The following are the minutes of the Regular Council meeting held at 7:10 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, J. Brewer, D. Craig*, R. Deutschmann, T. Galloway, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, S. Strickland, J. Wideman, and C. Zehr.

Members Absent: T. Cowan

CLOSING SESSION

MOVED by J. Wideman
SECONDED by T. Galloway

THAT a closed meeting of Council be held on Wednesday, June 27, 2012 at 6:30 p.m. in the Waterloo County Room in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

a) receiving of legal advice and opinion that is subject to solicitor-client privilege related to an agreement
b) proposed or pending acquisition of land in the City of Kitchener
c) proposed or pending acquisition of land in the City of Kitchener
d) personal matters about identifiable individuals and labour relations

CARRIED

MOVED by C. Millar
SECONDED by T. Galloway

THAT Council reconvene in Open Session.

CARRIED

DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

K. Seiling declared a pecuniary interest with respect to rapid transit issues involving a Closed report on light rail transit, Items 6 and 7 (reports CR-RS-12-040 and E-12-064) of the Planning and Works Committee Summary of Recommendations and the delegation from Siemens Canada, all due to two of his adult children who own residential properties within the proposed corridor. Chair Seiling also disclosed a pecuniary interest with respect to the Notice of Motion to reconsider the policy for reimbursement for Municipal Conflict of Interest Legal Opinion expenses as the decision may have a potential financial benefit due to his current conflicts relative to light rail transit. He stated he will not participate in the discussions or vote on the matters and only call speakers from the chair.

R. Deutschmann declared a pecuniary interest with respect to rapid transit issues involving a Closed report on light rail transit, Items 6 and 7 (reports CR-RS-12-040 and E-12-064) of the
Planning and Works Committee Summary of Recommendations and the delegation from Siemens Canada, all due to he and his spouse being shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener. He also disclosed a pecuniary interest with respect to the Notice of Motion to reconsider the policy for reimbursement for Municipal Conflict of Interest Legal Opinion expenses as it could have implications on him personally relative to light rail transit.

D Craig declared a pecuniary interest with respect to rapid transit issues involving a Closed report on light rail transit, Items 6 and 7 (reports CR-RS-12-040 and E-12-064) of the Planning and Works Committee Summary of Recommendations and the delegation from Siemens Canada, all due to his son owning property within the area of a proposed station on the rapid transit system. D. Craig also disclosed a pecuniary interest with respect to the Notice of Motion to reconsider the policy for reimbursement for Municipal Conflict of Interest Legal Opinion expenses as it could have implications on him personally relative to light rail transit.

PRESENTATIONS

a) 2012 Ontario Senior of the Year Award – Mrs. Alma Alder

Katherine Seredynska, Manager Public Services provided an overview of Mrs. Alma Mader’s outstanding contribution as a volunteer at the Elmira Public Library for 19 years. She highlighted the work done and noted June is Senior’s Month so the award presentation is very fitting. Mrs. Mader appeared before Council to accept the award stating she enjoys her volunteer work. Chair Seiling thanked Mrs. Mader for the wonderful service she has provided.

b) Employee Awards for Values Excellence Recipients

Mike Murray, Chief Administrative Officer provided an overview of the awards program and noted a number of this year’s recipients were present at the meeting. A copy of the presentation is appended to the original minutes. He provided background information on each of the recipients and Chair Seiling presented those present with a certificate.

DELEGATIONS

a) Prasad Samarakoon, President, & Kimbe MacMaster, Manager Marketing, Grand River Public Bike Share appeared before Council with respect to Public Bike Share Initiative. A copy of the presentation is appended to the original minutes. P. Samarakoon highlighted who they are, vision, their request for support, economic, health and environmental benefits and next steps. This request was referred to staff for comment and a report.

b) Marco Jungbeker, Vice President, Rail Systems and Mobility, Siemens Canada, appeared before Council regarding PS-120619 Item #7 (E-12-064, Stage 1 Light Rail Transit: Vehicle Procurement). A copy of the presentation is appended to the original minutes. M. Jungbeker provided an overview of his company and their surprise in discovering the process for procuring vehicles for the light rail transit. He stated the process is not transparent and that his company is most interested in bidding and providing vehicles for less than $4 million per vehicle. He highlighted the P3 procurement, Canadian content, 100% low floor vehicle, cold weather climate and other locations where they have provided vehicles. He urged Council not to accept the recommendation and continue their analysis and assessment given this new information presented this evening.
J. Wideman brought forward Item #7 from the Planning and Works Committee Summary of Recommendations. He stated the Region has followed an open and competitive process by piggybacking with the TTC proposal. He reviewed the contract prices for vehicles submitted through the tender process and advised this method is a legitimate rfp process and the senior funders have signed off on it. He further noted that Siemens has been the recipient of similar piggyback ventures. J. Wideman stated the Metrolinx contract will be a full public process.

G. Lorentz requested a recorded vote.

MOVED by J. Wideman
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated June 19, 2012, Item 7, be adopted as follows:

7. THAT the Regional Municipality of Waterloo take the following actions regarding the procurement of light rail vehicles for the rapid transit project, pursuant to report E-12-064, dated June 19, 2012.

   a) authorize staff to negotiate with Metrolinx to use their existing contract with Bombardier for the delivery of light rail vehicles; and

   b) direct staff to report back to Council following the completion of negotiations and prior to executing the light rail vehicle procurement contract.

