

SECTION 1

MINUTES

THE REGIONAL COUNCIL OF DURHAM

Wednesday, December 13, 2017

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Roll Call: All members of Council were present with the exception of Councillors McQuaid-England, John Neal, Parish, Rowett, Smith
Councillor Drumm left the meeting at 11:50 AM
Councillor Grant left the meeting at 11:47 AM
Councillor Parish attended the meeting at 10:23 AM
Councillor Rowett attended the meeting at 9:45 AM and left at 11:15 AM
Councillor Smith attended the meeting at 11:27 AM

Declarations of Interest

1. Councillor Drumm made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to any items pertaining to Durham Region Transit. He indicated that his son is employed by Durham Region Transit.
2. Councillor Carter made a declaration of interest under the *Municipal Conflict of Interest Act* with respect to Item 8 of the Finance & Administration Section of the Tenth Report of the Committee of the Whole, Report #2017-COW-265: Regional Revitalization Program for the Redevelopment of the Former Genosha Hotel at 68-72 King Street East in the City of Oshawa. He indicated that he is a member of the Business Improvement Area (BIA) and owns property in the vicinity of the subject property.

Announcements

Various announcements were made relating to the activities and events within the area municipalities including:

- Durham Region launched their new durham.ca website. The new website is mobile-friendly and resident-centric, and features accessibility improvements, news and emergency notifications, as well as public meeting and event calendars. A new eProcurement system-bids and tenders launched as part of the project in early 2017.

Presentations

1. Children from the Pickering Early Learning and Child Care Centre entertained members of Regional Council with the singing of Christmas songs followed by a visit from Santa Clause.

2. Mr. Don Beaton, Commissioner of Corporate Services was presented the Certificate of Recognition from Councillor Bob Chapman on behalf of the Canadian Forces Liaison Council, recognizing deserving civilian employers and educators who have demonstrated exceptional support for the Reservist employees.

Adoption of Minutes

Moved by Councillor Henry, Seconded by Councillor Carter,
(205) That the minutes of the meeting of Council held on November 8, 2017, and the minutes of the Closed meeting of Council held on November 8, 2017 be adopted.

CARRIED

Moved by Councillor Henry, Seconded by Councillor Carter,
(206) That the minutes of the meeting of the Committee of the Whole held on December 6, 2017 be adopted.

CARRIED

Correspondence Requiring Motion for Direction

CC 22 Mr. Robert Hann, President, Valiant Rental Properties Limited, regarding Development Charges levies for water and sewer with respect 425 Taunton Road West, Oshawa – Airport Self Store – Buildings 14 and 15 presently being constructed by Valiant Rental Properties Limited.

Moved by Councillor Henry, Seconded by Councillor Sanders,
(207) That Council Correspondence CC 22 be referred to consideration of Item #1 of Other Business.

CARRIED

Additional Correspondence

CC 23 June Gallagher, Deputy Clerk, Municipality of Clarington, regarding Metrolinx Draft 2041 Regional Transportation Plan for the Greater Toronto and Hamilton Area. (Our File: C00)

Moved by Councillor Henry, Seconded by Councillor Woo,
(208) That Council Correspondence CC 23 be referred to consideration of Item #23 of the Planning & Economic Development Section of the Tenth Report of the Committee of the Whole.

CARRIED

Delegations

1. Mr. Jennifer Meader, Associate, WeirFoulds LLP, and Ms. Beth Kelly, Vice-President, Valiant Property Management, regarding Report #2 of the Development Charges Complaint Committee re: Valiant Rental Properties Limited, 425 Taunton Road West, City of Oshawa
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Ms. Jennifer Meader, WeirFoulds LLP, on behalf of Valiant Rental Properties Limited provided a PowerPoint presentation with respect to the imposition of development charges on the property located at 425 Taunton Road West, City of Oshawa. Ms. Meader advised that in May 2017, Valiant Rental Properties Limited paid Regional development charges totalling \$247,874.76 in order to obtain building permits for two self-storage buildings on the property. She advised that development charges were charged for Regional roads, Regional transit, sanitary sewerage and water supply for 18,293.34 square feet of gross floor area at the commercial rate. She submitted that it was an error to charge for sanitary sewerage and water supply development charges.

Ms. Meader quoted Section 2(1) of the Development Charges Act. She stated that the two self-storage buildings do not use and will not use water supply and sanitary sewerage services. She also stated that there is one washroom on the property, which is not for use by customers. She further stated that the internal fire line is not covered by Regional water supply and sanitary sewerage development charges and she noted that fire services are part of the City of Oshawa development charges.

