



Regional Council Minutes

Wednesday, February 10, 2016

The following are the minutes of the Regular Council meeting held at 7:00 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, E. Clarke, D. Craig, S. Foxtan, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, J. Mitchell, J. Nowak, K. Redman, S. Shantz, S. Strickland.

Members Absent: G. Lorentz, B. Vrbanovic

Closed Session

Moved by K. Kiefer

Seconded by H. Jowett

That a closed meeting of Council be held on Wednesday, February 10, 2016 at 6:45 p.m. in Waterloo County Room, in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a) proposed or pending acquisition of land in the City of Kitchener
- b) a matter of pending litigation and receiving of advice subject to solicitor-client privilege related to procurement

Carried

Moved by E. Clarke

Seconded by K. Redman

That Council reconvene in Open Session.

Carried

The meeting was opened with a moment of silence in memory of Claudette Millar, former Regional Councillor and former Mayor of Cambridge who passed away on Wednesday, February 10, 2016. Chair Seiling provided remarks on her great community involvement.

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

None declared.

Minutes Of Previous Meetings

Moved by S. Foxton

Seconded by K. Kiefer

That the following Minutes be approved:

- a) Closed Council – January 20, 2016
- b) Regional Council – January 20, 2016
- c) Closed Committee – February 2, 2016
- d) Planning & Works – February 2, 2016
- e) Administration & Finance – February 2, 2016
- f) Community Services – February 2, 2016

Carried

Moved by H. Jowett

Seconded by L. Armstrong

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

Carried

Finance Reports

- a) **COR-TRY-16-13**, Co-operative Proposal P0015 Linen and Laundry Services

T. Galloway inquired why Sunnyside hasn't been doing the laundry for EMS in the past. Liana Nolan, Medical Officer of Health provided information on the historical process and the re-introduction of linen into the contract. Douglas Bartholomew-Saunders, Commissioner Community Services advised he was unclear if they have the capacity to do this additional laundry at Sunnyside. This is all part of the ongoing review.

Some concerns were expressed that it may be premature to enter into a five year contract with a two year renewable term at this time. It was noted this is a contract with the hospital and the Region is able to piggy back onto that contract.

Moved by S. Foxton

Seconded by H. Jowett

That the Regional Municipality of Waterloo accept the proposal of Booth Centennial Healthcare Linen Services for P0015 Linen and Laundry Services for a contract period of five (5) years with two (2) one year renewal options at an estimated cost of \$596,500.00 plus applicable taxes for the five year period.

Carried

- b) **COR-TRY-16-14**, T2015-237 Mannheim Monitoring Well Construction Project, Kitchener

E. Clarke questioned the increase in cost due to the US exchange rate and the impact on the budget projections. Craig Dyer, Chief Financial Officer stated there are relatively small numbers of purchases from the United States so it will have minimal impact.

Moved by S. Foxton

Seconded by H. Jowett

That the Regional Municipality of Waterloo accept the tender of Aardvark Drilling Inc. for T2015-237 Mannheim Monitoring Well Construction Project, Kitchener in the amount of \$123,805.00 plus all applicable taxes.

Carried

- c) **COR-TRY-16-15**, T2015-228 Heidelberg Wastewater Treatment Plant Upgrades

J. Nowak inquired if this will result in an increase in the capacity at the plant. Staff will follow up on this request.

Moved by S. Foxton

Seconded by H. Jowett

That the Regional Municipality of Waterloo accept the tender of Ball Construction Ltd. for T2015-228 Heidelberg Wastewater Treatment Plant Upgrades in the amount of \$1,727,186.00 plus all applicable taxes;

And that the Regional Municipality of Waterloo approve an increase in the project cost of \$393,342.87 plus applicable taxes funded from the Wastewater Reserve Fund.

Carried

Committee Reports

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Tom Galloway, Chair of the Committee.

Moved by T. Galloway

Seconded by K. Kiefer

That the Summary of Recommendations of the Planning and Works Committee, dated February 2, 2016, Items 1 to 4, be adopted as follows:

The Planning and Works Committee recommends as follows:

1. That the Regional Municipality of Waterloo take the following actions with respect to the Report No. PDL-CPL-16-07, Balancing Environmental Protection and Transportation, the Laurel Creek Headwaters Environmentally Sensitive Landscape Case Study, dated February 2, 2016:

Receive the report for information and endorse the recommendations as a best practice guide for the mitigation of impacts of roads and road upgrades within or contiguous to Environmentally Sensitive Landscapes (ESLs) as described in this report; and

Distribute this report to all Area Municipalities for information and consideration of the recommendations as opportunities to balance environmental and transportation priorities within ESLs, including the Case Study Area.

