

Electronic General Committee Meeting Minutes

Meeting Number: 9
May 31, 2021, 9:30 AM - 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton 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
Regrets	Regional Councillor Jack Heath	
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate 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 Adam Grant, Fire Chief Biju Karumanchery, Director, Planning & Urban Design Graham Seaman, Director, Sustainability & Asset Management Alex Moore, Manager of Purchasing & Accounts Payable Morgan Jones, Commissioner, Community Services	Meg West, Manager of Business Planning and Projects Shane Manson, Senior Manager, Revenue & Property Taxation Mark Visser, Sr Manager Strategy Innovation & Investments Eddy Wu, Acting Director, Environmental Services Hristina Giantsopoulos, Election/Council & Committee Coordinator John Wong, Technology Support Specialist II Ned Sirry, Acting Chief Information Officer Loy Cheah, Acting Director, Engineering Alice Lam, Director, Operations Lisa Chen, Sr. Manager, Financial Planning & Reporting Bindi Patel, Supervisor, Community Program

1. CALL TO ORDER

9:35 AM Councillor Usman

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 9:35 AM with Councillor Khalid Usman presiding as Chair for all items on the agenda.

Councillor Isa Lee left the meeting at 11:29 AM and returned after lunch recess.

The Committee recessed for lunch at 11:54 AM and reconvened at 12:45 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE MAY 10, 2021 GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Alan Ho

1. That the minutes of the May 10, 2021 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were deputations in relation to item 7.1. Please refer to the individual item for details.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. PRESENTATIONS - COMMUNITY SERVICES ISSUES

7.1 CITY OF MARKHAM COYOTE RESPONSE PRESENTATION (2.8)

Christy Lehman, Supervisor, Animal Care, addressed the Committee and provided a presentation entitled, City of Markham Coyote Response, which outlined the provincial legislative framework, the City's responsibilities, current status of the four known active coyote locations, and the proposed action plan.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Karen Rea

1. That the presentation entitled “City of Markham Coyote Response”, be received.

Carried

7.2 PRESENTATION FROM COYOTE WATCH CANADA (2.8)

Leslie Sampson, Founding Executive Director, Coyote Watch Canada, addressed the Committee and delivered a presentation which provided an overview of Coyote Canada community initiatives. She indicated that Coyote Canada supports communities, citizens and government agencies with non-lethal mitigation and education programs for community co-existence with coyotes.

The Committee heard from the following deputants in relation to this item:

Stephen Ames addressed the Committee to express concerns with coyotes living in the area, and made an inquiry into how to react during a direct encounter.

Hershi Rubinoff, addressed the Committee to express concerns with coyotes living in the area, their change in behaviour, increased coyote encounters and the lack of public adherence to existing rules causing concerns for overall safety.

Evelyn O'Shaughnessy, addressed the Committee to express her concerns with coyotes living in the area.

The Committee discussed the following in relation to the presentation and resident concerns:

- The location of known coyote families in the area;
- The relocation of coyotes from ravine and forested areas to residential areas;
- Recent activities such as picture taking and feeding of coyotes by members of the public;
- Concerns with public safety for residents, their children and their pets;

- Consideration for the implementation of signage and fencing to deter public encounters;
- Increased communication to residents in the form of a letter mail out to advise of the coyote issue and provide tips on how to react to and deter direct encounters;
- The initiation of proactive initiatives to focus on the issue of feeding wildlife and the risks associated with it;
- Confirmation that the maximum fine is incorporated and enforced in the City's by-law that prohibits the feeding of animals;
- Measures to address and decrease the number of coyote encounters;
- Information on the family dynamics of coyotes from pups to adults;
- Consideration to relocate coyote pups a kilometer away from the area; and,
- Suggestions for implementation of natural deterrents by property owners.

Lesley Sampson provided information on ways to encourage coyotes to stay within certain areas, how to react during a coyote encounter, how to deter people from interacting with them and advocated for regular property maintenance to discourage coyote dens in addition to never leaving children or pets alone. She noted that the City currently has a good program and suggested that when there are sightings that residents try to safely take a photograph to share with City staff for assessment and identification purposes.

