



**Minutes
General Committee
June 16, 2014
Meeting Number 15**

Finance & Administrative Issues

Chair: Mayor Frank Scarpitti
Vice Chair: Councillor Carolina Moretti

Community Services Issues

Chair: Councillor Alex Chiu
Vice Chair: Councillor Howard Shore

Environment & Sustainability Issues

Chair: Councillor Valerie Burke
Vice Chair: Regional Councillor Joe Li

Building, Parks, & Construction Issues

Chair: Councillor Logan Kanapathi
Vice Chair: Councillor Colin Campbell

Alternate formats are available upon request.

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Carolina Moretti
Councillor Colin Campbell
Councillor Alan Ho
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community & Fire Services
Catherine Conrad, City Solicitor
Kimberley Kitteringham, City Clerk
Joel Lustig, Treasurer
Phoebe Fu, Director of Asset Management
Paul Ingham, Director of Operations
Mary Creighton, Director of Recreation Services
Robert Muir, Manager, Stormwater
Alida Tari, Council/Committee Coordinator

Regrets

Regional Councillor Jim Jones

The General Committee meeting convened at the hour of 9:05 AM with Mayor Frank Scarpitti in the Chair and Councillor Alex Chiu Chaired Community Services related items.

The General Committee recessed at 12:48 PM and reconvened at 1:43 PM.

Disclosure of Interest

None disclosed.

1. METROLINX DIGITAL SIGN PROGRAM (5.0)

[Presentation](#)

Trinela Cane, Commissioner of Corporate Services addressed Committee and provided some opening remarks relative to the proposal of Metrolinx Digital Sign program.

Blair Murdoch, All Vision Canada delivered a PowerPoint presentation regarding the proposed Metrolinx Digital Sign program along the Metrolinx rail corridor, adjacent to Highway 407.

The Committee discussed the following relative to the proposed Metrolinx digital signs:

- Length of advertisement and transition between advertising
- Location of sign at Highway 407 east of Yonge Street (south side)
- The need to develop a protocol outlining how to deal with emergency situations that need to be advertised
- Consider developing a policy regarding digital billboards along Highway corridors within Markham
- Should the revenue be directed to something specific such as Public Realm or remain in a general corporate revenue account

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

- 1) That the presentation provided by All Vision regarding the proposed Metrolinx Digital Sign Program be received.

Carried

**2. AVAC (AUTOMATED VACUUM COLLECTION)
FEASIBILITY WORKING GROUP STATUS UPDATE (5.0)**

[Presentation](#)

Claudia Marsales, Senior Manager of Waste & Environmental Management delivered a PowerPoint presentation providing an update regarding AVAC Feasibility Working group status.

It was noted that the AVAC feasibility working group has made good progress to date and that waste diversion remains a priority. There was brief discussion regarding ownership of the AVAC collection systems.

Moved by Regional Councillor Joe Li

Seconded by Councillor Colin Campbell

- 1) That the presentation provided by Claudia Marsales, Senior Manager of Waste & Environmental Management entitled "AVAC Feasibility Working Group Program Update" be received.

Carried

3. TRUCK SIDE GUARDS AND OTHER SAFETY MEASURES FOR CYCLISTS (5.10)

[Presentation](#)

Laurie Canning, Manager of Fleet and Supplies delivered a PowerPoint presentation regarding truck side guards and other safety measures for cyclists.

There was discussion regarding the importance of obtaining criteria and researched factual information from Transport Canada whether protective side guards on large trucks and trailers is feasible prior to requesting City contractors to install them.

Moved by Councillor Howard Shore
Seconded by Regional Councillor Gord Landon

- 1) That the presentation provided by Laurie Canning, Manager of Fleet and Supplies, entitled "Truck side guards and other safety measures for cyclists" be received; and,
- 2) **That the City of Markham request that the Federation of Canadian Municipalities and the Associations of Municipalities in Ontario support Bill C-344 for mandatory side guards on large trucks.**

Carried

4. MINUTES OF THE JUNE 9, 2014 GENERAL COMMITTEE (16.0)

[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the June 9, 2014 General Committee meeting be confirmed.