CARRIED, Unanimously
Conflicts: D. Craig, R. Deutschmann, K. Seiling

c) Call for Delegations:
   i) By-law to Amend By-law 12-001, as amended, being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Grand River Transit fares, U-Pass, International Travel Clinic)

      No delegations came forward.

   ii) By-law to Amend By-law 10-030, being the Region’s Sign By-law (Size of Election Signs)

      No delegations came forward.

   iii) By-law to Amend By-law 04-069, as amended, being the Region’s Taxi-cab Meter By-law (Accessible Taxis, Tariff Card)

      No delegations came forward.

   iv) Revisions to Notice Policy 07-02

      No delegations came forward.
MINUTES OF PREVIOUS MEETINGS

MOVED by S. Strickland
SECONDED by L. Armstrong

THAT the following Minutes be approved:

a) Closed Audit – June 6, 2012
b) Licensing & Retail – June 6, 2012
c) Closed Council – June 6, 2012
d) Council – June 6, 2012
e) Closed Committee – June 19, 2012
f) Planning & Works – June 19, 2012
g) Administration & Finance – June 19, 2012
h) Community Services – June 19, 2012

CARRIED

COMMUNICATIONS

a) City of Cambridge, Re: P&H Milling & Fountain/King Street Environmental Assessment Process was received for information.

b) Miller Thomson regarding the proposed expropriation of 100 Victoria Street North, Kitchener, Report CR-RS-12-047 was received for information.

MOVED by L. Armstrong
SECONDED by J. Haalboom

THAT Council go into Committee of the Whole to consider reports.

CARRIED

FINANCE REPORTS

a) F-12-046, P2012-18 Wheelchair Accessible Mini Bus

Questions were raised about this being done as a proposal and concern with bids not being compliant with the specifications if the criteria is too strict that it excludes vehicles. Craig Dyer, Chief Financial Officer replied this was put out as a proposal and was evaluated based on a number of criteria. He advised he will look into the matter further and provide a follow up response to councillors.

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the proposal of Overland Custom Coach (2007) Inc. for the supply of two (2) Wheelchair Accessible Mini Buses in the amount of $201,296.18 including all applicable taxes. [F-12-046]

CARRIED
b) F-12-047, T2011-107 Microsoft Enterprise Licensing for The Region of Waterloo

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the tender of SHI Canada ULC for Microsoft Enterprise Licensing for a two year period in the amount of $956,206.80 including all applicable taxes; with the option to extend for a further three (3) year period. [F-12-047]

CARRIED

c) F-12-048, T2012-007 Belmont Avenue Raw Watermain Upgrade (Glasgow Street to Gage Avenue), City of Kitchener

The disparity in amounts was noted and Thomas Schmidt, Commissioner, Transportation and Environmental Services advised the Region has worked successfully with this contractor on other projects and have no concerns. He noted there is a shortage of watermain work and lower prices are being seen for these types of projects. There was further discussion with respect to signage and maintaining access to the businesses in this area.

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the tender of Network Sewer & Watermain Ltd. for the Belmont Avenue Raw Watermain Upgrade (Glasgow Street to Gage Avenue), City of Kitchener at a total price of $581,509.09 including all applicable taxes;

AND THAT the Regional Municipality of Waterloo advance $600,000 for this project (04070) from 2013 to 2012 to be funded from the Water and Regional Development Charges Reserve Funds. [F-12-048]

CARRIED

d) F-12-049, T2012-008 Frederick Street Improvements – Lancaster Street to Bruce Street, City of Kitchener

An inquiry was made if this work will include the intersection and pedestrian crossing at Frederick and Lancaster Streets. T. Schmidt advised the project ends just east of the intersection.

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the tender of Steed & Evans Ltd. for Frederick Street Improvements – Lancaster Street to Bruce Street, City of Kitchener in the amount of $1,424,930.00 including all applicable taxes;

AND THAT the Regional Municipality of Waterloo approve an increase in project costs of $30,021.20 gross and $0.00 net to facilitate the work undertaken on behalf of the City of Kitchener;
AND FURTHER THAT the Regional Municipality of Waterloo approve an increase in project costs of $13,898.31 gross and $0.00 net to facilitate the work undertaken on behalf of the Ministry of Transportation. [F-12-049]

CARRIED

e) F-12-050, T2012-011 Well House K1A And K2A and Infrastructure Upgrades, City of Kitchener

It was noted a City trail runs through this area and it was questioned if consideration was given to applying a different surface for better winter maintenance. T. Schmidt stated this project has been discussed with the City of Kitchener.

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the tender of Finnbilt General Contracting Ltd. for the construction of Well Houses K1A & K2A and Infrastructure Upgrades, City of Kitchener at a total price of $1,668,529.75 including all applicable taxes;

AND THAT the Regional Municipality of Waterloo advance $122,286.97 for this project (04017) from 2015 to 2012 to be funded from the Water and Regional Development Charges Reserve Funds. [F-12-050]

CARRIED

f) F-12-051, T2012-121 Chemical Lab Hood Upgrade Construction

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the tender of Trade-Mark Industrial Inc. for the Chemical Lab Hood Upgrade Construction in the amount of $558,959.02, plus alternative price items in the amount of $117,002.46 for a total price of $675,961.48 including all applicable taxes. [F-12-051]

CARRIED

g) F-12-052, P2011-56 Proposal or the Design, Supply, Installation and Commissioning of Photovoltaic Systems – Phase 2

It was noted two of the locations will only proceed if the contracts with the Ontario Power Authority are secured by the end of 2012.

MOVED by S. Strickland
SECONDED by T. Galloway

THAT the Regional Municipality of Waterloo accept the proposal of RESCo Energy Inc. for the Design, Supply, Installation and Commissioning of Photovoltaic Systems – Phase 2 in the amount of $1,586,204.11 for 1990 Ottawa Street South, Kitchener and 34 Manitou Drive, Kitchener including all applicable taxes;
AND THAT the Regional Municipality of Waterloo accept the proposal of RESCo Energy Inc. for the Design, Supply, Installation and Commissioning of Photovoltaic Systems – Phase 2 in the amount of $1,721,074.74 for 990 Erb Street West, Waterloo and 1037 Elgin Street North, Cambridge including all applicable taxes, subject to Ontario Power Authority (OPA) contracts offered to the Region that are acceptable to the Commissioner of Corporate Resources. [F-12-052]

CARRIED

COMMITTEE REPORTS

Licensing and Retail

The Summary of Recommendations of the Licensing and Retail Committee was presented by Geoff Lorentz, Chair of the Committee.