The Committee requested that staff report back with information on a coyote management protocol to address the issue and resident concerns.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Karen Rea

1. **That the Coyote Watch Presentation be received; and,**
2. **That the deputations from Stephen Ames, Hershi Rubinoff, and Evelyn Shaughnessy be received; and,**
3. **That the written communications from Valerie Burke, Bernice Froyce, and Esther Attard be received; and,**
4. **That staff report back at a future General Committee meeting on a coyote management protocol that includes:**

- a. **temporary signage;**
 - b. **temporary fencing;**
 - c. **public notification; and,**
 - d. **public communications; and further,**
5. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

8.1 MINUTES OF THE MARCH 5, 2020 GERMAN MILLS NATURAL HABITAT LIAISON COMMITTEE (16.0)

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Don Hamilton

- 1. That the minutes and notes of the March 5, 2020 German Mills Natural Habitat Liaison Committee meeting be received for information purposes.

Carried

8.2 MINUTES OF THE FEBRUARY 17, 2021 AND MARCH 17, 2021 ANIMAL CARE COMMITTEE (16.0)

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Don Hamilton

- 1. That the minutes and notes of the February 17, 2021 and March 17, 2021 Animal Care Committee meeting be received for information purposes.

Carried

8.3 MINUTES OF THE MARCH 16, 2021 WASTE DIVERSION COMMITTEE (16.0)

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Don Hamilton

1. That the minutes and notes of the March 16, 2021 Waste Diversion Committee meeting be received for information purposes.

Carried

8.4 MINUTES OF THE APRIL 12, 2021 RACE RELATIONS COMMITTEE

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the minutes and notes of the April 12, 2021 Race Relations Committee meeting be received for information purposes.

Carried

8.5 MERCHANT SERVICES CONTRACT (7.12)

The Committee inquired about the services received within this contract.

Staff provided clarification on the fees the City pays as a merchant of Visa and Mastercard and that this cost is to allow residents to pay for City services by credit card and operates on a cost recovery basis.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Alan Ho

1. That the report entitled “Merchant Services Contract” be received; and,
2. That the contract for payment services be awarded to the lowest priced respondent, Global Payment Solutions; and,
3. That staff be authorized to enter into a Merchant Services Agreement with Global Payment Solutions for a five year term; May 1, 2021 – April 30, 2026; AND,
4. That the total cost of the merchant fees, hardware, support and maintenance fees for the four year term in the estimated amount of \$2,133,235 be funded from the existing departmental credit card accounts, subject to Council approval of the 2021 - 2026 operating budgets in the amount of:
 - 2021: \$142,216 (May 1 – December 31)
 - 2022: \$426,647

- 2023: \$426,647
 - 2024: \$426,647
 - 2025: \$426,647
 - 2026: \$284,431 (January 1 - April 30)
 - Term Total: \$2,133.235 and,
5. That the Treasurer be authorized to extend the contract for Merchant Services for an additional five (5) year period, May 1, 2026 – April 30, 2031, subject to the approval of the annual operating budget, performance and mutually agreed upon fees by both parties; and further,
 6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.6 WIDE AREA NETWORK (WAN) CONNECTIVITY SERVICES (7.9)

The Committee discussed the following:

- The City's level of responsibility for maintaining the independent fibre infrastructure within YorkNet;
- The difference between dark fibre and lit fibre;
- The provision of improved services to rural areas in the City and the Region through the implementation of YorkNet;
- Concerns with the quality of connectivity as a result of the recent increase in demand;
- Inquiries into the funding of YorkNet and whether it is funded by City or Regional taxes; and,
- Federal and provincial government funding to provide fibre via YorkNet to underserved communities;

Ned Sirry, Acting Chief Information Officer, addressed the Committee to confirm that YorkNet is a for-profit organization and will be responsible for the maintenance of the infrastructure for the Wide Area Network that will be used by City facilities. He indicated that YorkNet is a dark fibre, non-managed network that is an effective alternative conduit for services otherwise provided by traditional telecom companies and that the City will continue to use the current

internet service provider. Staff also noted that YorkNet submitted a grant application on behalf of the nine municipalities within York Region in regard to the expansion of services to underserved areas as addressed by local Councillors.

The Committee requested that staff provide a memo on the investment made so far by Bell Canada to the City's broadband and internet connectivity.