Carried

**5. MINUTES OF THE MAY 12, 2014
CANADA DAY COMMITTEE (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the May 12, 2014 Canada Day Committee meeting be received for information purposes.

Carried

**6. MINUTES OF THE MAY 8, 2014
MARKHAM TRAIN STATION
COMMUNITY CENTRE BOARD OF
MANAGEMENT MEETING (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the May 8, 2014 Markham Train Station Community Centre Board of Management meeting be received for information purposes.

Carried

**7. MINUTES OF THE MARCH 24 AND APRIL 28, 2014
FLATO MARKHAM THEATRE
ADVISORY BOARD MEETING (16.0)**
[Mar. 24](#) [Apr. 28](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the March 24 and April 28, 2014 FLATO Markham Theatre Advisory Board meetings be received for information purposes.

Carried

**8. MINUTES OF THE APRIL 21, 2014
BOX GROVE COMMUNITY CENTRE BOARD MEETING (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the April 21, 2014 Box Grove Community Centre Board meeting be received for information purposes.

Carried

**9. MINUTES OF THE APRIL 11, 2014
INFORMATION, COMMUNICATIONS AND
TECHNOLOGY SUB-COMMITTEE MEETING (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the April 11, 2014 Information, Communication and Technology Sub-Committee meeting be received for information purposes.

Carried

**10. MINUTES OF THE JUNE 13, 2014
ENVIRONMENTAL ISSUES COMMITTEE (16.0)**
[Minutes](#) [MESF Funding Report](#) [Trees for Tomorrow Report](#)

The Committee stated concern with the Trees for Tomorrow program funding being used as a funding source to partially offset the December 2013 ice storm from 2015 to 2021 with no funds available for outside non-profit organizations. There was brief discussion regarding the Emerald Ash Borer (EAB) program. It was suggested that the Trees for Tomorrow program be reviewed through the 2015 Budget process and that a break down of the EAB program and the December 2013 ice storm cost and recovery be available at the budget review.

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the minutes of the June 13, 2014 Environmental Issues Committee meeting be received for information purposes; and,

- 2) That the below recommendations from the report entitled “Markham Environmental Sustainability Fund, Funding Applications, Spring 2014” adopted at the June 13, 2014 Environmental Issues Committee be endorsed:
 - (a) That the report dated April 30, 2014 entitled Markham Environmental Sustainability Fund, Funding Applications, Spring 2014, be received; and,
 - (b) That the funding application from Ontario Streams for \$5,000.00, for a stream rehabilitation initiative at Little Rouge Creek and Robinson Creek, be approved; and,
 - (c) That the funding application from James Robinson Public School for \$5,000.00, for another phase of an accessible schoolyard, be approved; and,
 - (d) That the funding application from Pomona Mills Park Conservationists, Inc., for \$580.54, for a community planting initiative of native tree and shrub species, be approved; and,
 - (e) That a new Waste Management project be established for the approved applications in the amount of \$10, 580.54, to be funded from the Markham Environmental Sustainability Fund (MESF), account #87 2800168; and,
 - (f) That staff be authorized to do all things necessary to give effect to the above; and,
- 3) That the below recommendations from the report entitled “Markham Trees for Tomorrow Fund, Funding Recommendations - Spring 2014” adopted at the June 13, 2014 Environmental Issues Committee be endorsed:
 - (a) That the report dated April 18, 2014 entitled "Markham Trees for Tomorrow Fund, Funding Recommendations - Spring 2014" be received; and,
 - (b) That the funding application from LEAF (Local Enhancement and Appreciation of Forests) for \$30,000 to support LEAF's Backyard Tree Planting Program be approved; (Appendix 1 A, B & C); and,
 - (c) That the funding application from Evergreen for \$30,000, for their ‘Get Dirty’: Community Greening Initiative, be approved (Appendix 2); and,
 - (d) That the funding application from 10,000 Trees for the Rouge for \$30,000, for their 25th Annual Wildlife Habitat Restoration Project, be approved (Appendix 3); and,
 - (e) That the total amount of \$90,000 be funded from the 2014 Markham Trees for Tomorrow Capital Project account #700-101-5399-14214; and,