MOVED by G. Lorentz
SECONDED by J. Mitchell

THAT the Summary of Recommendations of the Licensing and Retail Committee, dated June 6, 2012, Item 1, be adopted as follows:

1. THAT the Regional Municipality of Waterloo provide notice in accordance with the Notice Policy to amend Taxi-cab Meter By-law 04-069 as amended, to increase the number of Accessible Taxi-cab Owner licences from fifteen (15) to sixteen (16);

AND THAT Taxi Brokers be advised that it is the Region’s intent to award this additional license to City Cabs - 421532 Ontario Limited, of Kitchener, Ontario to meet their immediate need.

CARRIED

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Jim Wideman, Chair of the Committee. Item #7 was dealt with under delegations. Items # 3, 6 and 14 were taken separately.

MOVED by J. Wideman
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated June 19, 2012, Item 3, be adopted as follows:

3. THAT the Regional Municipality of Waterloo approve the following regarding implementation of the Grand River Transit (GRT) high school term pass as described in Report No. P-12-080, dated June 19, 2012:

   a) Implement a fare increase from $230.00 to $235.00 per 5 month term (from $46 to $47 per month) for the 2012-13 academic year beginning in September 2012 and reduce the time of use to weekdays before 6 p.m;

   b) Introduce an upgraded student pass for use after 6 p.m. weekdays, weekends and
holidays at a cost to the student of $45.00 per term ($9 per month);

c) Jointly promote the upgraded student pass with the school boards; and

d) Amend the Region’s Fees and Charges By-law No. 12-001 with respect to the approved 2012 GRT high school term pass

CARRIED
(J. Mitchell opposed)

MOVED by J. Wideman
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated June 19, 2012, Item 6, be adopted as follows:

6. THAT the Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of further lands required for the construction of Stage 1 of the Rapid Transit Project on King Street West, at the City of Kitchener, in the Regional Municipality of Waterloo as detailed in Report CR-RS-12-040 dated June 19, 2012:

1. Complete application(s) to the Council of The Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the Rapid Transit Project Stage 1 and described as follows:

   Fee Simple Partial Taking

   a) Part of Lot 21 Plan 413 and Part of Lot 29 Subdivision of Lot 15 German Company Tract designated as Part 1 Plan 58R-17451, City of Kitchener, Regional Municipality of Waterloo

2. Serve notice of the above application as required by the Expropriations Act;

3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received;

4. Attend, with appropriate Regional staff, at any hearing that may be scheduled;

5. Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interest in the lands is conveyed; and

6. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.

CARRIED

MOVED by J. Wideman
SECONDED by J. Brewer
THAT the Summary of Recommendations of the Planning and Works Committee, dated June 19, 2012, Items 1, 2, 4, 5, 8 to 11, and 2 reports from closed session, Items 12 and 13, be adopted as follows:


2. THAT the Regional Municipality of Waterloo support in principle the concerns of the respect to the issue of commercial fill operations in Ontario, as described in Report No. P-12-075, dated June 19, 2012:

   a) Request the Province, through the Ministry of the Environment, to work with municipalities to consider guidelines, regulations and a Provincially regulated approval process to govern the quality of fill imported to a receiving site other than for the purposes of Brownfield redevelopment; and

   b) Forward a copy of this report to the Provincial Minister of the Environment, local Members of Provincial Parliament and Area Municipalities.

3. THAT the Regional Municipality of Waterloo approve the following regarding implementation of the Grand River Transit (GRT) high school term pass as described in Report No. P-12-080, dated June 19, 2012:

   e) Implement a fare increase from $230.00 to $235.00 per 5 month term (from $46 to $47 per month) for the 2012-13 academic year beginning in September 2012 and reduce the time of use to weekdays before 6 p.m;

   f) Introduce an upgraded student pass for use after 6 p.m. weekdays, weekends and holidays at a cost to the student of $45.00 per term ($9 per month);

   g) Jointly promote the upgraded student pass with the school boards; and

   h) Amend the Region’s Fees and Charges By-law No. 12-001 with respect to the approved 2012 GRT high school term pass


5. THAT the Regional Municipality of Waterloo enter into a Consultant Services Agreement with Delcan Corporation of Kitchener, Ontario to provide consulting engineering services for the detailed design, contract administration and construction inspection for the rehabilitation of the Fountain Street Bridge over the Grand River at an upset fee limit of $425,455.00 plus applicable taxes for the detailed design phase, with contract administration and construction inspection to be paid on a time basis. [E-12-063]

8. THAT the Regional Municipality of Waterloo approve the revised 2012 Transportation Base, System Expansion, and Airport Capital Budgets as per Report E-12-069 dated June 19, 2012.

9. THAT the Regional Municipality of Waterloo authorize the Commissioner of Transportation and Environmental Services to execute an agreement (“the RLC Agreement”) with Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation with respect to the administration of the red light camera
program as described in Report E-12-071 dated June 19th, 2012 with the form and content of such agreement to be to the satisfaction of the Regional Solicitor;

AND THAT the Director, Transportation, of the Regional Municipality of Waterloo be authorized to sign such annual declarations as may be required to be submitted to the Ministry of Transportation in accordance with the RLC Agreement.

10. THAT the Regional Municipality of Waterloo accept the proposal of ESRI Canada for a 10-year Automated Vehicle Location/Global Positioning System (AVL/GPS) and Salt Management System, as detailed in Report E-12-072 dated June 19, 2012, subject to the proposal being approved by all other participating municipalities.

11. THAT the Regional Municipality of Waterloo:

a) Increase the contract of TRY Recycling by 4,500 tonnes at $61.13 per tonne for a total of $275,085 plus applicable taxes for the pilot shingle diversion and recycling program for 2012, to be funded from the Waste Management Reserve Fund; and

b) Approve in principle the addition of a permanent shingle diversion and recycling program in 2013, subject to approval during the 2013 budget process. [E-12-070]

12. THAT the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to, the acquisition of land for road improvements to Weber Street West described as Part Lot 8, Plan 373 as in Instrument Number A113991 except 166857, PIN 22331-0098 (LT), being 349 Weber Street West, City of Kitchener, Regional Municipality of Waterloo from Shahram Ahrari for the sum of $400,000.00, plus associated acquisition costs, subject to documentation satisfactory to the Regional Solicitor.