2. That the Region of Waterloo accept PCL-CPL-16-06, Monthly Report of Development Activity for December 2015, dated February 2, 2016.
3. That the Regional Municipality of Waterloo adopt installation warrants and an implementation strategy for the Level 2 Pedestrian Crossover as outlined in report TES-TRP-16-05, dated February 2, 2016.
4. That the Regional Municipality of Waterloo approve the Corporate Asset Management Policy, as set out in Appendix A to report TES-WAS-16-01/COR-FFM-16-01 dated February 2, 2016.

Carried

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 S. Foxton

That the Summary of Recommendations of the Administration and Finance Committee dated February 2, 2016, Items 1 and 2, be adopted as follows:

The Administration and Finance Committee recommends as follows:

1. That the Regional Municipality of Waterloo write-off accounts receivable in the amount of \$142,046.96 for the year ended December 31, 2015, as outlined in Report COR-TRY-16-09.
2. That the Regional Municipality of Waterloo authorize the Chief Financial Officer, by By-law, to borrow funds as required on a temporary basis to meet current and capital expenditures in 2016 to a maximum of \$112.0 million for current expenditures and \$66.0 million for capital expenditures, as outlined in report COR-TRY-16-11, dated February 2, 2016.

Carried

Community Services

The Summary of Recommendations of the Community Services Committee was presented by Sue Foxton, Vice-Chair of the Committee.

Moved by S. Foxton

Seconded by H. Jowett

That the Summary of Recommendations of the Community Services Committee dated February 2, 2016, Items 1 to 3, and 1 report from closed session, Item 4, be adopted as follows:

The Community Services Committee recommends as follows:

1. That the Regional Municipality of Waterloo increase the 2016 Operating budget for Children's Services by \$ 3,608,838 gross and \$0 net Regional Levy for the administration and delivery of the Provincial Wage Enhancement Program; and

That the Regional Municipality of Waterloo approve the hiring of up to 2.0 temporary full time equivalent staff for the period March 1, 2016 until December 31, 2016 as outlined in report CSD-CHS-16-02, dated February 2, 2016.

2. That the Regional Municipality of Waterloo approve a one time grant in the amount of \$6,000 to White Owl Native Ancestry to assist in the development of an Aboriginal family resource centre;

That the Regional Municipality of Waterloo approve a grant of \$50,000 per annum for 2016, 2017 and 2018 to Conestoga College Institute of Technology and Advanced Learning for the implementation and evaluation of the Ideas Connect partnership model; and

That the 2016 Operating Budget for Children's Services be increased by \$50,000 gross and \$0 net Regional levy as outlined in report CSD-CHS-16-03 dated February 2, 2016.

3. That the Regional Municipality of Waterloo approve the purchase of four (4) General Motors diesel chassis at a cost of \$149,600 plus all applicable taxes from Demers Ambulance Manufacturers Inc. as outlined in report COR-TRY-16-12 dated February 2, 2016.
4. That the Regional Municipality of Waterloo approves the following appointments to the Employment and Income Support Community Advisory Committee as follows:
 - a) Reappoint Erma Friesen (Participant member), Lee Ann Hundt (Aboriginal Services Agency), and Jane Tuer (Project READ) for terms ending December 31, 2019; and Art Sinclair (Business) for a term ending December 31, 2016.
 - b) Appoint Jeri-Lou Nowak (Conestoga College) and Karen Morgan-Bowyer (Waterloo Catholic District School Board) for terms ending December 31, 2019; and Claudia Frias (Ontario Works Caseworker) for a term ending December 31, 2016.

Carried

Moved by T. Galloway

Seconded by E. Clarke

That the following item from the closed session be adopted as follows:

That the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation pursuant to Sections 24 and 30 of the Expropriations Act in connection with the acquisition and settlement of compensation relating to a fee simple interest in land required for the Rapid Transit Project – Stage 1 forming part of the property municipally known as 835

King Street West, Kitchener, more particularly described as Part of Mount Hope Cemetery, Registered Plan 385 being part of PIN 22423-0108 (LT) designated as Part 1 Plan 58R-17850, City of Kitchener from The Corporation of the City of Kitchener and The Corporation of the City of Waterloo as registered owners (the "Cities") and from Grand River Hospital Corporation as lessee for the sum of \$1,627,902.00 together with associated costs, with all documentation to the satisfaction of the Regional Solicitor, and subject to approval of the Agreement by the Cities and Grand River Hospital Corporation.