- (f) That funding from the Trees for Tomorrow program for the next 7 years (2015 to 2021) at \$0.12M/year totalling \$0.84M be committed as a funding source to partially offset the December 2013 ice storm response and recovery costs; and further,
- (g) That staff be authorized and directed to do all things necessary to give effect to these recommendations.

Carried

**11. 053-S-14 SUPPLY AND DELIVERY OF
FIRE APPARATUS (7.12)**
[Report](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “053-S-14 Supply and Delivery of three (3) Fire Apparatus” be received; and,
- 2) That the supply of one (1) Pumper apparatus be awarded to Safetek Emergency Vehicles in the total amount of \$597,211.12 in US dollars (\$649,885.14 in CAD dollars), inclusive of HST; and,
- 3) That authority to approve the expenditure to equip the one (1) Pumper apparatus in the amount of \$50,000.00 CAD be provided to the Director of Operations (or his designate) or the Fire Chief (or his designate) as per the limits in accordance to the Expenditure Control Policy; and,
- 4) That the funds for the Pumper apparatus award and associated equipment be provided from account 057-6150-14231-005 “Corporate Fleet Replacement-Fire” in the amount of \$699,885.14 CAD dollars; and,
- 5) That the supply of one (1) Tanker apparatus be awarded to Safetek Emergency Vehicles in the total amount of \$247,465.06 in US dollars (\$269,291.48 in CAD dollars), inclusive of HST; and,
- 6) That the funds for the Tanker apparatus award be provided from account 057-6150-14231-005 “Corporate Fleet Replacement-Fire” in the amount of \$269,921.48 CAD dollars; and,
- 7) That the net shortfall in account 057-6150-14231-005 “Corporate Fleet Replacement-Fire” in the amount of (\$18,741.22) be funded from the Non-DC Capital Contingency account; and,

- 8) That the supply of one (1) Aerial Platform apparatus be awarded to Safetek Emergency Vehicles in the total amount of \$1,048,457.70 in US dollars (\$1,140,931.67 in CAD dollars), inclusive of HST; and,
- 9) That authority to approve the expenditure to equip the one (1) Aerial Platform apparatus in the amount of \$200,000.00 CAD be provided to the Director of Operations (or his designate) or the Fire Chief (or his designate) as per the limits in accordance to the Expenditure Control Policy; and,
- 10) That the funds for the Aerial Platform apparatus and associated equipment be provided from account 057-5350-13403-005 “Two New Fleet Vehicles-Fire” in the amount of \$1,340,931.67 CAD dollars; and,
- 11) That the balance remaining in account 057-5350-13403-005 “Two New Fleet Vehicles-Fire” in the amount of \$185,173.98 be returned to original funding source (Development Charges Reserve); and,
- 12) That the tender process be waived in accordance with purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement, item 1 (e) which states “Where the City is acquiring specialized equipment, in which case the sources of supply may be identified based on technical specifications prepared by the User Department staff, the Manager of Purchasing may negotiate purchases based on such specifications in consultation with the User Department”; and,
- 13) That the Pumper apparatus 9981 (2005 model year) be reassigned to the spare fleet and one existing spare pumper apparatus (2003 model year) and the Tanker apparatus 9954 (1991 model year) be disposed of in accordance with Purchasing By-Law 2004-341, Part V, Disposal of Personal Property and the proceeds be posted to account 890-890-9305 “Proceeds of Sale-Other F/A” upon placing the new apparatus into service; and further,
- 14) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. STAFF AWARDED CONTRACTS FOR THE MONTHS OF APRIL AND MAY 2014

[Report](#) [Attachments](#)

The Committee enquired when the contract 034-T-14 interceptor sewer and manholes Kennedy Road sewage pumping station upgrade will begin and how long will it take. Staff advised that they will confirm that information and send an e-mail to Members of Council.