13. THAT the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to, the acquisition of land for road improvements to Weber Street West described as Part Lot 4 and 8, Plan 389, as in PIN 22315-0020(LT) being 104 Weber Street West, City of Kitchener, Regional Municipality of Waterloo from 536357 ONTARIO LIMITED for the sum of $230,000.00, plus associated acquisition costs, on terms and conditions satisfactory to the Regional Solicitor.

CARRIED

MOVED by J. Wideman
SECONDED by J. Brewer

THAT 1 report from closed session, Item14, be adopted as follows:

14. THAT The Regional Municipality of Waterloo enter into an agreement pursuant to section 24 of the Expropriations Act with Duane Wolfe and Caroline Wolfe, and execute all documentation related thereto, in relation to the Region’s expropriation of the property known as 157 Weber Street West, Kitchener, subject to documentation satisfactory to the Regional Solicitor.

CARRIED
(S. Strickland opposed)
Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by Tom Galloway, Chair of the Committee.

MOVED by T. Galloway
SECONDED by L. Armstrong

THAT the Summary of Recommendations of the Administration and Finance Committee dated June 19, 2012, Items 1 to 9, be adopted as follows:

1. THAT the Regional Municipality of Waterloo endorse the Diversity and Inclusion Strategy as presented in Attachment #1 to report CA-12-008, dated June 19, 2012.

2. THAT the Regional Municipality of Waterloo approve the policy statement for the following Human Resources policy:

   Hot Work and Permit System (HR IV-29) (#1067295v7) [CA-HR-12-003]


4. THAT the Regional Municipality of Waterloo accept the proposal of Bank of Nova Scotia for Banking Services at a cost of $0 per year and for Credit and Debit Card Merchant Services at an estimated cost of $134,000 per year (based on recent volume and total dollar transactions) for a five (5) year term with an option to renew for one additional three (3) year term and one additional two (2) year term. [F-12-043]

5. THAT the Regional Municipality of Waterloo approve the following actions regarding Employee Parking as outlined in Report F-12-044, dated June 19, 2012:

   1. Require employees to pay to use employer provided parking at work sites located in the Urban Growth Centres or within 500 meters of the Urban Growth Centres in Kitchener, Waterloo and Cambridge and sites outside the Urban Growth Centres where there is a fair market value for parking;

   2. Charge such employees a rate sufficient to cover the Region’s costs to provide employee parking at such locations;

   3. Reimburse employee parking costs for those days on which such employees are required to use their personal vehicles to travel on Regional business;

   4. Provide a notice period and implement a phase-in approach with 50% of the rate effective July 1, 2013; and 100% of the rate effective July 1, 2014.

6. THAT the Regional Municipality of Waterloo enter into a renewal agreement for the Community Policing Partnerships Program with Her Majesty the Queen in Right of Ontario by its Ministry of Community Safety and Correctional Services effective April 1, 2012 to March 31, 2014 as described in Report CR-RS-12-034, dated June 19, 2012.

7. THAT the Regional Municipality of Waterloo enter into a renewal agreement for the “Safer Communities – 1,000 Officers Partnership Programme” with Her Majesty the
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Queen in Right of Ontario by the Minister of Community Safety and Correctional Services effective April 1, 2012 to March 31, 2014 as described in Report CR-RS-12-036, dated June 19, 2012.

8. THAT the Administration and Finance Committee approve the minutes of the Audit Committee dated June 6, 2012.

9. THAT the Consolidated Financial Statements for the Regional Municipality of Waterloo for the fiscal year ending December 31, 2011 be approved.

CARRIED

MOVED by T. Galloway
SECONDED by L. Armstrong

THAT the Regional Municipality of Waterloo approve the revised Notice Policy # 07-02 as set out in report CR-CLK-12-011 dated May 29, 2012.

CARRIED

Community Services

The Summary of Recommendations of the Community Services Committee was presented by Sean Strickland, Chair of the Committee.

MOVED by S. Strickland
SECONDED by J. Mitchell

THAT the Summary of Recommendations of the Community Services Committee dated June 19, 2012, Items 1 to 10, be adopted as follows:

1. THAT the matter of a Physical Activity Charter for the Region of Waterloo be referred to staff and that staff be directed to prepare a report.

2. THAT the Regional Municipality of Waterloo endorse the Region of Waterloo Public Health Humidex Advisory and Smog Advisory Response Protocol as outlined in Report PH-12-024.

3. THAT the Regional Municipality of Waterloo endorse the Waterloo Region Sexual Health Youth Strategy as outlined in Attachment 1 of Report PH-12-027 dated June 19, 2012.

4. THAT the Regional Municipality of Waterloo endorse the recommendations and proposed actions of the Rent Supplement Program Review 2011-2012 as noted in Report CA-12-006.1/P-12-053.1 Appendix 1, dated June 19, 2012.

5. THAT the Regional Municipality of Waterloo approve the proposed implementation of a one-date chronological system for Region of Waterloo’s Community Housing Coordinated Access waiting list applicants;

AND THAT the Regional Municipality of Waterloo approve the proposed amendments to the Housing Programs Administrative Guide policy 6.10 – Placement on Provider
Waiting Lists by Access Sites, as identified in Attachment B of Report P-12-083, dated June 19, 2012.

6. THAT the Regional Municipality of Waterloo not renew its contracts for employment placement with Lutherwood and the KW Multicultural Centre effective December 31, 2012;

AND THAT all Employment Placement & Development Services be provided through internal programming within Employment and Income Support, Social Services;

AND FURTHER THAT an additional 2 full time equivalent positions be approved effective January 1, 2013 for Employment and Income Support as outlined in report SS-12-024, dated June 19, 2012.