Ms. Meader referenced Section 12(1) of the Region of Durham Development Charges By-law #16-2013 regarding the imposition of development charges upon commercial uses of lands. She compared the wording in subsections 12(1)(a) and 12(1)(b) and she noted that subsection 12(1)(a) does not include the same condition precedent as subsection 12(1)(b). She stated that the two self-storage buildings do not meet the condition precedents in subsection 12(1)(b), which reads “where the lands, buildings or structures are serviced by regional sanitary sewer services ...”. She also stated that a building that does not need services cannot meet the Ontario Municipal Board’s two principles. She further advised that she does not agree with Section 4.5 of Report #2017-DC-02.

Ms. Meader concluded by requesting that Regional Council refund the sanitary sewerage and water supply development charges for this property.

Ms. Meader responded to questions of Regional Council.

A copy of her presentation was submitted to the Legislative Services Division prior to the meeting and will be retained by the Legislative Services Division.

Motions

1. Indigenous Land

The following Notice of Motion of Councillors McQuaid-England and Jordan was called a first time and not proceeded with. The Notice of Motion will be placed on the agenda for the next regular meeting of Regional Council.

Whereas it is important to recognize Indigenous land and acknowledge the traditional inhabitants of the land we occupy in our region, and is a small step toward reconciliation.

Therefore let it be resolved the procedural by-law be changed to add a line to officially recognize Indigenous land, and that item be placed directly after the call to order in the agenda.

2. EFW-WMAC Meetings be Live Streamed

The following Notice of Motion of Councillors Joe Neal and John Neal was called a first time and not proceeded with. The Notice of Motion will be placed on the next regular meeting of Regional Council.

Be it resolved that Council adopt the resolution from the EFW-WMAC that their meetings be live streamed.

Committee Reports

Moved by Councillor Henry, Seconded by Councillor Foster,
(209) That the recommendations contained in the Tenth Report of the Committee of the Whole be adopted; save and except Items 3, 5 and 20 of the Finance & Administration Section; Item 35 of the Works Section; and Item 1 of Other Business.

CARRIED

Tenth Report of the Committee of the Whole

Works

1. Transportation Master Plan Update Study – Final Transportation Master Plan (2017-COW-268)
 - A) That the final Transportation Master Plan, dated December 2017, be endorsed;
 - B) That the Planning and Economic Development Department be authorized to initiate a Regional Official Plan Amendment to incorporate the relevant portions of the Transportation Master Plan into the Regional Official Plan; and
 - C) That the Transportation Master Plan recommendations be considered along with all other Regional priorities through future annual Regional business plans and budget processes.

The recommendations contained in Item 1 of the Works Section of the Tenth Report of the Committee of the Whole were adopted through motion (209).

Finance & Administration

2. 2018 Water Supply and Sanitary Sewerage Servicing and Financing Study (2017-COW-255)
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- A) That the 2018 Capital Program and financing for the Water Supply and Sanitary Sewerage Systems, as set forth in Attachments #1 and #2 of Report #2017-COW-255 be received and included in the 2018 Water Supply and Sanitary Sewerage Capital Budgets;
- B) That the 2019-2027 Water Supply and Sanitary Sewerage Capital Forecast (Appendix #3 to Report #2017-COW-255) be received for information and planning purposes;
- C) That the Water Supply System By-law #89-2003 be amended in order to replicate the penalty provisions within the Sewer Use By-law #55-2003 and Waste By-law #46-2011, which will result in an increase in the maximum fine (currently at \$5,000 for water infractions) as follows:
- i) Every person, other than a corporation, who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$10,000 for the first offence and not more than \$25,000 for any subsequent offence;
 - ii) Every corporation that contravenes any provision of this by-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$50,000 for the first offence and not more than \$100,000 for any subsequent offence; and
 - iii) The Director of Legal Services be instructed to prepare the necessary by-law to implement this amendment to By-law #89-2003; and
- D) That the Federal and Provincial Government be requested to acknowledge the challenges municipalities face in ensuring quality projects are completed within the tight project completion deadlines of March 2018 and March 2019 under the current Clean Water and Wastewater Fund (CWWF) program, by extending the timelines to complete the capital projects approved under the program to December 2019.

