

Minutes General Committee March 26, 2018 Meeting Number 5

Finance & Administrative Issues

Chair: Deputy Mayor Jack Heath Vice Chair: Councillor Colin Campbell

Environment & Sustainability Issues

Chair: Councillor Valerie Burke

Vice Chair: Councillor Karen Rea

Community Services Issues

Chair: Councillor Alan Ho
Vice Chair: Councillor Alex Chiu

Building, Parks, & Construction Issues

Chair: Councillor Colin Campbell

Vice Chair: Regional Councillor Nirmala Armstrong

Alternate formats are available upon request.

Attendance

Mayor Frank Scarpitti (arrived at 3:00pm)

Deputy Mayor Jack Heath

Regional Councillor Jim Jones (left at

1:58pm)

Regional Councillor Joe Li

Regional Councillor Nirmala Armstrong

Councillor Valerie Burke

Councillor Alan Ho

Councillor Don Hamilton

Councillor Karen Rea

Councillor Colin Campbell (left at 10:13am)

Councillor Amanda Collucci (arrived at

9:20am)

Councillor Logan Kanapathi (arrived at

10:08am)

Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer

Brian Lee, Acting Commissioner of Development

Services

Trinela Cane, Commissioner of Corporate Services

Brenda Librecz, Commissioner of Community

& Fire Services

Catherine Conrad, City Solicitor and

Acting Director of Human Resources

Nasir Kenea, Chief Information Officer

Sugun Rao, Manager Technology

Joel Lustig, Treasurer

Mark Visser, Senior Manager, Financial Strategy &

Investment

Catherine Biss, CEO, Markham Public Library

Graham Seaman, Director of Asset Management &

Sustainability

Mary Creighton, Director of Recreation

Phoebe Fu. Director of Environmental Services

Robert Muir, Manager, Stormwater

Alex Moore, Manager of Purchasing & Accounts Payable

Alida Tari, Council/Committee Coordinator

The General Committee meeting convened at the hour of 9:07 AM with Deputy Mayor Jack Heath in the Chair; Councillor Alan Ho Chaired Community Services related items and Councillor Valerie Burke Chaired Environment and Sustainability related items.

General Committee congratulated the women's Markham Thunder Hockey team in winning the Clarkson Cup with an overtime win.

General Committee recessed at 11:14 AM and reconvened at 11:27 AM. General Committee recessed at 12:25 PM and reconvened at 1:20 PM.

Disclosure of Pecuniary Interest

None disclosed.

REPORT OF THE AUDITOR GENERAL CITY OF MARKHAM CYBER SECURITY AUDIT (7.13) Presentation Report

Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP together Trac Bo, Parnter, MNP LLP and Drew Buhr, Senior Manager, MNP LLP delivered a PowerPoint presentation entitled City of Markham Cyber Security Audit.

The Committee discussed the following relative to the Cyber Security Audit:

- Acceptable level of risk tolerance
- Type of motivation for hackers (financial or to impose harm)
- Importance of more systematic analysis
- Does the City have cyber security insurance

Moved by Regional Councillor Jim Jones Seconded by Regional Councillor Nirmala Armstrong

- 1) That the presentation prepared by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, entitled "City of Markham Cyber Security Audit," be received; and,
- 2) That the report entitled "Cyber Security Audit Auditor General's Report," be received; and,
- That the City be directed to enhance the City's current security program by formalizing efforts and priority for cyber security. The City should determine the level of security that they wish to achieve, improve their existing practices, and monitor progress towards its security objectives; and further,
- 4) That City staff be authorized and directed to do all things necessary to give effect to these recommendations.

2. MINUTES OF THE MARCH 5, 2018 GENERAL COMMITTEE (16.0) Minutes

Moved by Councillor Valerie Burke Seconded by Councillor Alan Ho

1) That the minutes of the March 5, 2018 General Committee meeting be confirmed.

Carried

3. MARKHAM'S MUNICIPAL ELECTION CANDIDATE CONTRIBUTION REBATE PROGRAM (14.0)

<u>Memo</u>

C. Turpin, ext. 2083

Barry Nelson, Markham resident addressed the Committee regarding the Municipal Election Candidate Contribution Rebate program and stated concerns.

The Committee suggested that Mr. Nelson send a letter to the City Clerk outlining all his concerns relative to the Rebate Program.