7. THAT the Regional Municipality of Waterloo enter into a Memorandum of Understanding with the Waterloo Region District School Board for delivery of Youth Development Programs for 8 – 12 year old children as outlined in report SS-12-025;

AND THAT the Regional Municipality of Waterloo amend service agreements with KW YMCA, YMCA of Cambridge, KW YWCA, YWCA of Cambridge, Jacob Hespeler Child Care Centre, Creative Beginnings Child Care Centre and Conestoga College as outlined in report SS-12-025 dated June 19, 2012.

8. THAT the Regional Municipality of Waterloo enter into a Fee Subsidy Service Agreement effective September 1, 2012 with the YMCA of Cambridge, head office located at 161 Roger Street, Waterloo ON N2J 1B1 as outlined in report SS-12-027, dated June 19, 2012.

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9. THAT the Regional Municipality of Waterloo approve a revised rate for funerals of $2,830 plus applicable taxes effective January 1, 2012;

AND THAT funeral rates be included in the discretionary benefits review as outlined in report SS-12-028, dated June 19, 2012.

10. THAT the Regional Municipality of Waterloo amend By-law 12-001, being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo, to remove the Pre-School (<3.75 hours) and Toddler (<3.75 hours) rates for Children’s Services Division effective July 1, 2012 as outlined in Report SS-12-030 dated June 19, 2012.

CARRIED
OTHER MATTERS UNDER COMMITTEE OF THE WHOLE

a) CR-RS-12-047, Authorization to Expropriate Lands (2nd Report) Known Municipally as 100 Victoria Street North and 157 Weber Street West for Weber Street West Grade Separation and Road Improvements (College Street to Guelph Street) in the City of Kitchener

The letter from Miller Thomson was referenced and it was noted the drawing attached to it was an earlier version and there have been substantive changes. Debra Arnold, Regional Solicitor advised the expropriation process will proceed in order to meet the timelines for the project but staff will continue to have discussion with the tenants in the hopes of reaching a settlement.

MOVED by J. Wideman
SECONDED by T. Galloway

THAT Council of the Regional Municipality of Waterloo, after consideration of the Report of the Inquiry Officer received May 23, 2012 reporting on a Hearing of Necessity conducted under the Expropriations Act (the “Inquiry”) attached as Schedule “A” to Report CR-RS-12-047 dated June 27, 2012, approve the expropriation of the following lands for the purposes of reconstruction of Weber Street, as detailed in Report CR-RS-12-047, described as follows:

Full Taking:

a) Part Lot 16, Plan 374, Part Lot 19, Subdivision of Lot 3, German Company Tract, being Parts 1 and 2, on Reference Plan 58R-5402, City of Kitchener, P.I.N. 22319-0177 (LT) (100 Victoria Street North); and
b) Part Lot 320, Plan 376, City of Kitchener, P.I.N. 22319-0094 (LT) (157 Weber Street West)

Hereinafter referred to collectively the “Subject Lands” and shown on Schedule “B” and “B-1” to Report CR-RS-12-047, for the following reasons:

(a) The Region of Waterloo seeks to achieve the following objectives in the taking of the Subject Lands:
   a. to widen Weber Street from 2 lanes to 4 lanes to provide north/south capacity improvements to accommodate future growth and reduce delays for vehicles and transit;
   b. to construct a grade separation at the crossing of the CN Rail corridor, which will provide improvements to accommodate increases in rail traffic movements and reduce traffic delays and conflicts at the existing level railway crossing; and
   c. to enhance facilities for transit, cyclists and pedestrians and to reduce traffic collisions;
(b) The reconstruction of Weber Street (College Street to Guelph Street) including a grade separation at the crossing of the CN Rail crossing, and widening of Weber Street from 2 lanes to 4 lanes (the “Weber Street Improvements”) in accordance with the Recommended Design Concept determined through the Municipal Class Environmental Assessment undertaken by Regional staff was approved by Council of the Region of Waterloo at its meeting on June 29, 2011;
(c) Although the Weber Street Improvements could be accommodated without a full taking of the Subject Lands with a different design concept than was approved, it is fair, sound and reasonably necessary to acquire the Subject Lands in order to:
   a. Provide an alignment that results in property impacts primarily on one side of Weber Street, being the west side;
b. Provide for a temporary road and detour during construction of the grade separation to permit traffic to continue to flow on Weber Street without impacting additional properties; and

c. To minimize adverse/unacceptable traffic impacts on adjacent streets such as King Street that would result if no temporary road and detour were provided during construction;

AND THAT Regional Council cause its decision to approve the expropriation of the Subject Lands and its reasons therefore to be served upon the parties to the Inquiry, together with a copy to the Inquiry Officer;

AND THAT the Region pay costs in the amount of $200.00 to each of the 9 parties to the Hearing of Necessity;

AND THAT the Regional Chair and Regional Clerk be authorized to certify the said approval of expropriation of the Subject Lands in accordance with the Expropriations Act;

AND FURTHER THAT the Regional Solicitor be instructed to:
   (a) Register a plan of expropriation in the proper land registry office pertaining to the Subject Lands;
   (b) Serve the appropriate parties with a Notice of Expropriation, an Offer of Compensation and Appraisal, and a Notice of Possession in respect of the Subject Lands; and
   (c) Do all other things necessary and proper to be done in order to complete the expropriation of the Subject Lands or acquire the interest through negotiated settlement and report to Regional Council in due course.

   CARRIED

b) SS-12-031, Immigration Partnership - Waterloo Region

MOVED by C. Zehr
SECONDED by S. Strickland

THAT the Regional Municipality of Waterloo approve entering into an agreement with the Ontario Ministry of Citizenship and Immigration under the Local Immigration Partnership, dated June 21, 2012, in a form satisfactory to the Commissioner of Social Services and the Regional Solicitor;

AND THAT the Regional Municipality of Waterloo approve the addition of 1.0 Temporary Full Time Equivalent effective August 1, 2012 for Social Planning, Policy and Program Administration Division;

AND FURTHER THAT the Regional Municipality of Waterloo increase the 2012 Operating Budget for Social Planning, Policy and Program Administration by $30,300 and $0 net Regional Levy as outlined in Report SS-11-049. [SS-12-031]

   CARRIED
MOVED by J. Wideman
SECONDED by B. Halloran

THAT Committee of the Whole rise and Council resume.