3. 2018 Water and Sanitary Sewer User Rates (2017-COW-256)

- A) That the 2018 Regional water rates increase by 5.2% and Regional sanitary sewer rates increase by 2.8% from the 2017 user rate levels as set out in Schedule 1 and Schedule 2 to Report #2017-COW-256 respectively (attached), effective January 1, 2018 (increase for an average residential customer of 4.0%);
- B) That the 2018 Raw Water rates for the Whitby raw water customers be as set out in Schedule 1 to Report #2017-COW-256 (attached), effective January 1, 2018;
- C) That the 2018 water charges to the Sun Valley Heights Homeowners Co-operative Water System be as set out in Schedule 3 to Report #2017-COW-256 (attached), effective January 1, 2018;
- D) That the 2018 Regional Water and Sanitary Sewer Systems Miscellaneous Fees and Charges be as set out in Schedule 4 to Report #2017-COW-256 (attached), with the exception of Section 9 through to and including Section 14 of Schedule 4, effective January 1, 2018;
- E) That the 2018 fee schedule for laboratory services at the Regional Environmental Laboratory located at the Duffin Creek Water Pollution Control Plant be as set out in Schedule 5 to Report #2017-COW-256 (attached), effective January 1, 2018; and
- F) That the Director of Legal Services be instructed to prepare the necessary by-laws to implement the foregoing recommendations.

4. 2018 Regional Social Housing Servicing and Financing Study (2017-COW-257)

- A) That the Federal and Provincial governments be requested to expedite long-term, predictable and sustainable funding to municipalities – i.e. non-application based funding similar to the Federal and Provincial Gas Tax – in order to encourage priority based investments and improve long-term financial planning for resource prioritization;
- B) That the Province of Ontario be advised that permanent sustainable funding in the current amount of approximately \$4.3 million from senior governments is required to fund the Strong Communities and Investment in Affordable Housing Rent Supplement programs beyond their termination date of 2023;
- C) That the following actions be undertaken with respect to the Social Infrastructure Fund – Investment in Affordable Housing Program (SIF-IAH) – Year 3 Funding:

- i) The Regional Chair and Regional Clerk be authorized to execute an Amended Administration Agreement with the Ministry of Housing (MOH) in order for the Region of Durham to participate in the IAH-SIF Year 3 Program and secure 100 per cent Federal and Provincial funding in the total amount of \$2,748,300 in 2018-19;
 - ii) The Region's proposed Program Delivery and Fiscal Plan for the IAH-SIF (Year 3) Program be allocated to New Rental Component, with a maximum of \$100,000 in funding for the Home Ownership Component for 2018-19, and submitted to the MOH; and
 - iii) Residual funding in the amount of \$63,000 initially allocated to the Home Ownership Component under the IAH (2014 Extension) Program, be reallocated to Cornerstone Community Association Durham Inc. project at 454 Bloor Street East, Oshawa under the Rental Housing Component, in the event that such funding is not utilized by Habitat for Humanity Durham by the end of 2017 and that the Regional Chair and Regional Clerk be authorized to sign the amending agreements;
- D) That the following actions be undertaken at end of mortgages and/or operating agreements (EOM/EOA) with existing social housing providers in order to ensure that affordable housing continues to be provided and the Region continues to meet its various legislated obligations under the *Housing Services Act, 2011 (HSA)*, including the funding of 4,446 rent-geared-to-income (RGI) households:
- i) Consent be given for the early termination of the Ontario Community Housing Assistance Program (OCHAP) agreement as requested by the Canadian Foresters Project and that any of the 28 RGI units in this project which may be vacated over time be moved to the Commercial Rent Supplement program to ensure the Region's service level standard is maintained;
 - ii) The Regional subsidy savings related to the end of the mortgage at Maple Glen Housing Co-operative be utilized to provide additional RGI subsidies for clients on the wait list, with the funding of approximately \$250,000 supporting approximately 30 households per year; and
 - iii) In order to ensure that the Region meets its legislated service level standard, the existing authority of the Commissioner of Social Services and the Commissioner of Finance be extended to include the flexibility of shifting units between the Commercial Rent Supplement and Housing Provider programs and the execution of additional commercial rent supplement agreements;