There was discussion regarding whether the rebates should be different for an incumbent, and whether non Markham residents should be eligible to receive a rebate.

Moved by Councillor Valerie Burke Seconded by Councillor Alan Ho

1) That the memo dated March 20, 2018 regarding "Markham's Municipal Election Candidate Contribution Rebate Program," be received.

Carried

PETITIONS

There were no petitions.

4. MINUTES OF THE DECEMBER 6, 2017 AND JANUARY 17, 2018 ADVISORY COMMITTEE ON ACCESSIBILITY (16.0)

<u>December</u> <u>January</u>

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu 1) That the minutes of the December 6, 2017 and January 17, 2018 Advisory Committee on Accessibility meeting be received for information purposes.

Carried

5. MINUTES OF THE DECEMBER 13, 2017, JANUARY 17, 2018 AND FEBRUARY 21, 2018 ANIMAL CARE COMMITTEE (16.0)

<u>December</u> <u>January</u> <u>February</u>

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

1) That the minutes of the December 13, 2017, January 17, 2018 and February 21, 2018 Animal Care Committee meeting be received for information purposes.

Carried

6. MINUTES OF THE JANUARY 29, 2018 AND FEBRUARY 26, 2018 CANADA DAY COMMITTEE (16.0)

January February

There was discussion regarding the registration for the Senior's luncheon, and how to improve the adverting for it.

Moved by Regional Councillor Nirmala Armstrong Seconded by Councillor Amanda Collucci

1) That the minutes of the January 29, 2018 and February 26 Canada Day Committee meeting be received for information purposes.

Carried

7. MINUTES OF THE JANUARY 31, 2018 ENVIRONMENTAL ISSUES COMMITTEE (16.0)

Minutes

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

1) That the minutes of the January 31, 2018 Environmental Issues Committee meeting be received for information purposes.

8. MINUTES OF THE JANUARY 8, 2018 AND FEBRUARY 5, 2018 RACE RELATIONS COMMITTEE (16.0)

January February

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

1) That the minutes of the January 8, 2018 and February 5, 2018 Race Relations Committee meeting be received for information purposes.

Carried

9. STAFF AWARDED CONTRACTS FOR THE MONTH OF FEBRUARY 2018 (7.12)

Report

The Committee discussed the following:

- 262-T-17 Load and Haul Snow from Hwy 7 Cycle Track
- 015-S-18 Consulting Engineering Services for Combined heath and Power (CHP) System at Angus Glen Community Centre

Moved by Councillor Don Hamilton Seconded by Councillor Valerie Burke

- 1) That the report entitled "Staff Awarded Contracts for the Month of February 2018" be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. CONTRACT EXTENSION FOR 053-R-12 BUNKER GEAR (7.12)

Report

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

- 1) That the report entitled "Contract Extension for 053-R-12 Bunker Gear" be received; and,
- 2) That the contract 053-R-12 Bunker Gear be extended to Safedesign Apparel Ltd. ("Safedesign") for an additional 5 years (February 1, 2018-December 31, 2022), with a 3.5% annual increase as follows:
 - 2018 \$170,920.00 (80 units x \$2,136.50 per unit)

- 2019 \$30,957.92 (14 units x \$2,211.28 per unit)
- 2020 \$196,825.62 (86 units x \$2,288.67 per unit)
- 2021 \$99,488.76 (42 units x \$2,368.78 per unit)
- 2022 \$147,101.40 (60 units x \$2,451.69 per unit) Total \$645, 293.70 (282 units); and,
- That the tendering process be waived in accordance with Purchasing By-law 2017-8, Part II, Section 7 (1) (c) which states "when the extension of an existing contract would prove more cost-effective or beneficial"; and,
- That funds be provided from 067-6150-18111-005 Bunker Gear Life Cycle Replacement in the amount of \$149,555.00 and 067-6150-18115-005 Replacement of Equipment due to Staff Retirement in the amount of \$21,365.00 for the 2018 award for a total amount of \$170,920.00. And that the remaining funds in the amount of \$5,345 from capital project 18111 Bunker Gear Life Cycle Replacement be returned to the original funding source; and,
- 5) That Staff be authorized to amend the award amounts in years 2018-2022 to reflect changes to the Capital budget accounts, subject to Council approval, as part of the annual budget process; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. CONSULTING ENGINEERING SERVICES FOR MARKHAM VILLAGE/UNIONVILLE FLOOD CONTROL STUDY (5.7)