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

1. That the report entitled “Contract Award for Wide Area Network (WAN) Connectivity Services” be received; and,
2. That the contract Wide Area Network (WAN) Connectivity Services (One time - for network installation) (Recurring - WAN connectivity services) be awarded to YorkNet in the amount of \$3,628,268 (\$3,240,726 + \$387,542) inclusive of HST impact; and,
3. That the capital costs be funded from a new Capital account to be established and called “ITS – WAN Infrastructure”, in the amount of \$387,542 inclusive of HST impact; and,
4. That the new Capital account be funded from the Facility Ramp-up Reserve, in the amount of \$387,542 inclusive of HST impact; and,
5. That the contract for WAN connectivity services costs for 10 years be awarded to YorkNet in the amount of \$3,240,726 inclusive of HST (specific to 10GB) and be funded from 400-400-5108 with a current annual budget of \$261,259, and subject to Council approval of the 2023-2032 operating budgets in the amounts of:
 - a. Year 1 (2023) - \$ 295,959 *
 - b. Year 2 (2024) - \$ 301,869 *
 - c. Year 3 (2025) - \$ 307,914 *
 - d. Year 4 (2026) - \$ 314,092 *
 - e. Year 5 (2027) - \$ 320,361 *
 - f. Year 6 (2028) - \$ 326,763 *
 - g. Year 7 (2029) - \$ 333,300 *
 - h. Year 8 (2030) - \$ 339,972 *

- i. Year 9 (2031) - \$ 346,778 *
 - j. Year 10 (2032) - \$ 353,718 *
 - Total - \$3,240,726
 - Rates will be adjusted annually to the Consumer Price Index (Toronto All-Items) or 2%, whichever is the greater. The table above assumes 2% escalation.
6. That the tendering process be waived in accordance with Purchasing Bylaw 2017-8, Part II, Section 11.1 (g) which states “where it is in the City’s best interest not to solicit a competitive Bid;” and Section 11.2 (c) ‘Where Quotations may not be required for goods and services when provided by “Provincial and Federal government agencies or Crown corporations; and,
 7. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized execute any required documentation in a form satisfactory to the City Solicitor; and,
 8. That YorkNet be designated as the preferred vendor for the City’s Wide Area Network (WAN) Connectivity Services needs at the sole discretion of the City and YorkNet WAN connectivity services for the term of this contract; and,
 9. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized to approve any new purchases related to this contract needed due to growth and/or future Wide Area Network (WAN) Connectivity Services upgrades due to change in technology related to the project during the term of this contract, subject to the Expenditure Control Policy and budget approval, in a form satisfactory to the City Solicitor and at the sole discretion of the City; and further,
 10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.7 STATUS OF CAPITAL PROJECTS AS OF MARCH 2021 (7.5)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the report dated May 31, 2021 titled “Status of Capital Projects as of March 31, 2021” 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 \$4,146,732 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 \$2,275,999 be transferred to the original sources of funding as identified in Exhibit C; and
4. That the surplus funds of \$828,276 from open capital projects be returned to the original sources of funding as identified on Exhibit D; and
5. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$394,580 to the approved amount of \$250,000; and,
6. That the Engineering Capital Contingency Project be topped up from the Development Charges - City-Wide Hard Reserve by \$30,409 to the approved amount of \$100,000; and,
7. That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$1,482,623 to the approved amount of \$100,000; and,
8. That the Planning Capital Contingency Project be topped up from the Development Charges – City-Wide Soft Reserve by \$32,191 to the approved amount of \$50,000; and,
9. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$20,910 to the approved amount of \$100,000; and,
10. That the additional funding, for LPAT - Growth Related Hearings (Project 19021), in the amount of \$818,186, to be funded \$181,000 from Development Charges – City-Wide Hard Reserve, \$573,467.40 from Development Charges – City-Wide Soft Reserve and \$63,718.60 from Development Fee Reserve; and,
11. That the funding sources for the following projects be changed:
 - a. Box Grove Community Park - Construction (Project 20024): Additional funding, in the amount of \$147,095.40, funded from the Design Capital Contingency Account be returned to the Development Charges – Parks

