



**Minutes  
General Committee  
March 3, 2014  
Meeting Number 7**

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**Finance & Administrative Issues**

Chair: Mayor Frank Scarpitti  
Vice Chair: Councillor Carolina Moretti

**Environment & Sustainability Issues**

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

**Community Services Issues**

Chair: Councillor Alex Chiu  
Vice Chair: Councillor Howard Shore

**Building, Parks, & Construction Issues**

Chair: Councillor Logan Kanapathi  
Vice Chair: Councillor Colin Campbell

**Alternate formats are available upon request.**

**Attendance**

Deputy Mayor Jack Heath  
Regional Councillor Jim Jones  
Regional Councillor Gord Landon  
Regional Councillor Joe Li  
Councillor Valerie Burke  
Councillor Howard Shore  
Councillor Don Hamilton  
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  
Paul Ingham, Director of Operations  
Andrea Tang, Manager of Financial Planning  
Alex Moore, Manager of Purchasing  
Alida Tari, Council/Committee Coordinator

**Regrets**

Mayor Frank Scarpitti  
Councillor Carolina Moretti

The General Committee convened at the hour of 9:07 AM with Councillor Alex Chiu in the Chair and Councillor Valerie Burke Chaired Environment and Sustainability related items.

The General Committee recessed at 12:03 PM and reconvened at 1:00 PM.

**Disclosure of Interest**

None disclosed.

**1. 2013 YEAR END REVIEW OF OPERATIONS (7.4)**  
[Presentation](#)

Andrea Tang, Manager of Financial Planning delivered a PowerPoint presentation regarding the 2013 Year End Review of Operations.

The Committee discussed the following relative to the 2013 year end review of operations:

- Response cost of \$1.09 M from the December 2013 Ice Storm
- Overtime and other personal costs
- Reserve fund for Firefighter sick leave
- Building Fee Reserve - is it too high?
- Net deficit of (\$3.18 M)
- Recreation variances - focusing on increasing participation at all recreation centres
- 2014 Budget discussions should include consideration to a phase-in period for year end accounting adjustments
- Planning & Design Unfavourable Variances - result of buildings that did not materialize in 2013

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Don Hamilton

- 1) That the presentation provided by Andrea Tang, Manager of Financial Planning, entitled “2013 Year End Review of Operations” be received.

Carried

**2. MARKHAM INTERNATIONAL SPORTS TRAINING ACADEMY (MISTA)  
AND MARKHAM LIVE INFORMATION (7.0)**  
[MISTA Presentation](#) [Markham Live Expenses](#)

Alex Moore, Senior Manager of Purchasing delivered a PowerPoint presentation outlining the Request for Information process for Markham International Sports Training Academy (MISTA).

The Committee discussed whether this proposal is to be funded entirely by the private sector or whether municipal funding is required. Staff pointed out that all 5 submissions for the Request for Information (RFI) indicated that some municipal funding is required.

Joel Lustig, Treasurer addressed the Committee and provided a verbal update regarding the Markham Live expenditures and commitments.

There was considerable discussion regarding whether anymore municipal funds should be spent for the MISTA proposal.

It was suggested that the MISTA presentation be referred to a MISTA subcommittee meeting in early to mid April 2014.

Karen Rea, Markham resident addressed the Committee regarding the Markham Live Financial Update advising that she filed a Freedom of Information (FOI) for all reports related to the arena. She asked the following questions:

- What exactly did the municipality pay \$38,397 to Ron A. Carinci and why does the Clerks department have no knowledge of it?
- What is the amount of money spent for the due diligence and the company that was hired to perform the due diligence?
- Is the amount disguised under the Legal Advise amount of \$97,000 and if not she would like the name of the law firm retained.
- Requesting that all reports related to the arena be fully released to the public given that Council voted 11-2 that the arena should be 100% privately funded.
- How much staff time and money has been spent on the arena?