Report Attachment A

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

- 1) That the report entitled "Consulting Engineering Services for Markham Village/ Unionville Flood Control Study", dated March 26, 2018, be received; and,
- 2) That the tendering process for the Consulting Engineering Services for Markham Village/
 Unionville Flood Control Study be waived in accordance with Purchasing By-Law 2017-8,
 Part II, Section 11.1 (h); which states that "where it is necessary or in the best interests of the
 City to acquire non-standard items or Consulting and Professional Services from a preferred
 supplier or from a supplier who has a proven track record with the City in terms of pricing,
 quality and service"; and,
- 3) That the Consulting Engineering Services contract for Markham Village / Unionville Flood Control Study be awarded to R.V. Anderson Associates Limited to an upset fee limit of \$973,195.00 inclusive of disbursement and HST impact; and,

- 4) That a contingency amount of \$97,319.50 inclusive of disbursement and HST impact be established to cover any additional work and that the Director of Environmental Services be authorized to approve expenditure of this contingency amounts up to the specified limit in accordance with the Expenditure Policy; and,
- 5) That the consulting engineering services in the amount of \$1,070,514.50 (\$973,195.00 + \$97,319.50) be funded from capital project #18273 "Flood Control Remediation Study" as outlined under the financial consideration section; and,
- 6) That the budget remaining in project #18273 "Flood Control Remediation Study" in the amount of \$3,485.50 will be returned to the original funding source; and,
- 7) That the Mayor and Clerk be authorized to execute the agreement with R.V. Anderson Associates Limited, in a form approved by the City Solicitor; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

 Carried

12. BILL CROTHERS SECONDARY SCHOOL OUTDOOR SPORTS FIELD JOINT USE AND MAINTENANCE AGREEMENT (6.0) Report

There was discussion relative to the renewal of the Sport Field Joint Use and Maintenance Agreement with the York Region District School Board.

Moved by Councillor Don Hamilton Seconded by Deputy Mayor Jack Heath

- 1) That the report titled "Bill Crothers Secondary School Outdoor Sports Field Joint Use and Maintenance Agreement" be received; and,
- 2) That Council authorize the Mayor and Clerk to execute the "Bill Crothers Secondary School Outdoor Sports Field Joint Use and Maintenance Agreement" to the satisfaction of the Commissioner of Community and Fire Services and the City Solicitor; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

13. ANNUAL WATER QUALITY REPORT (JANUARY-DECEMBER 2017) (5.3)

Report Attachment A

There was discussion regarding the higher adverse results, and the need to further promote the City's drinking water.

The Committee suggested that staff provide a memo on the progress with respect to dead end cul-de-sacs.

Moved by Deputy Mayor Jack Heath Seconded by Councillor Don Hamilton

- 1) That the report titled "Annual Water Quality Report (January-December 2017)" as required by Schedule 22 of Ontario Regulation 170/03, under the *Safe Drinking Water Act*, 2002, enclosed herein be received; and,
- That the Annual 2017 Regulatory Water Quality Report (Attachment "A"), containing information for the Ministry of the Environment and Climate Change (MOECC) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, under the *Safe Drinking Water Act*, 2002, be received; and,
- That Council acknowledge that staff posted the Annual 2017 Detailed Regulatory Water Quality Report on the City's website and that it has been made available electronically and in hard copy version by February 28, 2018 as per regulations; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. MARKHAM INTERCHURCH COMMITTEE FOR AFFORDABLE HOUSING – FINANCIAL ASSISTANCE (7.11)

<u>Presentation</u> <u>Report</u>

Ms. Glenda Lucas, Markham Interchurch Community for Affordable Housing (MICAH) delivered a PowerPoint presentation requesting financial assistance and expediting approvals to obtain their building permit.

Mark Visser, Senior Manager, Financial Strategy & Investment summarized the details outlined in the report.

There was discussion regarding the future development of a policy to deal with these types of requests.

