

General Committee Meeting Minutes

Meeting Number: 16
December 3, 2024, 9:30 AM - 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Keith Irish Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Morgan Jones, Commissioner, Community Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Chris Nearing, Fire Chief Joseph Silva, Treasurer Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Ned Sirry, Senior Manager, ITS Operations & Project Delivery Frank Clarizio, Director, Engineering	Graham Seaman, Director, Sustainability & Asset Management Alex Moore, Manager of Purchasing & Accounts Payable Mark Visser, Senior Manager Strategy Innovation & Investments Eddy Wu, Director, Environmental Services Hristina Giantsopoulos, Election/Council & Committee Coordinator Terence Tang, Technology Support Specialist II Tharsikaa Irajewaran, Assistant to Council/Committee Rajeeth Arulanantham, Election & Committee Coordinator Kevin Ross, Manager, Development Finance & Payroll Salia Kalali, Senior Manager Infrastructure & Capital Works

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

General Committee convened at 9:32 AM with Councillor Keith Irish presiding as Chair.

General Committee recessed at 10:45 AM and reconvened at 10:55 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Michael Chan declared a pecuniary interest in relation to item 9.2 due his ownership of an insurance brokerage, during the discussion of the item.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE NOVEMBER 5, 2024 GENERAL COMMITTEE (16.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the minutes of the November 5, 2024 General Committee meeting be confirmed.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

Yoyo Chen, Vice-Chair of the Advisory Committee on Accessibility, appeared before General Committee to speak on item 9.4 the MYAP Report - Multi-Year Accessibility Plan. Ms. Chen, on behalf of the Advisory Committee on Accessibility, acknowledged that today was the International Day of Persons with Disabilities and thanked staff for bringing this report forward on this day. Ms. Chen spoke in favour of the MYAP Report and the Advisory Committee on Accessibility and the work they have done and will continue to do to make an accessible and inclusive Markham. Ms. Chen acknowledged that the MYAP has the full support of the Advisory Committee on Accessibility and thanked Members of Council for their continued support.

The Committee thanked Ms. Chen for her deputation and the members of the Advisory Committee on Accessibility for their contributions to the community.

Moved by Councillor Ritch Lau

Seconded by Deputy Mayor Michael Chan

1. That the deputation from Yoyo Chen in relation to item 9.4 be received.

Carried

6. COMMUNICATIONS

6.1 YORK REGION COMMUNICATIONS (13.4)

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the following communications dated October 24, 2024 from York Region be received for information purposes:
 1. [2024-2027 Agriculture and Agri-Food Sector Strategy](#)
 2. [Development Charges Deferral Policy for Large Office Buildings](#)
 3. [Actions to Increase Affordable and Community Housing Supply Under the Next 10-Year Housing and Homelessness Plan](#)

Carried

7. PETITIONS

There were no petitions.

8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS

8.1 Q3 2024 STATUS OF CAPITAL AS AT SEPTEMBER 30, 2024 (7.0)

The Committee had the following questions on this item for which Staff provided additional clarification:

- The difference and the relation between the central contingency fund and the separate contingency fund for a specific project.
- The reporting back on the status of project that requires additional funding in addition to the approved contingency funding.
- A clarification for increase in funding for the project # 21181 - Elgin Mills - Victoria Square Boulevard to McCowan Road (Design).

Moved by Councillor Juanita Nathan
Seconded by Regional Councillor Jim Jones

1. That the report dated December 3, 2024, titled “Status of Capital Projects as of September 30, 2024” be received; and,
2. That the Projects completed with surplus funds over \$100,000 or with over 50% of Budget remaining, as identified in Appendix 2a, be recommended for closure, and funds associated with these projects in the amount of \$5,744,765 be transferred to the original sources of funding as identified in Appendix 2a; and,
3. That the Projects Completed without surplus funds or with surplus funds under \$100,000 or with less than 50% of Budget remaining, as identified on Appendix 2b, be recommended for closure, and funds associated with these projects in the amount of \$1,336,725 be transferred to the original sources of funding as identified in Appendix 2b; and,
4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$2,104,150 to the approved amount of \$250,000; and,
5. That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$118,124 to the approved amount of \$100,000; and,
6. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$112,004 to the approved amount of \$100,000; and,
7. That the Staff approved draws from Other Reserves as part of the Capital Contingency process in the amount of \$1,136,863 be received; and,
8. That the following new capital projects, initiated subsequent to the approval of the 2024 capital budget as per the Capital Budget Control Policy, be received:
 - Project 24312 – 2025 Air Cylinders Replacement – Budget of \$76,600 to be funded from the Life Cycle Replacement and Capital Reserve.
 - Project 24321 - Cornell C.C Parking Garage Remote Monitoring and Maintenance - Budget of \$46,762.79 to be funded from the Non-DC Capital Contingency; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried**8.2 2025 MEETING CALENDAR (9.0)**