There was discussion regarding 021-T-14 tree stumping. It was suggested that staff try to obtain York Region's strategy relative to the replacement of ash trees.

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “Staff Awarded Contracts for the Months of April and May 2014” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

13. AWARD OF RFP 037-R-14 BUILDING OPERATIONS AND MAINTENANCE (MECHANICAL AND ELECTRICAL SYSTEMS) AT SEVEN LOCATIONS THROUGHOUT THE CITY (7.12)

[Report](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “Award of RFP 037-R-14 Building Operation and Maintenance at Seven Locations throughout the City” be received; and,
- 2) That the contract (037-R-14) for Building Operations and Maintenance at seven (7) locations throughout the City be awarded to the highest ranked and only successful proponent “Angus Consulting Management Limited”; and,
- 3) That the term of the contract be for two (2) years with an option to renew for two (2) additional years commencing on July 1, 2014 in the total amount of \$1,256,482.96 inclusive of HST; and,
- 4) That the contract be funded from various City Department’s Operating budgets as identified within the Financial Consideration Section; and,

- 5) That the Director of Asset Management and Senior Manager of Purchasing and Accounts Payable be authorized to exercise the option to renew the contract in year 3 and 4 subject to a price escalation, performance and budget approval; and,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**14. MARKHAM PAN AM CENTRE -
ENERGY SERVICES AGREEMENT WITH
MARKHAM DISTRICT ENERGY INC. (5.0)**
[Report](#)

Eileen Liasi, Markham resident addressed the Committee regarding the Markham Pan Am Centre - Energy Services Agreement with Markham District Energy Inc. and stated some concerns.

Bruce Ander, President, Markham District Energy Inc. (MDEI) addressed the Committee and highlighted the benefits of district energy versus conventional energy. It was noted that MDEI is providing thermal energy.

It was suggested that Ms. Liasi meet with Mr. Ander to further clarify any of her concerns.

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Carolina Moretti

- 1) That the report titled “Markham Pan Am Centre - Energy Services Agreement with Markham District Energy Inc.”, dated June 3, 2014 be received; and,
- 2) That a monthly Fixed Capacity Charge payable to Markham District Energy Inc (MDEI) of \$10,278.63 (to be indexed annually) be approved; and,
- 3) That a one-time Capital Contribution be made to MDEI of \$2,760,000; and,
- 4) That Capital Project #13318 “Pan Am Centre Construction” be increased by \$1,260,000 with \$1,134,000 to be funded from the Recreations Development Charges Reserve and \$126,000 to be funded from the Non-DC Growth Reserve Fund, bringing the Markham portion of the total construction costs from \$39,842,526 to \$41,102,526; and,
- 5) That any surplus funds remaining in Capital Project #13318 “Pan Am Construction” following completion of the project, will be allocated to offset the Capital Contribution of \$1,276,000, and returned proportionately to the Recreations Development Charges Reserve and the Non-DC Growth Reserve Fund; and,