Moved by Councillor Karen Rea

Seconded by Councillor Don Hamilton

- 1) That the presentation by Ms. Glenda Lucas, Principal SHS Consulting entitled "Request to City of Markham in Support of Affordable Rental Housing Project," be received; and,
- 2) That the report entitled "Markham Interchurch Committee for Affordable Housing Financial Assistance" be received; and,
- 3) That Council authorize a loan to Markham Interchurch Committee for Affordable Housing equal to City of Markham Development Charges estimated to be \$474,656 and the reduced cash-in-lieu of parkland contribution (equivalent to 5% of the land value) payable, estimated at \$48,696, payable in respect of 32 eligible affordable rental units proposed by Markham Interchurch Committee for Affordable Housing at 20 Water Street, for a term of 20 years, forgivable on compliance with the terms set out in this report; and,
- 4) That the funding for the loan be provided from the Corporate Rate Stabilization Reserve; and,
- 5) That the loan be conditional on the execution of a funding/loan agreement between the City of Markham and Markham Interchurch Committee for Affordable Housing respecting the continuity of the affordability of the units, for a term of 20 years to the satisfaction of City Solicitor; and,
- 6) That the loan be secured in a manner satisfactory to the Chief Administrative Officer, in his/her sole and absolute discretion; and,
- 7) That the Mayor and Clerk be authorized to execute the agreement described in clause 4 and any documents or related agreements required to obtain security for the loan as described in clause 5, and any other related agreements or documents required to give effect to this resolution; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

15. SMART CITIES CHALLENGE UPDATE (7.13) Presentation

Nasir Kenea, Chief Information Officer delivered a PowerPoint presentation regarding Smart Cities Challenge providing an update.

Moved by Councillor Logan Kanapathi Seconded by Councillor Alex Chiu

1) That the presentation by Mr. Nasir Kenea, Chief Information Officer entitled "Smart Cities Challenge Update," be received; and,

- 2) That Staff develop the final Markham's Smart City Challenge submission for review and approval by the Chief Administrative Office; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

16. PILOT PRIVATE PLUMBING PROTECTION PROGRAM (5P) FOR FLOOD RISK REDUCTION (5.7)

Presentation Bylaw

Robert Muir, Manager, Stormwater delivered a PowerPoint presentation regarding Pilot Private Plumbing Protection Program (5P) for Flood Risk Reduction.

The Committee discussed the following relative to the 5P for Flood Risk Reduction:

- Rebate is provided for each accepted flood risk reduction measure
- Cost of the permit fees
- Importance of educational materials
- Targeting homes that have experienced flooding

Moved by Councillor Karen Rea Seconded by Councillor Valerie Burke

- 1) That the presentation by Mr. Robert Muir, Manager, Stormwater entitled, "Pilot Private Plumbing Protection Program (5P) for Flood Risk Reduction", dated March 26, 2018, be received; and,
- 2) That Staff implement the 5P for Flood Risk Reduction starting May 1, 2018 with retroactive eligibility for rebates beginning on May 1, 2017; and,
- That the tendering process for the Consulting Engineering Services to support the 5P for Flood Risk Reduction be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (h); which states that "where it is necessary or in the best interests of the City to acquire non-standard items or Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service"; and,
- 4) That the Consulting Engineering Services to support the 5P program be awarded to R.V. Anderson Associates Limited to an upset fee limit of \$117,219 inclusive of disbursement, contingency and HST impact; and,
- 5) That the 5P program cost of \$1.37M be funded through the Stormwater Fee Reserve; and,

- 6) That a new capital project in the amount of 1.37M be established for the "5P for Flood Risk Reduction"; and,
- 7) That the tendering process for the Consulting Engineering Services be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (h), and the Consulting Engineering Services contract be awarded to R.V. Anderson Associates Limited in the amount of \$117,219 (to be funded from the new capital account); and,
- 8) That the remaining funds of \$1,252,781 be retained and be used for the rebate and education for 5P program; and,
- 9) That the "Plumbing Protection Rebates By-law" substantially in the form appended to the presentation as Attachment "A", be approved/adopted by Council; and,
- 10) That Staff report back in 2020 following the initial 2 year pilot and evaluate effectiveness of the program; and further,
- 11) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

17. LIBRARY HOURS (3.19) Report

Catherine Biss, CEO, Markham Public Library addressed the Committee and briefly outlined the details outlined in the report.

There was discussion regarding potentially extending the library's hours of service even further, and financial implications.

Moved by Regional Councillor Nirmala Armstrong Seconded by Deputy Mayor Jack Heath

- 1) That the report entitled Library Hours be received for information; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

MOTIONS

There were no motions.

NOTICES OF MOTIONS

There were no notices of motions.