Carried

Other Matters Under Committee Of The Whole

- a) **PDL-LEG-16-13**, Authorization to Expropriate Lands (2nd Report) as Part of Stage 1 of the Rapid Transit Project Representing a Fee Simple Full Taking of Property and Interests located at 904 King Street West, in the City of Kitchener, in the Regional Municipality of Waterloo

Moved by L. Armstrong

Seconded by J. Nowak

That The Council of The Regional Municipality of Waterloo approve the expropriation of lands for the purpose of construction of Stage 1 of the Rapid Transit Project as detailed in Report PDL-16-13 dated February 10, 2016, and described as follows:

Fee Simple Full Taking:

LRT

1. Part Lots 300 and 301, Plan 385, as in Instrument Number 229589 being PIN 22328-0018 (LT), City of Kitchener, Regional Municipality of Waterloo (904 King Street West, Kitchener),

hereinafter referred to as the "Subject Lands" and shown in Appendix "A" to Report PDL-LEG-16-13 dated February 10, 2016, having considered the Report of the Provincial Inquiry Officer dated January 13, 2016 attached as Appendix "B" to said Report, for the following reasons:

- (a) The Region of Waterloo seeks to achieve the following objectives in the taking of the Subject Lands:
- (i) Construction of Stage 1 of the Rapid Transit Project which includes a light rail transit ("LRT") line approximately 19 kilometers long servicing the City of Kitchener and the City of Waterloo;

- (ii) Completion of all works associated with LRT or otherwise required in order for LRT to function which includes, without limitation, the establishment of a traction power substation and associated infrastructure (collectively, the "TPSS") to be located on the Subject Lands for the purpose of electrifying light rail vehicles operating along the LRT line;
- (iii) Provide for appropriate access to the TPSS in order to allow for operation, maintenance, repair and replacement, as necessary; and
- (iv) Implement landscaping and other finishes on the Subject Lands to comply with all design requirements and any applicable TPSS site plan approval and/or construction permit terms;

(b) The taking of the Subject Lands is fair, sound and reasonably necessary in order to achieve the objectives outlined above for the reasons set out in Report PDL-LEG-16-13 date February 10, 2016;

And that Regional Council cause its decision to approve the expropriation of the Subject Lands and its reasons therefor 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 the party or parties that requested and attended the Inquiry;

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 (the "Act");

And that the Regional Solicitor be directed to:

- (a) Register a Plan of Expropriation for the property within three months of the granting of the approval to expropriate the Subject Lands, as required by the Act;
- (b) Serve the registered owners with a Notice of Expropriation and a Notice of Possession for the property 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 Act; and
- (c) If no agreement as to compensation is made, serve the statutory Offer of Compensation and payment upon the registered owner(s) of the Subject Lands in the amount of the market value of the interests in the Subject Lands as estimated by the Region's appraiser in accordance with the Act;

And Further that the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the Subject Lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction pursuant to settlement 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

Moved by K. Redman

Seconded by S. Shantz

That Committee of the Whole rise and Council resume.

Carried

Moved by S. Foxton

Seconded by H. Jowett

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

Carried

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

Moved by D. Jaworsky

Seconded by K. Kiefer

- a) That a By-law to Authorize the Temporary Borrowing for Current Expenditures Pending the Receipt of Revenues be read a first, second and third time, finally passed and numbered 16-004 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) A By-law to Authorize the Temporary Borrowing for Capital Expenditures Pending the Receipt of Debenture Proceeds be read a first, second and third time, finally passed and numbered 16-005 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- c) A By-law to Repeal By-law 98-026, being a By-law to Establish a Sick Leave Plan for Employees of the Regional Municipality of Waterloo (To allow for consistency with collective agreements and the sick leave policy) be read a first,

second and third time, finally passed and numbered 16-006 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

- d) A By-law to Expropriate Certain Lands for the Purpose of Part of Stage 1 of the Rapid Transit Project for Property Relating to a Fee Simple Full Taking of Property and Interests located at 904 King Street West, in the City of Kitchener, in the Regional Municipality of Waterloo be read a first, second and third time, finally passed and numbered 16-007 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- e) That a By-law to Confirm the Actions of Council of February 10, 2016 be read a first, second and third time, finally passed and numbered 16-008 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

Adjourn

Moved by K. Kiefer

Seconded by H. Jowett

That the meeting adjourn at 7:25 p.m.

Carried

Regional Chair, K. Seiling

Regional Clerk, K. Fletcher