- 6) That variable Energy Charges based on actual metered hot and chilled water energy use, be approved, and payable to MDEI on a monthly basis; and further,
- 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**15. 059-S-14 PURCHASE OF DISK STORAGE SYSTEM,
IMPLEMENTATION AND MAINTENANCE SERVICES (7.12)**
[Report](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “059-S-14 Purchase of Disk Storage System, Implementation and Maintenance Services.” Be received; and,
- 2) That the City’s Tender process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7, item 1 (g) which states “Where it is in the City’s best interest not to solicit a competitive bid”; and,
- 3) That the contract for Purchase of Disk Storage System, Implementation and Maintenance Services be awarded to a preferred supplier “Scaler Decisions Inc.” in the amount of \$728,771 inclusive of HST; and,
- 4) That the total award of \$728,771 inclusive of HST, be funded from the Primary Data Centre Server Replacement project (Account #49-5350-14409-005) in the amount of \$244,394 and from the IT Disaster Recovery project (Account #49-6900-14083-005) in the amount of \$484,377; and,
- 5) That Scaler Decisions Inc. be the preferred supplier for a period of six (6) years, the life cycle of the product, effective September 1, 2014 (2014 – 2020) at the same itemized prices with an option for an additional two (2) year extension; and,
- 6) That the Chief Information Officer and Senior Manager of Purchasing and Accounts Payable be authorized to extend the contract for a further two (2) years (2021 - 2022); and,
- 7) That Staff be authorized to amend the purchase order amounts in years 2015 – 2022 to accommodate business needs for the purchase of the identified Disk Storage System products through Capital and Operating Budgets as approved by Council during the annual budget process; and,

- 8) That this report be brought forward to the June 17th, 2014 Council meeting; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**16. NATIONAL BRAND FOOD AND BEVERAGE
FRANCHISE SERVICE FOR
CORNELL COMMUNITY CENTRE AND LIBRARY
AND PAN AM CENTRE (6.0)**

[Report](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the report “National Brand Food & Beverage Franchise Service for Cornell Community Centre & Library and Pan Am Centre” be received; and,
- 2) That Chief Administrative Officer and Treasurer be authorized to negotiate and finalize an agreement with Presse Café to operate and manage the concession areas at the Cornell Community Centre and Library and the Pan Am Centre in a form satisfactory to the City Solicitor; and,
- 3) That the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7.1 (f) where, for any reason, a call for tender does not result in the award of a contract; and,
- 4) That Staff report back to General Committee on the results of the negotiations; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**17. 022-R-14 SUPPLY, INSTALLATION AND
MAINTENANCE OF WATER METERS (7.12)**
[Report](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the report “022-R-14 Supply, Installation and Maintenance of Water Meters” be received; and,
- 2) That the contract for the supply, installation and maintenance of water meters be awarded to the highest ranked/ second lowest priced Bidder, Neptune Technology Group (Canada) Limited for a 5 year term from February 1, 2015 to January 31, 2020 with a renewal option for an additional 2 years at the same terms, condition and pricing, for an estimated annual contract amount of \$1,038,716 inclusive of HST and a total award of \$5,193,580 inclusive of HST over 5 years; and,
- 3) That the Pricing for the first three years be fixed, and the next two years be adjusted based on the Consumer Price Index (Ontario-All Items); and,
- 4) That Staff be authorized to amend the award amounts in years 2015-2022 to reflect changes to the Capital and Operating Budget accounts as approved by Council during the annual budget process; and,
- 5) That the Director of Environmental Services and Senior Manager of Purchasing be authorized to extend the contract for a further two (2) years (February 1, 2020 to January 31, 2022) with unit price escalation based on CPI (Consumers Price Index) for Ontario-All Items; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**18. SELF CONTAINED BREATHING APPARATUS,
FACE PIECE AND BREATHING VALVE
REPLACEMENT (7.12)**
[Report](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “108-S-14 Self Contained Breathing Apparatus, Face Piece and Breathing Valve Replacement” be received; and,

- 2) That the 2014 contract requirement be awarded to ResQtech Systems Inc. in the amount of \$577,844.16 inclusive of HST; and,
- 3) That the Fire Chief (or his designate) and the Senior Manager of Purchasing be authorized to exercise the option to renew Contract 108-S-14 for an additional year (2015) for \$60,257.18 inclusive of HST at the 2014 itemized prices subject to performance and budget approval; and,
- 4) That in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1e), Non-Competitive Procurement, whereby “the City is acquiring specialized equipment, such as fire fighting equipment, in which case the sources of supply may be identified based on technical specifications prepared by the User Department staff; and,
- 5) That the funds for the award be provided from account 067-6150-14124-005 “Self Containing Breathing Apparatus” in the amount of \$577,844.16 dollars (inclusive of HST); and,
- 6) That the remaining balance of \$18,356 in account 067-6150-14124-005 “Self Containing Breathing Apparatus” be returned to the original funding source; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

19. REVISED COUNCIL CODE OF CONDUCT (16.23)

[Report](#) [Attachments](#)

Kimberley Kitteringham, City Clerk delivered a PowerPoint presentation outlining the revised Council Code of Conduct.