Staff advised that Mr. Ron A. Carinci presented to staff and that Mr. Carinci is a lawyer with a background in development. He provided financial advice to Committee. Staff pointed out that the municipality does not track staff's regular and overtime work hours with any specific project.

The Committee suggested that staff provide a written response to the questions raised by the deputant.

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Don Hamilton

- 1) That the information provided by Alex Moore, Senior Manager of Purchasing and Accounts Payable, regarding the Request for Information (RFI) initiative for Markham International Sports Training Academy (MISTA) be received **and referred to a MISTA subcommittee meeting to be held in early to mid April 2014**; and,
- 2) That the information provided by Joel Lustig, Treasurer, regarding Markham Live expenses be received; and,
- 3) **That the deputation from Karen Rea, Markham resident, be received; and,**
- 4) **That staff provide a written response to the questions raised by Karen Rea to be discussed at the MISTA subcommittee meeting; and further,**
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**3. MINUTES OF THE FEBRUARY 24, 2014  
GENERAL COMMITTEE (16.0)**

[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the February 24, 2014 General Committee meeting be confirmed.

Carried

**4. MINUTES OF THE NOVEMBER 21, 2013  
MARKHAM VILLAGE BUSINESS  
IMPROVEMENT AREA (16.0)**

[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the November 21, 2013 Markham Village Business Improvement Area meeting be received for information purposes.

Carried

**5. MINUTES OF THE JANUARY 15, 2014  
ANIMAL CARE COMMITTEE (16.0)**

[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 15, 2014 Animal Care Committee meeting be received for information purposes.

Carried

**6. MINUTES OF THE JANUARY 13, 2014  
VARLEY-MCKAY ART FOUNDATION OF MARKHAM (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 13, 2014 Varley-McKay Art Foundation of Markham meeting be received for information purposes.

Carried

**7. MINUTES OF THE JANUARY 6, 2014  
RACE RELATIONS COMMITTEE (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 6, 2014 Race Relations Committee meeting be received for information purposes.

Carried

**8. MINUTES OF THE SEPTEMBER 23, 2013 AND  
NOTES OF THE OCTOBER 28, 2013  
FLATO MARKHAM THEATRE ADVISORY BOARD (16.0)**  
[Minutes](#) [Notes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the September 23, 2013 and notes of the October 28, 2013 Flato Markham Theatre Advisory Board meetings be received for information purposes.

Carried

**9. MINUTES OF THE JANUARY 16, 2014  
UNIONVILLE STIVER MILL  
PRESERVATION ADVISORY COMMITTEE (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 16, 2014 Unionville Stiver Mill Preservation Advisory Committee meeting be received for information purposes.

Carried

**10. MINUTES OF THE JANUARY 16, 2014  
MARKHAM ENVIRONMENTAL  
ADVISORY COMMITTEE (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 16, 2014 Markham Environmental Advisory Committee meeting be received for information purposes.

Carried

**11. MINUTES OF THE JANUARY 9, 2014  
MARKHAM TRAIN STATION COMMUNITY  
CENTRE BOARD OF MANAGEMENT (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 9, 2014 Markham Train Station Community Centre Board of Management meeting be received for information purposes.

Carried

**12. MINUTES OF THE DECEMBER 11, 2013  
GERMAN MILLS COMMUNITY CENTRE BOARD (16.0)**  
[Minutes](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the December 11, 2013 German Mills Community Centre Board meeting be received for information purposes.

Carried

**13. MINUTES OF THE JANUARY 27, 2014  
MARKHAM PUBLIC LIBRARY BOARD  
ANNUAL GENERAL MEETING AND  
REGULAR MEETING (16.0)**  
[AGM Minutes](#) [Regular Meeting](#)

There was brief discussion regarding the Markham Public Library's Strategic Planning.

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the minutes of the January 27, 2014 Markham Public Library Board Annual General Meeting and regular meeting be received for information purposes.

