



**MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE
SUB-COMMITTEE**

**Monday, April 15, 2013 – 10:30 a.m.
Canada Room**

MINUTES

<u>Attendance:</u> <u>Subcommittee Members:</u> Mayor Frank Scarpitti - Chair Deputy Mayor Jack Heath – Vice Chair Regional Councillor Jim Jones 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	<u>Staff:</u> Andy Taylor, CAO Jim Baird, Commissioner of Development Services Trinela Cane, Commissioner of Corporate Services Brenda Librecz, Commissioner of Community Services Catherine Conrad, City Solicitor Denis Flaherty, Director, Corporate Communications Joel Lustig, Treasurer Don Taylor, Manager, Executive Operations Mark Visser, Senior Manager, Financial Strategy & Investments Kitty Bavington, Council/Committee Coordinator
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The Markham Sports, Entertainment, and Cultural Centre Sub-committee meeting convened at 10:44 a.m. with Mayor Frank Scarpitti presiding as Chair.

The Committee consented to add new business In-camera regarding Personal matters about an identifiable individual, including municipal or local board employees (6.0) [Section 239 (2) (b)].

- 1. Disclosure of Interest – None Declared**
- 2. Markham Sports, Entertainment & Cultural Centre Sub-Committee Minutes, February 11, 2013**

Moved by: Councillor Howard Shore
Seconded by: Councillor Don Hamilton

That the minutes of the Markham Sports, Entertainment & Cultural Centre Sub-Committee meeting, held February 11, 2013, be confirmed.

CARRIED

3. Deputations

Karen Rea made a deputation regarding the release of information and due diligence, and provided a copy of her statement.

Donna Bush made a deputation regarding due diligence and provided a copy of her statement.

The Committee made brief responses and corrected information from the deputations.

Moved by: Councillor Carolina Moretti

Seconded by: Councillor Logan Kanapathi

That the deputations and written submissions by Karen Rea and Donna Bush regarding due diligence, be received.

CARRIED

4. Second Opinion Update (6.0)

Trinela Cane, Commissioner of Corporate Services provided an update regarding the following motion adopted by Council on February 12, 2013:

"That the motion titled "Made All Reports Related to the GTA Arena Public" be deferred and that a second opinion be sought from an outside legal source to provide advice on whether the City should release the records to the public referenced in the motion."

Commissioner Cane provided an overview of the process followed in obtaining a second opinion, including developing a set of criteria for the candidates, consulting with colleagues for appropriate candidates, short-listing and interviewing candidates, clearing conflicts relating to the documents and authors concerned, and reference checks. The CAO has accepted the recommendation for Alex Cameron, partner at Fasken Martineau, to provide the second opinion. Mr. Cameron's extensive experience and qualifications were reviewed.

The Committee reviewed the mandate of the second opinion is to review the documents in question, ascertain whether they should be released to the public, and assess the risk of release from a variety of perspectives. The opinion report is anticipated to be presented to Council in the next few weeks for discussion.

Moved by: Regional Councillor Gord Landon

Seconded by: Councillor Alex Chiu

That the verbal update by Trinela Cane, Commissioner of Corporate Services regarding a second opinion for the release of confidential documents related to the GTA Public Arena, be received.

CARRIED

5. In-Camera Matters

Moved by: Councillor Alex Chiu
Seconded by: Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, the Markham Sports, Entertainment and Cultural Centre Sub-Committee resolve into an in-camera session to discuss the following matters:

- 1) Minutes of Markham Sports, Entertainment and Cultural Centre Sub-committee meeting, February 11, 2013 (16.0) [Section 239 (2) (a) (f)];
- 2) **New Business: Personal matters about an identifiable individual, including municipal or local board employees (6.0) [Section 239 (2) (b)].**
- 3) Personal matters about an identifiable individual, including municipal or local board employees (6.0) [Section 239 (2) (b)];
- 4) A proposed or pending acquisition or disposition of land by the municipality or local board (8.6) [Section 239 (2) (c)];

CARRIED

Moved by: Councillor Alex Chiu
Seconded by: Councillor Alan Ho

That the Markham Sports, Entertainment and Cultural Centre Sub-committee rise from in-camera at 1:15 p.m.

CARRIED

ADJOURNMENT

The Markham Sports, Entertainment, and Cultural Centre Sub-committee meeting adjourned at 1:15 p.m.