    CARRIED

MOVED by G. Lorentz
SECONDED by L. Armstrong

THAT Council adopt the proceeding of the Committee of the Whole.

    CARRIED

NOTICE OF MOTION

J. Mitchell introduced her notice of motion. She stated she has received a number of emails following the decision that was made and provided reasons for her reconsideration of the matter. She advised that all complicated issues need to be considered, not just light rail transit.

*D. Craig left the meeting at 8:10 p.m.

MOVED by J. Mitchell
SECONDED by J. Wideman


    CARRIED

The motion from the original staff report CR-RS-12-023 was brought forward. J. Haalboom stated she sees a conflict in the report where the Regional Solicitor cannot provide legal advice but approves expenses and the Chief Administrative Officer answers to Council but also approves expenses.

J. Haalboom requested a recorded vote.

MOVED by J. Mitchell
SECONDED by J. Wideman


    CARRIED
    Nays: J. Brewer, J. Haalboom, R. Kelterborn, C. Millar
    Conflicts: R. Deutschmann, K. Seiling
OTHER BUSINESS

J. Haalboom questioned a recent newspaper article about the increase of whooping cough. Anne Schlorff, Director Central Resources advised she will provide a response to J. Haalboom.

ENACTMENT OF BY-LAWS – (FIRST, SECOND & THIRD READINGS)

MOVED by B. Halloran
SECONDED by C. Millar

a) THAT a By-law to Limit Tax Decreases for Properties in the Commercial, Industrial and Multi-Residential Classes in the 2012 Taxation Year be read a first, second and third time, finally passed and numbered 12-023 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

b) THAT a By-law to Amend By-law 12-001, as amended, being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Grand River Transit fares, U-Pass, International Travel Clinic) be read a first, second and third time, finally passed and numbered 12-024 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

c) THAT a By-law to Amend By-law 10-030, being the Region's Sign By-law (Size of Election Signs) be read a first, second and third time, finally passed and numbered 12-025 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

d) THAT a By-law to Amend By-law 04-069, as amended, being the Region's Taxi-cab Meter By-law (Accessible Taxis, Tariff Card) be read a first, second and third time, finally passed and numbered 12-026 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

e) THAT a By-law to Expropriate Certain Lands for the reconstruction of Weber Street West between College Street and Guelph Street, (Regional Road 8), in the City of Kitchener be read a first, second and third time, finally passed and numbered 12-027 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

f) THAT a By-law to Confirm the Actions of Council of June 27, 2012 be read a first, second and third time, finally passed and numbered 12-028 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

CARRIED

ADJOURN

MOVED by J. Brewer
SECONDED by C. Millar

THAT the meeting adjourn at 8:20 p.m.

CARRIED

REGIONAL CHAIR, K. Seiling

REGIONAL CLERK, K. Fletcher
Employee Awards for Values Excellence
AWARD RECIPIENTS
Service

CAROLYN HILBORN VASCO

Property Manager, Housing
Collaboration

ORIANA SHARP
Manager, Information Management and Archives,
Council and Administrative Services

R A V E
Recognize Appraise Value Employees
Innovation

KAORU YAJIMA

Senior Project Engineer,
Water Services
Service

LEE ANN PAIVA

Case Aide, Income Support
Integrity

BRIAN STAHLLE
Supervisor, Facilities Operations, Facilities Management and Fleet Services
Innovation

DIANA FOX, SHARON MICHAEL & SHERYL WILK

NCAST Trainers, Child & Family Health & Infectious Disease, Dental and Sexual Health
Respect

KATHLEEN BARSOUUM

Coordinator,
Waste Management
Innovation

ROGER MITCHELL

Chief Building Operator, Facilities Management and Fleet Services
Collaboration

LORRAINE EISENPORTH

Community Relations Worker, Housing
Respect
ROBERT ARSENEAULT
Bus Operator,
Grand River Transit Services
Collaboration

JAMES JENSEN, PHILIP OWER, RICHARD FULLER, STACY MCLENNAN, THOMAS REITZ

Waterloo Region Museum Exhibit Team, Community Services
Employee Awards for Values Excellence
Grand River Public Bike Share
Agenda

- Who we are
- Ask from the Region
- Market demand
- Benefits
  - Economic
  - Health
  - Environment
- Next steps
Who we are

- Grand River Public Bike Share Inc., (GRPBS) is Waterloo based not-profit organization

Our Vision:

Transform Region of Waterloo into Canada’s capital of cycling, and boost its image as an eco-friendly international destination contributing to the quality of life for its citizens and encouraging the adoption of greener transportation
Align with Active Transportation Objectives

Policy Framework for Walkable, Bicycle-friendly Cities

**Federal Policies**
- Transportation: A Clean Transportation System
- Public Health: Healthy Living
- Environment: A Sustainable Future

**Provincial Policies**
- Planning: Places to Grow—Better Choices, Brighter Future
- Public Health: Healthy Eating and Active Living
- Transportation: Integrated, Enhance Quality of Life

**Region of Waterloo**
- Vision: An inclusive, thriving and sustainable community committed to maintaining harmony between rural and urban areas and fostering opportunities for current and future generations.