It was suggested that following Council endorsement the Council Code of Conduct document include the revision date.

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

- 1) That the report entitled “Revised Council Code of Conduct” be received for information purposes; and,
- 2) That Council adopt the revised Council Code of Conduct included with this report as Attachment “A”; and,

- 3) That Council adopt the revised Investigation Protocol included with this report as Attachment “B”; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

20. METROLINX DIGITAL SIGN PROGRAM (5.0)

[Report](#) [Attachments](#)

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

- 1) That the report entitled “Metrolinx Digital Sign Program” dated June 10, 2014 be received; and,
- 2) That Staff be directed to amend By-law 2002-94 to permit two digital billboards along the Highway 407 corridor; and,
- 3) That Staff be authorized to enter into a Memorandum of Agreement with All Vision in a form satisfactory to the Chief Administrative Officer and City Solicitor; and,
- 4) That staff be directed to work with All Vision to finalize the location of the sign in the Langstaff Gateway (Highway 407 east of Yonge Street area); and,**
- 5) That All Vision pay an annual sign administration payment of \$25,000 per sign structure, subject to an annual increase based on the greater of 2% or the Consumer Price Index (CPI) (Toronto All Items September – September) effective January 1st every year; and,
- 6) That revenues generated from the Metrolinx Digital Sign Program in Markham be deposited to Account 890-890-9399 “Other Corporate Revenues”; and,
- 7) That Staff report back within one year of program implementation with a status report; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**21. AVAC (AUTOMATED VACUUM COLLECTION)
FEASIBILITY WORKING GROUP STATUS UPDATE (5.0)**
[Report](#) [Attachments](#)

Moved by Regional Councillor Joe Li
Seconded by Councillor Colin Campbell

- 1) That the report entitled “AVAC Feasibility Working Group – Status Update” be received; and,
- 2) That the AVAC Working Group Mission Statement and Guiding Principals be endorsed; and,
- 3) **That the development of a Feasibility Analysis study be approved with input from all key stakeholders and the AVAC Working Group** to determine AVAC system costs, benefits, funding and ownership options and report back to General Committee in Q1 2015; and,
- 4) That a new Capital Project for the Feasibility Analysis be approved to a maximum amount of \$50,000 to be funded from the Markham Environmental Sustainability Reserve Fund and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**22. AWARD OF TENDER FOR WEST THORNHILL
FLOOD REMEDIATION PHASE 1 STAGE 1 (7.12)**
[Report](#) [Attachments](#)

Robert Muir, Manager, Stormwater delivered a PowerPoint presentation outlining reasons for the budget shortfall relative to the West Thornhill – Phase 1A Storm Sewer and Watermain Replacement.

There was considerable discussion with respect to the proposed increase to stormwater fee rates for residential and multi-residential properties and on the budget shortfall of \$6.15M for Phase 1A construction. The Committee enquired why the budget shortfall was not identified earlier. Staff advised that the preliminary estimates were based on high level Environmental Assessment costs. Upon completion of the detail design stage, the cost estimate for Phase 1A identified a potential shortfall of \$4,194,647 over the available budget due to the complexities of the work required and the extremely challenging local site conditions. Pricing obtained in response to tender exceeded the cost estimate by \$1,958,682. The total shortfall is \$6,153,329.15. Staff also advised that Phase 1B and 1C will be tendered in Nov/Dec 2014 in order to obtain a more competitive pricing.