- E) That the Commissioner of Social Services and the Commissioner of Finance be authorized to redirect unspent Social Housing Infrastructure Program (SHIP) funds from completed capital repair projects to previously identified and ranked projects that require additional funding;
- F) That the Regional Chair and Regional Clerk be authorized to execute the Transfer Payment Agreement with the MOH in order for the Region of Durham to participate in the Social Housing Apartment Improvement Program (SHAIP) and secure available 100 per cent Provincial funding in an amount up to the conditional allocation of \$14,360,308 (\$3,319,502 in 2017-2018 and \$11,040,806 in 2018-2019 to 2020-2021) to be applied to planned retrofit activities or programs that reduce greenhouse gas emissions and save money on energy costs for social housing buildings;
- G) That the following actions be undertaken with respect to Durham Regional Local Housing Corporation (DRLHC) initiatives:
- i) The vacant DRLHC single semi-detached property at 1098 Cedar Street, Oshawa be listed for sale on the open market through a real estate agent for the purpose of re-investing the proceeds for social housing; and,
 - ii) The DRLHC continue to enter into annual lease agreements for three units with Community Care Durham to deliver the Assisted Living Supports Program with rents to be established at market rate;
- H) That the following be undertaken in order to operationalize actions identified in the Regional Council approved recommendations of the Affordable and Seniors' Housing Task Force Report:
- i) A provision of up to \$75,000 be included in the 2018 Business Plans and Budgets in order to:
 - Develop a surplus land inventory of publically owned surplus land in Durham Region;
 - Provide a forum to investigate planning issues (e.g. community planning permit system, pre-zoning and inclusionary zoning);
 - Investigate property standards (e.g. reduced parking requirements, secondary suites, and height and density bonusing); and,

- Build a public awareness campaign for affordable rental housing and seniors' housing needs and choices;
 - ii) The 2018 Development Charge By-law review include the consideration of the following:
 - A separate Regional Development Charge for Social Housing; and
 - Timing of payment of Regional Development Charges for purpose-built rental housing;
 - iii) The Regional Chair request that the Federal and Provincial Governments make surplus government land available for social housing purposes; and
 - I) That consent be given to Durham County Senior Citizens Lodge and Kingsway Pioneer Homes Inc. to apply for the Canada Mortgage and Housing Corporation (CMHC) mortgage prepayment as required by the CMHC application process, in order to access private market loans at current interest rates as a means to lower mortgage expenses.
5. Final Recommendations Regarding the New Regional Transit Development Charge By-law (2017-COW-262)
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- A) That pursuant to Section 10(1) of the Development Charges Act, 1997, the Regional Transit Development Charges Background Study dated September 26, 2017 be adopted including the underlying capital forecast and the development charges calculations contained in the Background Study and further, that the approval of the capital forecast in the Background Study indicate Regional Council's intention to ensure that such an increase in need for services will be met as required under paragraph 3 of Section 5(1) of the Development Charges Act, 1997 and Section 3 of Ontario Regulation 82/98;
 - B) That the Regional Transit Residential Development Charge by unit type as indicated in Table 1 below, be imposed on a uniform Region-wide basis, effective January 1, 2018 as follows:

Table 1
Region of Durham
Recommended Regional Transit Residential Rates Per Dwelling Unit
Effective January 1, 2018

Service Category	Single / Semi-Detached (\$)	Medium Density Multiple (\$)	Apartments	
			2 Bedrooms and Larger (\$)	1 Bedroom and Smaller (\$)
Regional Transit	1,143	919	664	431

- C) That the Regional Transit Non-Residential Development Charge of \$0.54 per square foot for commercial, industrial, and institutional development, be imposed on a uniform Region-wide basis effective January 1, 2018;
- D) That the Regional current development charge rules and administrative policies, as approved in the current Regional Transit Development Charge By-law #47-2012, be maintained for the new Regional Transit Development Charge By-law, including, but not limited to, timing for imposition of the charge, exemptions and redevelopment credit;
- E) That the Regional Transit Residential and Non-Residential Development Charges be indexed annually as of July 1st of each year, starting in 2019, for the most recently available annual period ending March 31 in accordance with the prescribed index, defined in O.Reg. 82/98 s.7 as "The Statistics Canada Quarterly, Construction Price Statistics, catalogue number 62-007";
- F) That pursuant to Section 12(3) of the Development Charges Act, 1997 that requires Regional Council to determine whether a further public meeting is necessary when changes are made to a proposed development charges by-law following a public meeting and whereas no changes have been made to the Region's proposed development charges by-law following the public meeting on October 11, 2017, that Regional Council resolve that a further public meeting is not necessary as there are no proposed changes;
- G) That the Director of Legal Services be instructed to finalize the proposed new Regional Transit Development Charge By-law for presentation to Regional Council for approval;
- H) That the Director of Legal Services be instructed to revise future development agreements and any by-law(s) relating thereto to reflect any changes required to implement the foregoing recommendations and that these revised by-law(s) be presented to Council for passage;

- I) That the Regional Commissioner of Finance be instructed to undertake the necessary actions to implement the new By-law; and
- J) That the Regional Clerk be instructed to follow the by-law passage notification provisions pursuant to the Development Charges Act, 1997 and Regulations.