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Jim Jones

1. That the proposed 2025 Standing Committee & Council Meeting Calendar be adopted; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried**8.3 STAFF AWARD CONTRACTS - QUARTERLY UPDATE (7.12)**

The Committee had made comments on the following Staff awards contracts noted in the report:

- On Item #5 - Contract # 169-R-24 Event Management Services for Markham Milliken Children's Festival.
- On Item #2 - Contract # 187-T-24 Russell Carter Tefft Pedestrian Bridge and Connecting Trails - Construction.

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Alan Ho

1. That the report entitled "Staff Awarded Contracts for the Months of July, August and September 2024" be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried**8.4 2024 AUDIT PLANNING REPORT (7.0)**

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Jim Jones

1. That the report titled "2024 Audit Planning Report" be received; and,

2. That the 2024 Audit Planning Report for the year ending December 31, 2024, prepared by KPMG LLP, Chartered Accountants be received; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.5 AWARD OF TENDER 060-T-24 (CRFT 2024-01) FOR THE SUPPLY AND DELIVERY OF UNLEADED FUEL (E10), #1 ULTRA LOW SULPHUR DIESEL AND BIODIESEL FUEL (B20) FOR A FIVE YEAR TERM (2025 – 2029) (7.12)

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Jim Jones

1. That the report titled “Award of Tender 060-T-24 (CRFT 2024-01) for the Supply and Delivery of Unleaded Fuel (E10), #1 Ultra Low Sulphur Diesel Fuel and Biodiesel Fuel (B20) for a Five Year Term (2025 – 2029)” be received; and,
2. That the contract for Tender 060-T-24 (CRFT 2024-01) for the supply and delivery of unleaded fuel (E10) be awarded to the lowest priced bidder, Brown’s Fuels, in the estimated annual amount of \$839,887.40, inclusive of HST; and,
3. That the contract for Tender 060-T-24 (CRFT 2024-01) for the supply and delivery of #1 ultra low sulphur diesel fuel be awarded to the lowest priced bidder, Suncor Energy Products Partnership, in the estimated annual amount of \$259,778.40, inclusive of HST; and,
4. That the contract for Tender 060-T-24 (CRFT 2024-01) for the supply and delivery of biodiesel fuel (B20) be awarded to the lowest priced bidder, Brown’s Fuels, in the estimated annual amount of \$186,196.32, inclusive of HST; and,
5. That the term of the contract be five years (January 1, 2025 – December 31, 2029); and,
6. That the 2025 estimated costs of \$1,285,862.12 (\$839,887.40 + \$259,778.40 + \$186,196.32) be funded from accounts listed in the Financial Considerations section; and,

7. That the Purchase Order be adjusted in the future years up to the approved operating budget as adopted by Council; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.6 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (5.3)

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Jim Jones

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. REGULAR REPORTS - FINANCE & ADMINISTRATIVE MATTERS

The Committee consented to move items 9.4, 9.2, and 9.3 forward in the agenda, in that order, prior to discussing item 9.1.

9.1 COUNCIL-STAFF RELATIONS POLICY (9.0)

Note: This item was referred to this General Committee from the November 5, 2024 General Committee meeting.

Kimberley Kitteringham, City Clerk and Director of Legislative Services, introduced the Council-Staff Relations Policy to Committee for adoption and outlined the legislative requirements of this Policy. Ms. Kitteringham advised Committee that Staff are seeking approval to fulfill the Municipal Act, 2001 requirement of adopting a stand-alone policy on Council-Staff relations.

Ms. Kitteringham provided a background on the development of this Policy which started with the City engaging Strategy Corp (Sabine Matheson). Ms. Matheson conducted a thorough review of best practices across Ontario and Canada and consulted with Members of Council and City Staff for any specific concerns to be

addressed. At the July 9 General Committee meeting a draft policy was presented for the purposes of obtaining feedback and at the conclusion of that meeting Staff committed to conduct a further review of Committee's feedback and report back with a policy for adoption. At the November 5 General Committee meeting Staff reported back with a proposed Council-Staff Relations Policy for adoption and Committee had a number of questions and requested that discussion of the Policy be referred to today's meeting to allow for additional time for Members of Council to review and have discussions prior to adoption. Ms. Kitteringham noted that Staff have since participated in review sessions with some Members of Councillors to discuss any questions and concerns surrounding the proposed Policy and felt these discussions provided clarity to "Attachment A", the interaction framework on the request of information or service received from Members of Council or their offices.