Staff reiterated that the revised overall program cost estimate of \$234M is based on the available information to date which is limited preliminary design of Phases 1B, 1C, 2A and 2B and to EA cost estimates for the remaining. That rates will be adjusted systematically as implementation costs are known, and more studies and detail designs are completed.

Moved by Councillor Valerie Burke
Seconded by Councillor Howard Shore

- 1) That the report entitled “Award of Tender 072-T-14 West Thornhill – Phase 1A Storm Sewer and Watermain Replacement” be received; and,
- 2) That the contract for Tender 072-T-14 West Thornhill – Phase 1A Storm Sewer and Watermain Replacement be awarded to the sole Bidder, Lancorp Construction Co. Ltd., in the amount of \$10,479,269.09, inclusive of HST; and,
- 3) That a 10% contingency in the amount of \$1,047,926.91, inclusive of HST, be established to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
- 4) That purchase order PD 12134 issued to R.V. Anderson Associates Limited for engineering consulting services be increased by \$272,817.03 (from \$789,614.86 to \$1,062,431.89) inclusive of HST to cover the additional contract administration and construction inspection services, geotechnical inspection, material testing and environmental inspections; and,
- 5) That contingency purchase order PD 12135 issued to R.V. Anderson Associates Limited be increased by \$27,281.70 inclusive of HST, (from \$118,442.23 to \$145,723.93) to cover any additional contract administration and construction inspection services, geotechnical inspections, material testing and environmental inspections and that authorization to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 6) That the contract award be funded from “Thornhill Storm Sewer Upgrades” 058-6150-9330-005 in the amount of \$3,102,592.00 and “Flood Control Implementation – West Thornhill (Phase 2)” 058-6150-14271-005 in the amount of \$2,571,373.58; **(the available budget for Phase 1A construction is \$5,673,965.58 and based on the revised Bid Price and contract administration cost, Phase 1A construction has a shortfall in the amount of \$6,153,329.16)** and,
- 7) That the revised cost estimate for the overall Flood Control Program from \$186M to \$234M (in 2014 dollars) be addressed through an increase of stormwater fee rates to \$47 per unit/year from \$36 per unit/year for residential and multi-residential properties and \$29/\$100,000 current value assessment (CVA)/year from \$21/\$100,000 CVA/year for non-residential properties; and,

- 8) That a new Stormwater Fee Reserve fund be established for the Flood Control Implementation Program; and,
- 9) That a 5-year moratorium be placed on any major servicing and utility installation along Doncrest Drive, Poinsetta Drive (between Doncrest Drive and Daffodil Avenue) and Daffodil Avenue; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**23. TO2015 PAN AM/PARAPAN AM GAMES -
JUNE 2014 STATUS UPDATE (6.0)**
[Report](#) [Attachments](#) [Presentation](#)

Mary Creighton, Director of Recreation Services delivered a PowerPoint presentation regarding the TO2015 Pan Am/Parapan Am Games that included: community activation strategy, municipal service agreements and facility operations.

Phoebe Fu, Director of Asset Management delivered a PowerPoint presentation regarding the TO2015 Pan Am/Parapan Am Games providing a construction update.

Paul Ingham, Director of Operations delivered a PowerPoint presentation regarding the TO2015 Pan Am/Parapan Am Games that included: games/logistics planning update, public realm project for Markham Pan Am Centre, transportation and emergency services.