**City of Waterloo**
- Strategic Plan: Our Living Environment; Healthy and Safe Community; Economic Vitality

Visions for Sustainable Communities:
- Complete
- Bicycle Friendly
- Walkable
- Child and Youth Friendly
- Age Friendly
- Traffic Calmed
- Accessible
- Diverse

Courtesy: City of Waterloo
Ask from the Region

- Resolution of support for the Public Bike Share Project

- Allowing access to Regional road right of way for kiosk and docking stations
  - Approximately 15’ x 6’
  - Boulevard or parking spaces

- Assist with fast tracking approval process, if required
  - For implementation in Spring 2013

- Recommendations and connections with regional staff to move forward
Market demand

- Region of Waterloo bike share petition – over 1500 signatories (sponsored by U of W Sustainability Project)
- GRPBS Public online survey (75 responses start)
- GRPBS student online survey (ended May 30, 2012)
  - 460 respondents
  - 87% would like to use bike share

![Survey Results Chart]

2. If a bike share service existed within the Region of Waterloo, and was priced within your budget, would you be likely to use it?

- Very Likely: 222 (48%)
- Somewhat Likely: 181 (39%)
- Not Very Likely: 25 (5%)
- Not at All Likely: 11 (2%)
- I don't know: 7 (2%)
Economic Benefits – Cost Reduction

- Alignment with Region’s Active Transportation Initiative
- Cost reduction
  - Regional road maintenance
  - Personal transportation costs

Washington Capital Bike Share reports saving members an average of $891 annually.
Economic Benefits – Improved Income & Access

- Greater disposable income + Improved access
  - Transit System: increase use and revenues
  - Local businesses: increase visits and revenues

83% of Capital Bike Share respondents said, they were more likely to patronize businesses that were CaBi accessible

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<thead>
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<th>Monthly Cost</th>
<th>Economic Benefit</th>
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<tbody>
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<td>👍</td>
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<tr>
<td>Taxi</td>
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<tr>
<td>Bike Share</td>
<td>$6.50</td>
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</table>
Health Benefits

- Easy access to everyday fitness
- Complements employee wellness initiatives

Barcelona’s system saves ~12 lives per year from increased physical activity
Environment Benefits

- Reduced carbon footprint
- Better air quality

Barcelona’s system averts ~9,000 tones of carbon dioxide pollution annually

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<th>Environmental / Social Benefit</th>
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<td>✔️</td>
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</table>
Next Steps

- Secure funding through corporate sponsorships
- Right of Way access approval from the Region
- Mobilize vendors and partners
- Launch pilot program
Thank You!

www.grandriverbikeshare.ca

Grand River Public Bike Share

@GRPBS

prasad@grandriverbikeshare.ca
“Rethink” Waterloo
Appendix
References / Image Sources

Pilot – High Level Plans

- 10 locations, 100 bikes
  - Centred around the two university campuses, technology park, uptown Waterloo, Grand River hospital and Kitchener downtown
Economic Benefits

A study of Portland, OR businesses with nearby bike corrals found that the top five perceived benefits were:

- 86% Help to promote sustainability
- 84% Enhance the street and neighborhood identity
- 77% Increase transportation options for employees and patrons
- 67% Increase foot and bike traffic
- 53% Increase the visibility of businesses from the street

Business owners with nearby bike corrals also reported that one-quarter of their customers are bicyclists. More than two-thirds said this share has been increasing more rapidly over time.

Meisel, D., 2010

Ref: Bike Corrals: Local Business Impacts, Benefits, and Attitudes

The influence of individual perceptions and bicycle infrastructure on the decision to bike,
Transportation Research Board Annual Meeting 2009, Paper #09-3349
Siemens’ LRT Capabilities
Kitchener-Waterloo-Cambridge LRT
Siemens Canada Limited

As of September 30, 2011

- 4,400 employees (approx.)
- $3.0 CAD billion in revenue
- 61 offices
- 13 manufacturing facilities

Kitchener-Waterloo-Cambridge
Bombardier to supply LRVs to Waterloo Regional Council

The Waterloo Regional Council will purchase light-rail vehicles (LRVs) for its upcoming light-rail line from Bombardier, based on an existing contract between the latter and Metrolinx. The deal is expected to be worth USD56 million. The move is being made to save resources, as the Metrolinx procurement process has already been reviewed and approved by the province.

The USD845-million light-rail line will link Conestoga Mall in Waterloo with Fairview Park Mall in Kitchener. The region’s light-rail project will be funded jointly, with the region providing USD253 million and the federal government giving USD265 million, with the balance coming from the province.

The line will cover 19 km, with 18 stops, and will run along dedicated lanes on existing streets. The line is tentatively scheduled to be opened in 2017.

Region to negotiate for Bombardier light rail vehicles

Paige Desmond, Record staff
June 19, 2012

WATERLOO REGION — Waterloo Region anticipates it will spend $56 million buying light rail vehicles from Bombardier instead of using a traditional selection process.

Councillors decided Tuesday to piggyback on an existing contract Crown corporation Metrolinx has through Bombardier instead of putting out a request for proposals.

“With the piggyback we’re still going through a competitive process because Metrolinx has gone through it,” Coun. Jim Wideman said.

The Metrolinx procurement process was reviewed and approved by the province.

The region would negotiate with Metrolinx to use its existing contract with Bombardier.
The process has not been transparent and we believe the process is:

✓ A non competitive procurement
✓ A closed process

This does not serve the best interests of the Kitchener - Waterloo LRT project.
Siemens is interested in bidding and providing the most economical proposal together with our P3 partners.