The Committee had the following discussion on the Council-Staff Relations Policy:

- Noted that the written submissions received by Members of Council are indicative of the thoughts of residents on this Policy and requested that those written submissions and the letter from Councillor McAlpine to the Clerk be included with the minutes.
- Noted that Council-Staff Relations Policy in other municipalities are much shorter in length and expressed that that the current version of the policy consists of many contingencies to consider.
- Expressed that the policy is too complicated and will be difficult to implement and quoted sections of the Council-Staff Relations Policy in City of Burlington and Vaughan.
- Expressed concerns on how sustainable it will be for Staff at the senior management level to triage situations.
- Expressed that during times of urgencies there is a need for Staff to provide context before the Councillor's office can provide a response to the resident.
- Expressed concerns that the wording in the policy can be restrictive of Councillors and their offices to contact Staff directly to deal with issues and would like to see changes in the wording of the policy to allow for direct communication with Staff.

- Requested that the protocol for Staff to participate in CIMs (Community Information Meeting) be changed so that it does not need Council authorization.
- Advised of a recent situation when the Councillor's Staff had inputted an ACR and the issue was responded to however there was another instance of an ACR that was closed with no follow-up given.
- Noted that this policy is not intended to usurp a Councillor's ability to serve their residents/constituents.
- Expressed that this Policy is to conform to the Act by defining the roles and responsibilities, promote a respectful and harassment-free relationship, and ensure an effective and transparent relationship between Council and Staff.
- Suggested that wording in this Policy be altered to alleviate concerns from Councillors who feel it restricts their ability to perform their duties.
- Suggested that the process outlined in the "Interaction Framework" be separated from the policy.
- Requested that a "cheat-sheet" on a contact protocol be provided so that Members of Council are aware on who to contact for specific matters.
- Clarification on Item 4.2.3 in the Policy in regards to directing Staff on the pace of work such as a development application.
- Clarification on if Councillors can attend technical meetings with Staff and the applicants.
- Expressed that the current practice on information or service requests from Staff works well and when allowed to be used at discretion.
- Requested for clarification if a technical meetings includes a site plan meetings with an applicant. Staff clarified that technical meetings are meant to be internal meetings with Staff and/or external participants. Meeting should be occurring with the Director for service requests to attend a site plan visits by the Member of Council.
- Requested that contact protocol include direct contacts during evenings and weekends for emergency situations.
- Suggested that all calls including those that come to their Councillors' offices go through Contact Centre and then Councillors when escalation is required.

- Suggested that a Subcommittee of Councillors be appointed to work with Staff on revising this policy.
- Expressed that there is no benefit of deferring this item to a later date and hoped that the new communication protocol would outline the primary contacts and escalations for complex issues and policy matters.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

1. That the report titled, “Council-Staff Relations Policy” be received; and,
2. That Markham City Council adopt the revised “Council-Staff Relations Policy” included as **Appendix “B”** to this report; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 PAY-ON-DEMAND SURETY BONDS POLICY (7.0)

Joseph Silva, Treasurer, provided opening remarks on this item to Committee.

Kevin Ross, Manager, Development Finance & Payroll, introduced the item and provided Committee with an overview of the Staff report. Mr. Ross noted that this policy framework is to be in alignment with the provincial regulation.

The Committee inquired clarification whether the provincial regulation is in force and Staff confirmed that as of November 20, 2024, the Province's Surety Bonds regulation came into force.

Deputy Mayor Michael Chan declared a pecuniary interest due to his ownership of an insurance brokerage and did not participate in the discussion or vote on this item.

Moved by Councillor Amanda Collucci

Seconded by Councillor Juanita Nathan

1. That the report entitled, “Pay-on-Demand Surety Bonds Policy” be received; and,
2. That the attached Pay-on-Demand Surety Bonds Policy be approved; and,
3. That the Treasurer be authorized to make any necessary amendments to the Policy to be consistent with the final Provincial Regulation, should there be changes prior to its adoption and enactment; and further,

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

Carried

9.3 DATA SHARING AND OTHER LICENSE AGREEMENTS (7.0)

Trinela Cane, Commissioner of Corporate Services, provided opening remarks on this item advised Committee that Staff are seeking approval of delegated authority to execute a number of data sharing agreements, listed in the report, to the Chief Information Officer (CIO) and to satisfaction of the City Solicitor. Ms. Cane noted that this in effort to streamline the process and that to allow authority be delegated to the subject matter experts.

Ned Sirry, Senior Manager, ITS Operations & Project Delivery, provided Committee with an background of the item and a summary of the Staff report.

