



Regional Special Council Minutes

Tuesday, December 16, 2014

The following are the minutes of the Special Council meeting held at 3:20 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, D. Craig, S. Foxton, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, G. Lorentz, J. Mitchell, J. Nowak, K. Redman, S. Shantz, S. Strickland, B. Vrbanovic and W. Wettlaufer

Declarations of Pecuniary Interest Under The “Municipal Conflict Of Interest Act”

None declared.

Moved by K. Redman

Seconded by J. Mitchell

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

Carried

Finance Reports

- a) COR-TRY-14-125, Sole Source Procurement for the Refurbishment of Two Caterpillar D8T Bulldozers

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo approve the sole source procurement from Toromont CAT to completely refurbish two Caterpillar D8T bulldozers in the estimated amount of \$976,320.00 including all applicable taxes.

Carried

- b) COR-TRY-14-126, T2014-156 Operation of the Material Recycling Centre (MRC) at 925 Erb Street West, Waterloo

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo accept the tender of GFL Environmental Inc. for T2014-156 Operation of the Material Recycling Centre (MRC) at 925 Erb Street West, Waterloo for a five (5) year term commencing March 28, 2015 until March 27, 2020, with the option to renew for two (2) additional one (1) year terms (until March 27, 2022) in the amount of \$5,939,385.09 including all applicable taxes.

Carried

- c) COR-14-127, Waterloo Region Housing's 2014/15 General Insurance Program

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo accept the bid from the Frank Cowan Company Limited for the 2014/15 General Insurance Program for Waterloo Region Housing in the amount of \$410,432.63 inclusive of the Housing Services Corporation fee and all applicable taxes;

And that the Chief Financial Officer be authorized to sign all documentation required by the Housing Services Corporation pertaining to such insurance coverage.

Carried

- d) COR-TRY-14-128, T2014-162 Make-up Air Unit Replacements, 74 Church Street, Kitchener, Ontario and 95 Concession Street, Cambridge, Ontario

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo accept the tender of Velocity Mechanical Inc. for T2014-162 Make-up Air Unit Replacements at 74 Church Street, Kitchener, Ontario and 95 Concession Street, Cambridge, Ontario in the amount of \$123,396.00 including all applicable taxes.

Carried

e) COR-TRY-14-129, P2014-03 Housing Software

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo accept the joint venture proposal of Arcori Inc. and Iserve Technology Consulting Ltd. (o/a istcl) for the provision of Housing Software in the amount of \$218,694.86 including all applicable taxes (representing 11.1% of total development and operating costs);

And that the Region's Chief Purchasing Officer be authorized to execute the negotiated purchase agreement which shall be satisfactory in technical content to the Chief Purchasing Officer, the Director of Housing Services and the Director of Information Technology Services and in a form satisfactory to the Regional Solicitor.

Carried

f) COR-TRY-14-130, T2014-187 Closed Circuit Cooling Tower Replacement Project

Moved by G. Lorentz

Seconded by K. Kiefer

That the Regional Municipality of Waterloo accept the tender of Rainbow Mechanical Services Limited for T2014-187 Closed Circuit Cooling Tower Replacement Project in the amount of \$776,310 including all applicable taxes.

Carried

g) COR-TRY-14-131, P2014-37 Supply and Maintenance of Defibrillators

Moved by G. Lorentz

Seconded by K. Kiefer

That the Region of Waterloo accept the proposal of ZOLL Medical Canada Inc. for the Supply and Maintenance of Defibrillators in the amount of \$725,626.67 including all applicable taxes.

Carried

Committee Reports

Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by Sean Strickland, Chair of the Committee.

Moved by S. Strickland

Seconded by L. Armstrong

That the Summary of Recommendations of the Administration and Finance Committee dated December 16, 2014, Items 1 to 2, be adopted as follows:

1. That the Regional Municipality of Waterloo endorse the overall approach to develop the 2015-2018 Strategic Plan as presented in CAO-SPL-15-001, dated December 16, 2014 and appoint Councillors Jowett, Mitchell, Strickland and Wettlaufer to the Strategic Plan Steering Committee.
2. That the Regional Municipality of Waterloo approve the 2015 budget timetable as set out in Appendix A to report COR-FSD-14-132, dated December 16, 2014.
3. That the Regional Municipality of Waterloo authorize the Chief Financial Officer to provide 2015 grant advances for the core arts and cultural organizations, K-W Symphony, The Museum, Grand Philharmonic Choir and Creative Enterprise Initiative, up to 80% of each organization's approved 2014 grant.

