notices of motion.

12. NEW/OTHER BUSINESS

There was no new or other business.

13. ANNOUNCEMENTS

The Mayor addressed the Committee to recognize Councillor Andrew Keyes and staff in appreciation for their work on the poignant Remembrance Day ceremony. He also expressed his appreciation to Andy Taylor, Chief Administrative Officer for the celebratory announcement of the City's new Fire Chief, Adam Grant.

Additionally, the Mayor provided information in relation to the Markham Community Open House at York University that will take place on Monday, November 16, 2020 at 7:00 PM.

14. ADJOURNMENT

General Committee adjourned at 2:20 PM and convened into closed session. The Committee did not return to open session and consented to place Item 15.1.3 on the November 24, 2020 confidential Council agenda for consideration.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Khalid Usman

That the General Committee meeting adjourn at 2:25 PM.

15. CONFIDENTIAL ITEMS

Moved by Mayor Frank Scarpitti
Seconded by Councillor Khalid Usman

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 - OCTOBER 19, 2020 (16.0) [Section 239 (2) (k)(a)]

General Committee confirmed the October 19, 2020 confidential minutes.

15.1.2 SPECIAL GENERAL COMMITTEE CONFIDENTIAL MINUTES - OCTOBER 21, 2020 (16.0) [Section 239 (2) (b)]

General Committee confirmed the October 21, 2020 confidential minutes.

15.1.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; DEVELOPMENT CHARGE COMPLAINTS (8.7) [SECTION 239 (2) (e)]

General Committee consented to place this matter on the November 24, 2020 confidential Council agenda for consideration.

Moved By Councillor Mayor Frank Scarpitti

Seconded By Councillor Khalid Usman

That the General Committee confidential session adjourn at 2:34 PM.

Carried