Carried

**14. AWARD OF CONTRACT 186-R-13  
 REAL ESTATE BROKERAGE SERVICES (7.12 & 8.0)  
[Report](#)**

Moved by Councillor Howard Shore  
 Seconded by Councillor Don Hamilton

- 1) That the report entitled “Award of Contract 186-R-13 Real Estate Brokerage Services” be received; and,
- 2) That the contract for Real Estate Brokerage Services be awarded to the highest ranked/lowest priced bidder, Cushman & Wakefield Ltd.; and,
- 3) That Contract 186-R-13 for Real Estate Brokerage Services be awarded to the highest ranked bidder, Cushman & Wakefield Ltd., for a one (1) year term with the City having an option to renew for four (4) additional years, with the following commission rates payable to them upon closing of the sales transaction for five years (exclusive of HST); and,

<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Sale of property	2.00%	2.00%	1.75%	1.75%	1.75%
Purchase of property*	1.50%	1.50%	1.50%	1.50%	1.50%
Lease of property					
a) Residential (% of 1-month rent)	50.00%	50.00%	50.00%	50.00%	50.00%
b) Industrial (% of 1-month net rent)	2.00%	2.00%	2.00%	2.00%	2.00%
c) Office (\$ per square foot)	\$0.20	\$0.30	\$0.40	\$0.50	\$0.60

\*If the property is not actively listed for sale and the seller refuses to pay a commission to the broker, the City, as purchaser, would be responsible to pay commission at the rate as outlined on the above chart.

- 4) That bidder Cushman & Wakefield Ltd. be designated as the preferred vendor of the City’s Real Estate Brokerage Services needs for a one year term with the City Solicitor having the authority to renew successive one year terms to a maximum of five years; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried



**15. C.D. HOWE REPORT ON MUNICIPAL  
BUDGET PRACTICES (7.0)**

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

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the report dated February 20, 2014 entitled “C.D. Howe Report on Municipal Budget Practices” be received.

Carried

**16. BILL 69 – PROMPT PAYMENT ACT, 2013 (7.0)**

[Report](#) [Attachment](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the Report titled “Bill 69 – Prompt Payment Act, 2013” be received; and,
- 2) That Council endorse the Association of Municipalities of Ontario's (AMO) request that municipal governments be exempt from the requirements of the Prompt Payment Act as set out in Attachment 1 to this report; and,
- 3) That the Mayor, on behalf of Council, forward a letter to the members of the Standing Committee, the party leaders and the local MPPs requesting Bill 69 - Prompt Payment Act be amended to:
  - reflect more realistic timelines for payments in infrastructure projects;
  - allow time for due diligence before accepting work and certifying payments; and
  - allow payments to continue to be tied to project milestones; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**17. 2013 YEAR END REVIEW OF OPERATIONS (7.4)**

[Report](#) [Appendices](#)

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the report dated entitled “2013 Year End Review of Operations” be received; and,
- 2) That the City’s 2013 total net unfavourable variance of (\$3.181M) be funded from the following sources:
  - a. LTD Reserve in the amount of \$0.281M for the City’s day-to-day operating surplus of \$1.614M net of year end accounting adjustments of (\$1.895M); and
  - b. Corporate Stabilization Reserve in the amount of \$2.900M for winter maintenance unfavourable variance of (\$1.810M) and ice storm related costs of (\$1.090M) incurred in 2013; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**18. QUALITY MANAGEMENT SYSTEM -  
QMS POLICY ENDORSEMENT AND  
MANAGEMENT REVIEW OUTCOMES (5.3)**

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

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

- 1) That the report “Quality Management System – QMS Policy Endorsement and Management Review Outcomes” be received; and,
- 2) That Council, as the Owner of the City’s drinking water system, acknowledges and endorses the revisions made to the City’s Quality Management System (QMS) Policy; and,
- 3) That the Quality Management System Management Review Outcomes be received; and,