Carried

Other Matters Under Committee of The Whole

- a) PDL-LEG-14-096, Authorization to Expropriate Lands (2nd Report) In The Cities Of Kitchener and Waterloo Designated As Phase V of Stage 1 of the Rapid Transit Project Relating To Property And Interests Located At Various Locations Along The Light Rail Transit Alignment

Moved by T. Galloway

Seconded by S. Foxton

That The Regional Municipality of Waterloo approve the expropriation of lands for the construction of part of Phase V of Stage 1 of the Rapid Transit Project comprised of property and interests located at various locations along the Light Rail Transit alignment in the Cities of Kitchener and Waterloo, in the Regional Municipality of Waterloo as detailed in Report PDL-LEG-14-096 dated December 16, 2014 and more specifically listed below:

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Fee Simple Partial Takings:**LRT**

1. Part of Lot 9, G.C.T., being Part 1 on 58R18065, Part of PIN 22282-0157, City of Waterloo (Part of 600 King Street North, Waterloo ON);
2. Part of Lot 11, G.C.T., being Part 8 on 58R18061, Part of PIN 22280-0145, City of Waterloo (Part of 125 Northfield Drive West, Waterloo ON);
3. Part of Lot 11, G.C.T., being Parts 2, 3, 4 & 5 on 58R18059, Part of PIN 22280-0297, City of Waterloo (Part of 139 Northfield Drive West, Waterloo ON);
4. Part of Lot 11, G.C.T., being Part 1 on 58R18059, Part of PIN 22280-0300, City of Waterloo (Part of 141 Northfield Drive West, Waterloo ON);
5. Part of Lot 7 between Young and Ontario Streets, Plan 401, being Parts 1 and 2 on 58R18011, Part of PIN 22316-0217, City of Kitchener (Part of 56 Duke Street, Kitchener ON);
6. Part of Lot 39, Plan 394, being Part 1 on 58R18012, Part of PIN 22501-0023, City of Kitchener (Part of 33 Benton Street, Kitchener ON);
7. Part of Park Lot 25, Plan 404, being Parts 1 and 2 on 58R18049, Part of PIN 22506-0261, City of Kitchener (Part of 50 Borden Avenue, Kitchener ON);
8. Part of Lot 1, Plan 242, being Part 1 on 58R18004, Part of PIN 22505-0112, City of Kitchener (Part of 443 Courtland Avenue East, Kitchener ON);
9. Part of Lot 77, Plan 242, being Part 2 on 58R18004, Part of PIN 22505-0111, City of Kitchener (Part of 246 Ottawa Street South, Kitchener ON);
10. Part of Block 'F', Plan 1206 and Part of Block 'F', Plan 1221, being Parts 1, 2 and 3 on 58R18055, Part of PIN 22595-0095, City of Kitchener (Part of Courtland between Block Line and Hayward);
11. Part Lot 9, M.C.P. 791, being Part 4 on 58R18078, Part of PIN 22599-0069, City of Kitchener (Part of 39-51 Overland Drive, Kitchener, ON);
12. Part Lot 9, M.C.P. 791, being Part 5 on 58R18078, Part of PIN 22599-0081, City of Kitchener (Part of 55 Overland Drive, Kitchener, ON).

Easements

1. Part of Lot 11, G.C.T., being Parts 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11 on 58R18061, Part of PIN 22280-0145, City of Waterloo (Part of 125 Northfield Drive West, Waterloo ON);
2. Part of Park Lot 25, Plan 404, being Part 3 on 58R18049, Part of PIN 22506-0261, City of Kitchener (Part of 50 Borden Avenue, Kitchener ON);
3. Part of Lots 3 and 4, M.C.P., Plan 962, being Part 1 on 58R18060, Part of PIN 22593-0262, City of Kitchener (Part of 310 Fairway Road South, Kitchener ON);
4. Part of Block 'F', Plan 1206 and Part of Block 'F', Plan 1221, being Parts 4, 5 and 6 on 58R18055, Part of PIN 22595-0095, City of Kitchener (Part of Courtland between Block Line and Hayward);

And that staff be instructed to register a Plan of Expropriation with respect to the said properties, or such lesser portions or interests of any of the said properties as may be determined through the design process, within three months of the granting of approval to expropriate said properties, in accordance with the "Expropriations Act" (Ontario) (the "Act");