NEW/OTHER BUSINESS

18. NEW BUSINESS

- SIGNS (2.16)

Councillor Karen Rea inquired if she can encourage her residents to pick up signs (such as Real Estate Signs) on City Boulevards that have not been removed and take them to the recycling depot. Staff indicated that it is not our practice to encourage residents to pick up the signs, and provide further confirmation of the City's position. Councillor Karen Rea suggested that City staff send another letter reminding the Real Estate Board of the City's by-law regarding signs placed on municipal property to be removed. Staff have done this in the past and agreed to send another letter.

19. NEW BUSINESS

- INFILL DEVELOPMENT (5.0)

Councillor Valerie Burke advised that she continues to receive complaints from residents regarding infill development related to staging of materials, parking, debris and mud on the road, etc, and suggested that staff put together a package to inform contractors of what the expectations are during infill developments.

20. NEW BUSINESS

- -PROCLAMATION
- MARKHAM THUNDER WEEK IN THE CITY OF MARKHAM (MARCH 26 - 31, 2018) (3.4)

Mayor Frank Scarpitti requested that a proclamation for Markham Thunder Week in the City of Markham from March 26 to March 31, 2018 be proclaimed in recognition of the Markham Thunder winning the Clarkson Cup.

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Nirmala Armstrong

Whereas, the City of Markham is proud host to the Markham Thunder professional women's hockey team of the Canadian Women's Hockey League.

Whereas, in the team's inaugural season in the City of Markham, the team qualified for the playoffs, defeated the number one seed in the opening round of the playoffs and secured a birth in the Clarkson Cup Final.

Whereas, in the championship final, the team exemplified true grit, heart and determination against the Kunlun Red Star. The team captured its first Canadian Women's Hockey League Clarkson Cup title as the Markham Thunder in overtime.

Whereas, the City of Markham is proud of the accomplishments of the Markham Thunder in its first season in our city and for being a uniting force, inspiring our community with their determination and relentless pursuit of their goal.

Therefore, in recognition of the above achievements, I, Mayor Frank Scarpitti, on behalf of the City of Markham Council do hereby proclaim March 26-31 2018 as "Markham Thunder Week in the City of Markham" to celebrate the team's Clarkson Cup Championship and successful inaugural season in the City of Markham.

Carried

ANNOUNCEMENTS

There were no announcements.

Moved by Councillor Alex Chiu Seconded by Councillor Amanda Collucci

21. CONFIDENTIAL (7.13, 16.0, 8.6, 8.6, 6.0, 7.11 & 8.0)

That, in accordance with Section 239 (2) of the <u>Municipal Act</u>, General Committee resolve into a confidential session to discuss the following matters (9:43 AM):

(1) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (CYBER SECURITY AUDIT) (7.13)

[Section 239 (2) (a)]

General Committee consented to have this matter placed on the April 3, 2018 Council agenda for consideration.

Carried

Moved by Councillor Logan Kanapthi Seconded by Regional Councillor Joe Li

That the General Committee rise from the confidential session 11:14 AM.

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Nirmala Armstrong

That, in accordance with Section 239 (2) of the <u>Municipal Act</u>, General Committee resolve into a confidential session to discuss the following matters (3:11 PM):

(2) GENERAL COMMITTEE CONFIDENTIAL MINUTES - MARCH 5, 2018 (16.0)

[Section 239 (2) (b) (c)]

General Committee confirmed the March 5, 2018 General Committee Confidential meeting minutes.

(3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6)
[Section 239 (2) (c)]

General Committee consented to have this matter placed on the April 3, 2018 Council agenda for consideration.

(4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6) [Section 239 (2) (c)]

General Committee consented to have this matter placed on the April 3, 2018 Council agenda for consideration.

(5) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD. ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (WARD 2) (6.0)
[Section 239 (2) (e) (f)]

General Committee received a verbal update on this matter.

(6) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (DEVELOPMENT CHARGES) (7.11)
[Section 239 (2) (f)]

General Committee consented to have this matter placed on the April 3, 2018 Council agenda for consideration.

(7) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD. ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (WARD 4) (8.0)
[Section 239 (2) (e) (f)]

General Committee received information on this matter.

Carried

Moved by Councillor Alan Ho Seconded by Councillor Alex Chiu

That the General Committee rise from the confidential session 4:35 PM.

Carried

Adjournment

Moved by Councillor Amanda Collucci Seconded by Councillor Alex Chiu

That the General Committee meeting adjourn at 4:35 PM.