6. Request from the Durham Regional Police Services Board for 2018 Pre-Budget Approval for the purchase of New Vehicles (2017-COW-263)

That the request from the Durham Regional Police Services Board for 2018 pre-budget approval for the purchase of 45 vehicles, at a total cost not to exceed \$1,539,701 be approved provided that this expenditure will be financed within the 2018 DRPS budget guideline established by Regional Council.

7. The Temporary Borrowing By-Law for 2018 (2017-COW-264)

- A) That the Regional Chair and the Treasurer be authorized in 2018 to borrow funds not to exceed \$500 million in order to meet current expenditures and liabilities until such time as the general tax revenues and other revenues of the Region are received; and
- B) That the Director of Legal Services be requested to prepare the requisite by-laws(s).

8. Regional Revitalization Program for the Redevelopment of the Former Genosha Hotel at 68-72 King Street East in the City of Oshawa (2017-COW-265)

- A) That the application submitted by the City of Oshawa, on behalf of TT7 Inc., requesting Regional financial assistance under the Regional Revitalization Program for the redevelopment of the former Genosha Hotel located at 68-72 King Street East in downtown Oshawa be approved, subject to the following conditions:
 - i) The Region to provide \$564,000, with funding provided from the Regional Revitalization Reserve Fund and transferred to the City of Oshawa for distribution to TT7 Inc. in accordance with Regional Council policy as follows:
 - Full Building permit issued to TT7 Inc.: 55%
 - Structural framing inspection passed by local building inspection authority (or equivalent*): 40%
 - Occupancy permit received from local building authority or passed pre-occupancy inspection of those municipalities which do not issue an occupancy permit: 10%

Note:

*The City's Commissioner of Development Services will determine a milestone in the redevelopment of the existing building which is considered to be equivalent to a structural framing inspection.

- ii) TT7 Inc. to be provided the applicable Regional Development Charges redevelopment credits and to pay the net amount of the Regional Development Charges due at building permit issuance;
 - iii) All costs associated with works for the development of the lands will be borne by the developer, TT7 Inc., in keeping with Regional policies;
 - iv) TT7 Inc. will enter into a Servicing Agreement with the Region for construction of the external services required to service the lands, to the satisfaction of the Director of Legal Services;
 - v) Satisfying all performance criteria outlined in the agreement between the City of Oshawa and TT7 Inc. in regard to incentives (financial or other) provided under the City's Central Business District Renaissance Community Improvement Area and applicable City By-laws;
 - vi) The City of Oshawa enter into an agreement with the Region that outlines the terms and conditions for Regional financial assistance to ensure accountability for Regional funding and the Regional Chair and Regional Clerk be authorized to execute the agreement;
 - vii) The City of Oshawa agrees to annual post-project reviews and audits for five years after substantial occupancy, prepared in conjunction with the Region, to provide accountability and ensure effective utilization of Regional resources; and
- B) That as per the Regional Revitalization Program, the increased property tax revenue generated from the increased current value assessment of the redevelopment project located at 68-72 King Street East in the City of Oshawa be used to replenish the Regional Revitalization Reserve Fund for approximately five years after substantial occupancy.

9. 2018 Interim Regional Property Tax Levy (2017-COW-266)

- A) That a 2018 Interim Regional Property Tax Levy be imposed on the Area Municipalities for all property tax classes;
- B) That the amount due from each Area Municipality is estimated to be equivalent to 50% of their respective share of their Regional Property Taxes collected in 2017;
- C) That the 2018 Interim Regional Property Tax Levy be paid by the Area Municipalities seven days subsequent to the instalment due dates established by each Area Municipality for the collection of the respective interim municipal property taxes;
- D) That the Regional Clerk be requested to advise the Area Municipalities of the imposition of the 2018 Interim Regional Property Tax Levy for all property tax classes; and
- E) That approval be granted for the requisite by-law.

10. The Consolidated Budget Status Report to October 31, 2017 and Full Year Forecast (2017-COW-269)

That Report #2017-COW-269 of the Commissioner of Finance be received for information.

11. Revised Reporting Requirements for Contract Over-Expenditures Funded Within a Capital Project (2017-COW-283)

That the applicable sections of the Regional Budget Management Policy be revised to the following:

Where it is estimated that the expenditure limits specified in section 10 (Consulting) and 12.1 (Capital Projects) will be exceeded and funding is available within the project, a quarterly information report shall be submitted by the Commissioner of Finance to the Committee of the Whole.