The Committee discussed the following relative to the Pan Am/Parapan Am Games:

- The potential of re-aligning to the baseline project schedule (currently 8+ weeks behind schedule)
- Proposed water feature
- Opportunities for public art

Moved by Regional Councillor Gord Landon
Seconded by Deputy Mayor Jack Heath

- 1) That the report TO2015 Pan Am/Parapan Am Games – June 2014 Status Update be received; and,
- 2) That Council approve the revised Terms of Reference for the Markham Pan Am Host Advisory Committee (Attachment A); and,

- 3) That Council approve the vision, mission and key outcomes for the City of Markham as discussed in the Markham Activation Strategy section of this report; and,
- 4) That the Mayor and Clerk be authorized to execute the Municipal Service Agreement in a form satisfactory to the Chief Administrative Officer, Commissioner of Community and Fire Services, and City Solicitor; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

24. FEDERAL COURT JUDICIAL ANNOUNCEMENT (12.2.6)

Councillor Howard Shore addressed the Committee to share that Thornhill resident Alan Dinner is now the Honourable Alan Diner, a lawyer with Baker & McKenzie LLP in Toronto, who has been appointed a judge of the Federal Court of Canada.

Mr. Justice Diner received a Bachelor of Laws in 1993 and a Master of Laws in International Trade and Competition Law in 1998, both from Osgoode Hall Law School. He was called to the Bar of Ontario in 1995 and the Bar of New York in 2005. He received the Certified Specialist in Immigration Law designation from the Law Society of Upper Canada in 2013.

Mr. Justice Diner has practised with Baker & McKenzie LLP since 2008 and served as head of its immigration law practice group. Prior to that, he served as a manager and coordinator with the Ontario Ministry of Citizenship and Immigration, and as legal counsel and advisor to the Ontario Ministry of Economic Development and Trade. He practised with several other law firms, including Bennett Jones LLP and Flavell, Kubrick, Lalonde in Ottawa. Prior to his call to the Bar of Ontario, he served as a law clerk to Mr. Justice J. K. Hugessen of the Federal Court of Appeal.

Mr. Justice Diner played a crucial role as President of the German Mills Residents Association during negotiations over the Shops on Steeles development application. Councillor Shore indicated that last year he nominated Mr. Justice Diner for the Queen's Diamond Jubilee award.

Mr. Justice Diner has been a frequent lecturer for various industry groups, including the Canadian Migration Institute and the Canadian Society of Immigration Consultants. He has participated in panel presentations to various government departments, including Citizenship and Immigration Canada, Human Resources and Social Development Canada, and the Canada Border Services Agency.

His expertise in immigration law has been recognized by various publications, including L'Expert and The International Who's Who Legal.

It was suggested that the Mayor on behalf of all Members of Council forward a letter of congratulations to Honourable Alan Diner.

Moved by Howard Shore
Seconded by Alan Ho

That the Mayor be requested to send a letter of congratulations to Honourable Alan Diner on behalf of all Members of Council.

Carried

25. PAID DUTY OFFICERS (3.5)

Councillor Carolina Moretti advised the Committee that a meeting was held on May 20, 2014 at the York Region Police Station, District 5 with City staff and some Members of Council to discuss the factors contributing to the cost of paid duty police officers for the City's special events and provided the outcome of the meeting. She indicated that a PowerPoint presentation entitled "Policing Community Events" was provided and that she will forward it to Members of Council for their information.

Moved by Councillor Colin Campbell
Seconded by Councillor Don Hamilton

That the update from Councillor Carolina Moretti regarding the May 20, 2014 meeting at the York Region Police Station, District 5, be received.

Carried

26. IN-CAMERA MATTERS

Moved by Mayor Frank Scarpitti
Seconded by Deputy Mayor Jack Heath

That the June 16, 2014 General Committee in-camera agenda be referred directly to the June 24, 2014 Council meeting.

- (1) GENERAL COMMITTEE IN-CAMERA MINUTES - JUNE 9, 2014 (16.0)
[Section 239 (2) (b) (a), (b) (c) (b) (f)]
- (2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6)
[Section 239 (2) (c)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 5) (8.6)
[Section 239 (2) (c)]
- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARDS 5 AND 7) (8.6)
[Section 239 (2) (c)]
- (5) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE RESIGNATIONS) (16.24)
[Section 239 (2) (b)]

Carried

Adjournment

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the General Committee meeting adjourn at 2:48 PM.

Carried