Development Reserve and replaced with funding from Parks Cash-in-Lieu; and,

- b. Aaniin Public Art (Project 13500): Additional funding, in the amount of \$254,481, funded from the Non-DC Capital Contingency be returned to the Life Cycle Replacement and Capital Reserve Fund and replaced with funding from the Public Art Acquisition Reserve Fund; and,
 - c. Land Acquisition 55 Parkway Avenue (Project 16291): Additional funding, in the amount of \$42,576, funded from the Non-DC Capital Contingency be returned to the Life Cycle Replacement and Capital Reserve Fund and replaced with funding from the Land Acquisition Reserve; and,
 - d. Parking Lots - Rehabilitation (Project 21113): Funding in the amount of \$678,900 be changed from Gas Tax to the Life Cycle Replacement and Capital Reserve Fund; and,
 - e. Boulevard Repairs (Project 21102): Funding in the amount of \$58,400 be changed from Gas Tax to the Life Cycle Replacement and Capital Reserve Fund; and,
12. That a new capital project named, “Markham Senior Centre Asphalt Replacement” be set up in the amount of \$82,219 and be funded from the Life Cycle Replacement and Capital Reserve Fund; and
13. That Council approve delegated authority for the Treasurer and/or CAO to adjust the funding source for projects charged to the contingency project when appropriate, and report on these decisions as part of subsequent Status of Capital Projects reports to Council; and further,
14. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

9.1 MINUTES AND NOTES OF THE FEBRUARY 22, 2021 AND MARCH 15, 2021 ADVISORY COMMITTEE ON ACCESSIBILITY (16.0)

Note: Committee has the option to endorse, amend, refer to staff or receive for information the following recommendation from the March 15, 2021 Advisory Committee on Accessibility meeting:

"That the Advisory Committee on Accessibility expresses to Council that it looks forward to continuously working with staff and Members of Council on the Markham Civic Centre Audit and on future accessibility related audits."

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the minutes and notes of the February 22, 2021 and March 15, 2021 Advisory Committee on Accessibility meetings be received for information purposes.

Carried

9.2 STAFF AWARDED CONTRACTS FOR THE MONTH OF APRIL 2021 (7.12)

A. Moore, ext. 4711

The Committee made brief inquiries on the following Staff Awarded Contracts:

- 049-R-21 Consulting Engineering Services for a Municipal Class Environmental Assessment Study of the 404 North District Water Supply; and,
- 008-S-21 Donald Cousens Parkway Extension Transportation Planning Study

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the report entitled "Staff Awarded Contracts for the Month of April 2021" be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

10. REGULAR REPORTS - ENVIRONMENT & SUSTAINABILITY ISSUES

There were no reports.

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

The Committee resolved into confidential session at 1:15 PM.

General Committee rose out of confidential session at 1:48 PM. The Committee consented to place the following items on the June 8, 2021 Confidential Council Meeting Agenda for consideration: 15.1.2, 15.1.3, 15.1.4, and 15.2.1.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

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- MAY 10, 2021 (16.0) [Section 239 (2) (f) (c)]

15.1.2 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES; (7.3) [Section 239 (2) (b)]

The Committee consented to forward this item to the June 8, 2021 Confidential Council Meeting Agenda for consideration.

15.1.3 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES (7.3) [Section 239 (2) (b)]

The Committee consented to forward this item to the June 8, 2021 Confidential Council Meeting Agenda for consideration.

15.1.4 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; [Section 239 (2)(c)]

The Committee consented to forward this item to the June 8, 2021 Confidential Council Meeting Agenda for consideration.

15.2 COMMUNITY SERVICES ISSUES

15.2.1 A POSITION, PLAN, PROCEDURE, CRITERIA OR INSTRUCTION TO BE APPLIED TO ANY NEGOTIATIONS CARRIED ON OR TO BE CARRIED ON BY OR ON BEHALF OF THE MUNICIPALITY OR LOCAL BOARD; (3.0) [Section 239 (2)] (k)

The Committee consented to forward this item to the June 8, 2021 Confidential Council Meeting Agenda for consideration.

16. ADJOURNMENT

General Committee rose out of confidential session at 1:48 PM. The Committee consented to place the following items on the June 8, 2021 Confidential Council Meeting Agenda for consideration: 15.1.2, 15.1.3, 15.1.4, and 15.2.1.

General Committee adjourned at 1:50 PM.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Keith Irish

That the General Committee meeting adjourn at 1:50 PM.

Carried