12. 2018 Current and Capital Business Plans and Budgets and Nine Year Forecasts for the Water Supply and Sanitary Sewerage Systems (2017-COW-284)

- A) That the 2018 Current and Capital Business Plans and Budgets for the Water Supply System, with a total gross expenditure of \$182.58 million (net user rate supported expenditure of \$106.39 million) and related financing as set out below, be approved:

	2017 Gross Budget (\$ 000's)	2018 Gross Budget (\$ 000's)	Variance Incr/(Decr) (\$ 000's)
<u>EXPENDITURES</u>			
Operations:			
Watermain Cleaning and Repair	6,081	3,649	(2,432)
Valves and Hydrants	2,915	3,208	293
Water Connections	3,957	4,217	260
Water Meters	734	755	21
Depot Operations	5,580	5,724	144
Plants East	2,908	2,780	(128)
Plants Central	14,814	13,118	(1,696)
Plants North	2,900	2,879	(21)
Sun Valley	28	28	-
Engineering and Staff Support	6,483	6,676	193
Facilities Management	6,381	6,532	151
Administration	297	304	7
Headquarters Shared Costs	1,029	1,050	21
Utility Finance	3,062	3,440	378
Share of Regional Corporate Costs	5,982	6,347	365
Contribution to Asset Management Reserve Fund	4,509	4,985	476
Subtotal Operations	<u>67,660</u>	<u>65,692</u>	<u>(1,968)</u>
Capital:			
TCA Capital	2,638	2,359	(279)
TCA Construction	64,328	114,533	50,205
Subtotal Capital	<u>66,966</u>	<u>116,892</u>	<u>49,926</u>
TOTAL EXPENDITURES	<u>134,626</u>	<u>182,584</u>	<u>47,958</u>
<u>FINANCING</u>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	8,482	27,245	18,763
Commercial Development Charges - Growth Related Capital	248	2,417	2,169
Industrial Development Charges - Growth Related Capital	-	1,400	1,400
Asset Management Reserve Fund	4,293	4,509	216
Fees and Service Charges	2,426	2,708	282
Financing from others:			
Clean Water and Wastewater Fund	15,846	-	(15,846)
Federal Government's Small Communities Fund	630	-	(630)
Region of York - TCA Construction	100	1,550	1,450
Oversizing Costs Related to Seaton/Federal Lands	1,100	18,785	17,685
Debenture Proceeds:			
Newcastle Water Supply Plant, Clarington	-	17,580	17,580
Financing from non-user revenue sources	<u>33,125</u>	<u>76,194</u>	<u>43,069</u>
User Revenue Financing	<u>101,501</u>	<u>106,390</u>	<u>4,889</u>
TOTAL FINANCING	<u>134,626</u>	<u>182,584</u>	<u>47,958</u>

- B) That the Nine Year Capital Expenditure Forecast for 2019 to 2027 inclusive, in the amount of \$1.1 billion as detailed in the Water Supply System Capital Budget, be received for information;

- C) That the 2018 Current and Capital Business Plans and Budgets for the Sanitary Sewerage System with a total gross expenditure of \$176.44 million (net user rate supported expenditure of \$99.32 million) and related financing as set out below, be approved:

[See Following Page]