Moved by Councillor Ritch Lau

Seconded by Councillor Andrew Keyes

1. That the report titled “Delegated Authority for signing Data Licensing Agreements, Data Sub-Licensing Agreements, Data Sharing Agreements and Data Privacy Agreements” be received; and,
2. That Council authorize the Chief Information Officer to execute approved data licensing agreements, data sub-licensing agreements, data sharing agreements, data privacy agreements and other agreements and documents required to facilitate the sharing, licensing, sub-licensing and protection of data as between the City and other levels of government or government agencies, and as between the City and third party vendors in connection with City projects, in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act of Ontario (MFIPPA) and in a form approved by the City Solicitor; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.4 MYAP REPORT - MULTI-YEAR ACCESSIBILITY PLAN (16.0)

Trinela Cane, Commissioner of Corporate Services, introduced the Multi-Year Accessibility Plan (MYAP) to Committee that Staff are seeking approval of and noted that today marks the International Day of Persons with Disabilities. Ms.

Cane advised Committee that the City is legislated under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Integrated Accessibility Standards Regulation to develop and publish a MYAP and update this plan every 5 years, which currently expires at the end of December, 2024. Ms. Cane introduced Graham Seaman, Director of Sustainability and Asset Management, to deliver a presentation on the MYAP to Committee and thanked the project team for their work on bringing this plan forward.

Mr. Seaman delivered a presentation outlining the MYAP which included a background, the development process, the community and Staff engagement, the structure, opportunities, and key initiatives.

Claudia Storto, City Solicitor and Director of People Services, thanked Staff and the Advisory Committee on Accessibility for their contributions to the MYAP and advised that upon approval of the plan Staff will be finalizing a detailed implementation plan to drive the initiatives outlined in the MYAP and periodic update at certain milestone will be reported back to Council as they are met.

The Committee thanked Staff for the presentation and there was a discussion which included the following comments:

- Questioned the City's compliance to the provincial requirements on accessibility and if there are any outstanding items for the City to address in order to be compliant.
- Requested clarification if the City has achieved all of the minimum requirements set out in the provincial legislation and that goal of the MYAP is to make enhancements to accessibility in the City.
- Questioned if the City has always been compliant with the provincial requirements on accessibility
- Acknowledged that the City has and will continue to work to make the City accessible including adopting standards that improve accessibility.
- Recognized \$5 Million of grants received from the Federal Government to make improvements to the accessibility in the City's Community Centre and has significantly contribute to make accessibility of those facilities.
- Requested if there are opportunities to incentivize ride share companies to invest and provide exclusivity of accessible vehicles to the City.
- Requested for insights on how to best to serve and respond to a person with a disability and how is the best way of asking a person with disability if they require assistance.

Staff confirmed that the City is fully compliant of AODA and noted there are opportunities to go beyond as part of the City's cultural mantra of creating an accessible and inclusive community. Staff noted that there are some facility have AODA issues that have been a challenge to retrofit due to older infrastructure and lifecycle requirement and Staff can report on those outstanding issue to be proactive in addressing those issue and meet current standards.

Ms. Storto advised that City files a semi-annual report to the province with the status of compliance to AODA and have been compliant with the exception of this year of an AODA training, which the City has now resolved. The report to the Ministry is to indicate to whether we are compliant or not and to outline a plan to become compliant. Ms. Storto advised that the Province's expectation is not to be compliant immediately but that there is a plan to become compliant.

Moved by Regional Councillor Alan Ho

Seconded by Councillor Ritch Lau

1. That the report entitled “City of Markham Multi-Year Accessibility Plan 2025-2029” be received; and,
2. That Council approve the City of Markham Multi-Year Accessibility Plan 2025-2029; and further,
3. 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 were no new/other business.

13. ANNOUNCEMENTS

There were no announcements.

14. CONFIDENTIAL ITEMS

Moved by Mayor Frank Scarpitti
 Seconded by Regional Councillor Jim Jones

That General Committee consent to recommendations for the Confidential items without going into confidential session.

Carried

14.1 FINANCE & ADMINISTRATIVE MATTERS

14.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - OCTOBER 22, 2024 (16.0) [Municipal Act, 2001, Section 239 (2) (e)(f)]

The Committee confirmed the minutes of the General Committee confidential meeting held on October 22, 2024.

14.1.2 PROPERTIES FOR TAX SALE AUTHORIZATION – DECEMBER 2024; PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES;

[Municipal Act, 2001, Section 239 (2) (b)] (7.0)

The Committee consented to place this item on the December 4, 2024 Confidential Council Meeting Agenda for consideration.

15. ADJOURNMENT

Moved by Councillor Amanda Collucci
 Seconded by Councillor Juanita Nathan

That General Committee adjourn at 11:23 AM.

Carried