It will contain a financial competitive offering for LRT vehicles at less than $4 million per vehicle.
### Kitchener-Waterloo-Cambridge

#### P3 Procurement

<table>
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<th>E&amp;M portion</th>
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<td>concrete slab</td>
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<td>DBM&amp;F</td>
<td>Design &amp; Build, maintain &amp; finance: Civil + E&amp;M PPP consortium</td>
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<td>RS PPP</td>
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1) Possible separation of rolling stock from E&M portion (ref. HSL South);
2) Rolling stock supply, operations & maintenance can be licensed to multiple operators to enhance competition.
Separate procurement vehicles will create:

- Additional costs
- Commissioning time delays
- Add interface requirements
- Additional risks
- A competitive advantage to Bombardier and the consortium they are working with due to knowledge and access to integration and maintenance related data

We are not aware of a global DBFMO project.
To comply to the Canadian content policy for LRT vehicles, Siemens will include a favorable proposal that will include local content (in the Kitchener - Waterloo area) and which will create new jobs.
Kitchener-Waterloo-Cambridge

100% Low floor vehicle

- Siemens will propose an attractive and modern 100% low floor vehicle with a transparent and bright interior, a boarding height of 300/350 mm, a traction of 600/750/1500 VDC and a speed of 80 km/h.
Siemens has experience with the harsh winter conditions in North America due to:

- Siemens has delivered for more than 3 decades LRT vehicles to Calgary and Edmonton
- Siemens is the supplier of Low Floor LRT vehicles to Minneapolis, Utah, Portland

Interior comfort by means of extra HVAC capacity, and better insulation as well as...
Backup
Rail Systems – a selection LRT references North America

Calgary
Charlotte
Denver
Edmonton
Houston
Los Angeles
Pittsburgh
Portland
Sacramento
Salt Lake City
San Diego
St. Louis
Kitchener–Waterloo–Cambridge

Rail Systems – a selection LRT references worldwide

Amsterdam
Augsburg
Basel
Bern
Budapest
Dusseldorf
Erfurt
Freiburg
Hiroshima
Melbourne
Nordhausen
Paris
Potsdam
Poznan
Sul do Tejo
Ulm
Valencia
Verona
June 27, 2012

Delivered Via Email: lwetzel@regionofwaterloo.ca

Chair Selling and Members of Regional Council
The Regional Municipality of Waterloo
c/o Lee Ann Wetzel
Regional Deputy Clerk
150 Frederick Street
Kitchener ON N2G 4J3

Dear Chair Selling and Members of Regional Council:

Re: Proposed Expropriation of 100 Victoria Street North, Kitchener
Report CR-RS-12-047

We are the solicitors for 8 of the 11 tenants who conduct their businesses at 100 Victoria Street North in the City of Kitchener. It has been recommended in Report CR-RS-12-047 that Regional Council approve the expropriation of our clients’ tenancy interests for the reasons set out in the report.

Our Clients’ Concerns

We have stated our concerns about the fact that no regard was given to tenancy interests in the Environmental Study Report dated July, 2011 (the “ESR”). We submit that it is important that Council consider those interests before adopting the recommendations that are before it.

We enclose a copy of Figure 6.2 from the ESR. That figure illustrates that the preferred alternative that was evaluated in the ESR, Design Concept “B”, did not eliminate the internal driveway access on our clients' property. This means that, but for the provision of a temporary detour road across the property, the site would continue to function and the expropriation of all of the business interests on that property would not be necessary. The subsequent “fine tuning” that took place to pinch off that internal driveway access could only be described as minor if it was assumed that a detour road was absolutely necessary and that it had to be located on this property.

To be clear, it is only the temporary detour road that makes the expropriation of our clients’ interests necessary. The removal of the Weber Street access would not be a reason for a full taking of all of these long-standing businesses. Most commercial properties on Victoria Street have only a Victoria Street frontage, and our clients’ property would be in no different position.

Difficulties in Relocation

Our clients have invested a great deal of money in their businesses, which are their livelihoods. They did this in reliance upon leases that they had executed guaranteeing them occupancy of their properties for substantial periods of time. Those investments will be lost if their lands are expropriated.
The process of relocating all of the businesses at this property within the same time frame will be a substantial undertaking. To give one example, the King Wok Restaurant (which has been in operation at the property since 1997 and has a lease obligation that extends to 2022) has been unable to find a leasable location that is of similar size and with comparable characteristics. If it can manage to do so, it will then have to spend a considerable amount of money to renovate that space so that it will be suitable for restaurant use. It will need to purchase an entire set of restaurant equipment and undergo the lengthy process required to obtain a liquor license. All of this will have to be done while continuing to operate at its current location.

The Expropriations Act provides Council with a very broad authority to approve the expropriation of land. In exercising that authority, it must act based on appropriate considerations and in good faith. If Council determines that the temporary inconvenience to the travelling public warrants the creation of a temporary detour road (i.e. that King Street and Margaret Street cannot adequately carry the north-south traffic for a temporary period), then it has authority to approve the full taking of 100 Victoria Street North. Council should do so, however, with the knowledge that this decision will have extremely significant impacts on our clients.

Compensation Process if Expropriation Approved

If Council does approve the expropriation, we ask that it give consideration to directing that the costs of our clients to respond to that approval be reimbursed as they are incurred. We do not expect that our clients would receive a significant enough section 25 offer to allow them to undertake the large expenses that would be necessary in order to relocate. They may also not be able to obtain the amount of financing that would be required to bridge the time between when those costs must be incurred and the ultimate resolution of compensation. In such cases, the expropriation would put them out of business.

We submit that would not be a fair outcome. If there is deemed to be a greater public interest at stake, the small group of business owners whose interests will be most directly affected should not be expected to disproportionately bear the burden of that decision.

We therefore respectfully request that if Regional Council determines that it is in the general public interest to maintain a temporary detour road through the Weber Street corridor, the businesses which will be expropriated as a result of that decision be fully and fairly compensated as those expenses are incurred in order to allow them to relocate and continue their operations.

Yours truly,

MILLER THOMSON LLP
Per:

Steven J. O'Melia
SJO/dms

c. Fiona McCrea, Legal Counsel, Region of Waterloo (via email: fmccrea@regionofwaterloo.ca)
Bill Jermy, Waterloo Engraving (via courier)
Wai Kuen Choi, King Wok Chinese Food Inc. (via courier)
Anne Correia, Press Box Sports Lounge (via courier)
Douglas Friesen, Quality Connect Services (via courier)
Yong-Soon (Susan) Kim, Best Cuts Unisex Hair Salon (via courier)
Choonseo Park, Victoria Convenience (via courier)
Gopeah (Gary) Purohit, Cash Shop (2119142 Ontario Inc.c/o/a) (via courier)
Dejan Stojevic, KW Granite Countertops (via courier)