And that the registered owners be served with a Notice of Expropriation and a Notice of Possession with respect to the said properties after the registration of the Plan of Expropriation and the Regional Solicitor is authorized to take any and all actions required to enforce such Notices including but not limited to any application pursuant to Section 40 of the Expropriations Act;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of applicable properties in the amount of the market value of the interests in such lands as estimated by the Region's appraiser in accordance with the Act;

And that all above-referenced lands situated adjacent to an existing Regional public highway shall be acquired for road widening purposes and shall be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the Municipal Act, 2001, S. O. 2001, c.25;

And further that the Regional Solicitor be authorized to 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 the transaction or if determined by the Commissioner of Transportation and Environmental Services that such lands, or any part thereof, are not required for the subject Project.

Carried

b) Special Council Closed Summary – December 16, 2014
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T. Galloway brought forward the following summary from the Special Closed Council Session.

Moved by T. Galloway

Seconded by S. Foxton

1. That the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation pursuant to Section 30 of the "Expropriations Act" for the acquisition of interests in land for the Rapid Transit Project - Stage 1 detailed as follows:
 - A. Fee simple interest with respect to Part 11, German Company Tract, designated as Parts 1 & 2 Plan 58R18402, Part 8 Plan 58R18061 together with Parts 2 & 3 on the unregistered Reference Plan attached as Appendix "A" hereto all such lands being Part of PIN 22280-0145, City of Waterloo, Regional Municipality of Waterloo; and
 - B. Easement interest with respect to Part 11, German Company Tract, designated as Parts 1, 2, 3, 4, 5, 6, 7, 11 Plan 58R18061 together with Parts 1 & 4 on the unregistered Reference Plan attached as Appendix "A" hereto all such lands being Part of PIN 22280-0145, City of Waterloo, Regional Municipality of Waterloo,

being part of the lands municipally known as 125 Northfield Drive West, Waterloo from Ontario Teachers' Insurance Plan Inc. for the sum of \$53,400.00 plus associated costs, with all documentation to the satisfaction of the Regional Solicitor.

2. That the Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to the expropriation of lands for the Rapid Transit Project – Stage 1 legally described as Part Lot 1, Plan 1405 and all of 1 Foot Reserve A, Plan 1405, designated as parts 4 and 5 on Plan WR-838581, PIN 22281-0365, City of Waterloo, Regional Municipality of Waterloo being part of the lands municipally known as 583 Colby Dr., Waterloo from Lynn Forbes Investments Ltd. for the sum of \$125,850.00 as compensation for the value of the taking of land, compensation for injurious affection, disturbance damages and any and all other damages, plus associated legal and appraisal costs, with all documentation to the satisfaction of the Regional Solicitor.

Carried

Moved by K. Redman

Seconded by J. Mitchell

That Committee of the Whole rise and Council resume.

Carried

Moved by G. Lorentz

Seconded by S. Foxton

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

Carried

Enactment of By-Laws – (First, Second & Third Readings)

Moved by L. Armstrong

Seconded by K. Kiefer

- a) That a By-law to Appoint a Commissioner of Human Resources and Citizen Service be read a first, second and third time, finally passed and numbered 15-003 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) That a By-law to Repeal By-law Number 06-014, A By-law to Appoint a Commissioner of Corporate Resources be read a first, second and third time, finally passed and numbered 15-004 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- c) That a By-law to Appoint a Deputy Treasurer be read a first, second and third time, finally passed and numbered 15-005 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- d) That a By-law to Amend By-law Number 12-017, as Amended, Being a By-law Authorizing and Governing the Execution of Documents on Behalf of The Regional Municipality of Waterloo be read a first, second and third time, finally passed and numbered 15-006 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 Purpose of Phase V of Stage 1 of the Rapid Transit Project for Property and Interests Relating to Lands that are 1767366

Necessary at Various Locations along the Light Rail Transit Alignment in the Cities of Kitchener and Waterloo, all in the Regional Municipality of Waterloo be read a first, second and third time, finally passed and numbered 15-007 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 December 16, 2014 be read a first, second and third time, finally passed and numbered 15-008 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

Adjourn

Moved by K. Kiefer

Seconded by S. Foxton

That the meeting adjourn at 3:25 p.m.

Carried

Regional Chair, K. Seiling

Regional Clerk, K. Fletcher