- 4) That Council, as the Owner of the City's drinking water system, acknowledge and support the outcomes and action items identified from the 2013 Management Review #2; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**19. AUTOMATED VACUUM COLLECTION (AVAC)  
FEASIBILITY WORKING GROUP -  
TERMS OF REFERENCE (5.0)**  
[Report](#) [Attachment](#)

Moved by Councillor Alex Chiu  
Seconded by Councillor Logan Kanapathi

- 1) That the report entitled "AVAC Feasibility Working Group – Terms of Reference" be received; and,
- 2) That the attached AVAC Terms of Reference be approved and Regional Councillor Li be appointed Chair of the AVAC Feasibility Working Group with the following membership: Mayor Frank Scarpitti, Deputy Mayor Jack Heath and Councillor Alan Ho; and,
- 3) That the AVAC Feasibility Working Group provide a status update at the June 6<sup>th</sup>, 2014 General Committee meeting and table the completed study and recommendations in October 2014; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**20. THE PUBLIC SECTOR SALARY DISCLOSURE ACT (1996) - SUNSHINE LIST (13.2)**

Councillor Colin Campbell addressed the Committee and suggested that the Markham Library be asked to voluntarily disclose salaries over \$100,000.

The Committee suggested that a letter be forwarded to the Ministry of Finance requesting that the Public Sector Salary Disclosure Act (1996) be amended to include full salary disclosure over \$100,000 for all Ontario public sector salaries for all boards, agencies and local hydro distribution companies.

Moved by Councillor Colin Campbell  
Seconded by Councillor Don Hamilton

That the Ministry of Finance be requested to amend the Public Sector Salary Disclosure Act (1996) to include full disclosure of salaries over \$100,000 for all Ontario public sector salaries for all Boards, Agencies and Hydro Local Distribution Companies.

Carried

**21. KIJJI AND CRAIGSLIST (14.0)**

Councillor Don Hamilton requested an update on the recent issue involving anonymous Kijiji and Craigslist election ads that used the Markham Logo.

Staff advised that all of the ads that inappropriately used the Markham Logo have been removed. Staff also indicated that each of the 78 Kijiji ads were individually responded to with a request that the poster of the ads identify themselves and refrain from using Markham's logo, etc. Out of an abundance of caution, staff also advised the York Region Public and Catholic School Boards regarding the concerns received by the City regarding the anonymous nature of the ads. The City has additionally released 2 Public Service Announcements on this issue.

The alleged poster of the ads has indicated to the York Regional Police and to City staff that they were a student trying to create interest in the municipal election process. York Region Police have conducted an investigation into the matter and have concluded there is no criminal intent behind the posting of the ads – they have therefore closed the matter.

There was discussion regarding whether Members of Council are permitted to use the Markham Logo on their personal website. Staff advised that they are not permitted to use it.

**22. BOWL FOR BIG BROTHERS AND SISTERS (12.2.6)**

Regional Councillor Gord Landon addressed the Committee encouraging Members of Council to sign up and participate in the Bowl for Kids Sake event. He advised that six players are needed.

**23. IN-CAMERA**

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Don Hamilton

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into an in-camera session to discuss the following confidential matters (1:00 PM):

- (1) GENERAL COMMITTEE IN-CAMERA MINUTES - FEBRUARY 24, 2014 (16.0)  
[Section 239 (2) (b) (b) (b) (b)]
- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (CLOSED MEETING INVESTIGATOR REPORT) (13.2)  
[Section 239 (2) (f)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 3) (8.6)  
[Section 239 (2) (c)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENT AND RESIGNATION) (16.24)  
[Section 239 (2) (b)]

Carried

Moved by Councillor Don Hamilton  
Seconded by Deputy Mayor Jack Heath

That the General Committee rise from the in-camera session (1:31 PM)

Carried

**Adjournment**

Moved by Councillor Don Hamilton  
Seconded by Councillor Alan Ho

That the General Committee meeting adjourned at 1:32 PM.

Carried