	2017 Gross Budget (\$ 000's)	2018 Gross Budget (\$ 000's)	Variance Incr/(Decr) (\$ 000's)
<u>EXPENDITURES</u>			
Operations:			
Cleaning, Repairs and Maintenance Holes	1,710	2,025	315
Sewer Connections	2,689	2,882	193
Depot Operations	3,072	3,091	19
WPCPs and Pumping Stations	23,951	22,786	(1,165)
Duffin Creek WPCP	37,188	35,353	(1,835)
Regional Environmental Laboratory	2,331	2,413	82
Engineering and Staff Support	6,068	6,261	193
Facilities Management	6,556	6,810	254
Administration	300	307	7
Headquarters Shared Costs	1,029	1,050	21
Utility Finance	3,062	3,440	378
Share of Regional Corporate Costs	5,538	5,894	356
Contribution to Asset Management Reserve Fund	7,842	8,234	392
Subtotal Operations	<u>101,335</u>	<u>100,546</u>	<u>(789)</u>
Capital/Debt Charges:			
Duffin Creek WPCP - TCA Capital	1,905	2,360	455
TCA Capital	1,942	2,582	640
TCA Construction	72,030	49,518	(22,512)
Debt Charges	21,432	21,434	2
Subtotal Capital/Debt Charges	<u>97,308</u>	<u>75,894</u>	<u>(21,414)</u>
TOTAL EXPENDITURES	<u>198,643</u>	<u>176,440</u>	<u>(22,203)</u>
<u>FINANCING</u>			
Contributions from Reserve Funds:			
Residential Development Charges - Growth Related Capital	14,495	8,625	(5,870)
Residential Development Charges - Debt Charges	11,164	11,167	3
Commercial Development Charges - Growth Related Capital	531	737	206
Commercial Development Charges - Debt Charges	1,440	1,440	-
Industrial Development Charges - Growth Related Capital		1,800	1,800
Asset Management Reserve Fund	3,778	6,900	3,122
Sewer Treatment Plant / Rate Stabilization Reserve Fund	3,875	-	(3,875)
Regional Environmental Lab Equipment Replacement Reserve	200	460	260
Fees and Service Charges	5,354	6,066	712
Financing from Others:			
Clean Water and Wastewater Fund	17,213	-	(17,213)
Region of York - TCA	1,323	1,468	145
Region of York - TCA Construction	11,472	11,498	26
Developer Contribution	1,223	-	(1,223)
Region of York - Operating	28,641	26,964	(1,677)
Financing from non-user revenue sources	<u>100,709</u>	<u>77,125</u>	<u>(23,584)</u>
User Revenue Financing	<u>97,934</u>	<u>99,315</u>	<u>1,381</u>
TOTAL FINANCING	<u>198,643</u>	<u>176,440</u>	<u>(22,203)</u>

D) That the Nine Year Capital Expenditure Forecast for 2019 to 2027 inclusive, in the amount of \$1.2 billion as detailed in the Sanitary Sewerage System Capital Budget, be received for information;

- E) That capital project approval be granted for expenditures and financing per the 2018 Capital Project Detail Forms within the 2018 Water Supply and Sanitary Sewerage Systems Business Plans and Budgets where contract awards are consistent with the Regional Budget Management Policy;
- F) That the administration fee quantum and escalation clause for the York Durham Sewage System (YDSS) be removed from the Memorandum of Understanding (MOU) (Item #1) as outlined in Confidential Attachment #1 to Report #2017-COW-165, as the fee quantum and escalation has been updated and was approved by the YDSS Management Committee on September 15, 2017;
- G) That staff be authorized to release the administration fee quantum and escalation as outlined in Confidential Attachment #1 to Report #2017-COW-284 once received by York and Durham Regions' Councils; and
- H) That the necessary By-laws with respect to the 2018 Current and Capital Business Plans and Budgets for the Water Supply and Sanitary Sewerage Systems be presented to Council.

13. Status Update on Durham's Phase 1 Public Transit Infrastructure Fund (PTIF) Projects and Proposed Project Modifications (2017-COW-287)

- A) That the Public Transit Infrastructure Fund project modifications which have already been submitted on June 30, 2017 and approved by the Federal Government be endorsed;
- B) That the following additional PTIF project modifications be submitted to the Ontario Ministry of Transportation:
 - i) A reduction in the scope of the Raleigh Garage site remediation project, resulting in a revised project cost estimate of \$2.18 million, which is a \$5.27 million reduction from the original approved project cost estimate of \$7.45 million to reflect the revised soil remediation strategy;
 - ii) An increase in the North Simcoe Street Commuter Parking Lot project budget of \$168,000 over the approved budget of \$169,000, resulting in a revised budget of \$337,000 (2017-COW-242);
 - iii) Additional design and utility investigations for advancing Highway 2 Bus Rapid Transit at an estimated cost of \$1.66 million, including:

- a) From Salem Road to Galea Drive;
 - b) From Delta Boulevard to Merritton Road;
 - c) From Dixie Road to Liverpool Road; and
 - d) Additional temporary staffing/consulting and recruitment to provide project management support for the above road design and utility investigation work;
- iv) Five to six new buses, at an estimated cost of \$3.44 million;
- C) That the Region's share of the proposed new PTIF projects and the North Simcoe Street Commuter Parking Lot budget increase, totalling \$2.64 million, be financed at the discretion of the Commissioner of Finance, as the debt financing for the Region's share of the Raleigh Garage site remediation project can be reduced by a corresponding \$2.64 million; and
- D) That staff be authorized to negotiate and award sole source agreements with engineering consulting firms, to be selected at the discretion of the Commissioner of Works and the Commissioner of Finance, to provide design and utility investigation services for PULSE Curbside Bus-Only Lanes and on-road cycling lanes on Highway 2 between Delta Boulevard and Merritton Road, Dixie Road and Liverpool Road, and Salem Road and Galea Drive, at a combined cost not to exceed \$1,380,000, due to the time limitation associated with PTIF project funding requirements.
14. Sole Source Contract for DRT Customer Survey Using Artificial Intelligence (2017-COW-290)
- A) That a sole source contract to Advanced Symbolics, for the 2017 Durham Region Transit (DRT) customer survey using artificial intelligence at an estimated cost not to exceed \$60,000, with the option to extend the contract for an on-going survey over the following two years, for a total cost over three years not to exceed \$180,000, be approved; and
- B) That the Commissioner of Finance execute any necessary agreements.
15. Bridgestone Canada Inc. Leased Transit Tire Contract Extension (2017-COW-291)
- A) That the existing agreement with Bridgestone Canada Inc. for the provision of leased transit tires, which will expire on December 31, 2017, be extended for up to an additional nine months from January 1, 2018 to September 30, 2018 inclusive, with the same terms and conditions at a cost not to exceed \$235,000, in order to allow for the preparation of appropriate specifications for a competitive procurement process; and

- B) That the Commissioner of Finance be authorized to execute the necessary amendment.

16. Services Agreement with Ontario Lottery and Gaming Corporation for the Great Blue Heron Casino (2017-COW-292)

- A) That the Regional Chair and Clerk be authorized to execute a Services Agreement with Ontario Lottery and Gaming Corporation for the provision of Regional services to the Great Blue Heron Casino, for an initial term of January 1, 2018 to March 31, 2023 and subsequent additional five-year terms; and
- B) That a Memorandum of Understanding with Durham Regional Police Services be executed by the Regional Chair and Clerk in order to share the service agreement payments from Ontario Lottery and Gaming Corporation in a similar manner to payments received to-date for provision of police services to the Great Blue Heron Casino.

17. New PRESTO Agreement between Durham Region and Metrolinx (2017-COW-293)

- A) That a new PRESTO Agreement between the Region and Metrolinx be approved, in order to ensure the Region's eligibility to receive Provincial Gas Tax Funding as required by the "Dedicated Gas Tax Funds for Public Transportation Program", in order to continue the operation of the PRESTO electronic fare payment system under the following terms:
 - i) A ten year agreement from December 15, 2017 to November 27, 2027, with an option for a five year extension term based on the same terms and conditions (with the final effective date of December 2017 subject to timing of the agreement being finalized);
 - ii) A model of fully managed services provided by Metrolinx to the participating transit agencies for the delivery of both a set of core services for all transit agencies using PRESTO and a set of additional services common to the 905 transit agencies only;
 - iii) Annual fees to be paid by Durham Region Transit to Metrolinx scheduled to increase from the current two per cent (\$0.2 million) of revenue collected through PRESTO, for the delivery of the PRESTO services delivered today, to the following for the delivery of both Core Services and 905 Common Core services;

Table 1: Estimated PRESTO Fees to Durham Regional Transit

Estimated PRESTO Commission Fee Costs to Durham Region Transit											
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Fees (%)											
Core Service Fee	2.0%	3.0%	4.0%	5.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Common Core Fee	0.0%	1.0%	1.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Total Fee	2.0%	4.0%	5.0%	8.0%	9.0%	9.0%	9.0%	9.0%	9.0%	9.0%	9.0%

- iv) Starting in 2021 or 12 months after all planned PRESTO functionalities have been put in place by Metrolinx, whichever comes last, the aggregate fare revenue projected to be collected through PRESTO by the participating transit agencies as a group will be based on achieving an overall 80 per cent adoption rate of PRESTO by transit passengers;
 - v) Minimum payment protection required by Metrolinx from the transit agencies using PRESTO are required, as a group, to pay starting in 2021 or 12 months after all planned PRESTO functionalities have been put in place by Metrolinx, whichever comes last, no less than their anticipated aggregate fee and if the actual aggregate fee generated falls short of the anticipated aggregate fee, those individual transit agencies that fall short will be required to pay their individual shortfall;
 - vi) Metrolinx will be responsible for the joint procurement process of PRESTO devices, including the request for proposals, evaluation of bids, and selection and award to a successful vendor, on behalf of all participating transit agencies whom will be required to replace their current PRESTO devices at the transit agency's cost;
 - vii) A governance committee to oversee the delivery of the PRESTO Core services with two representatives from the 905 transit agencies, one voting and one non-voting; and
- B) That the Regional Chair and Regional Clerk be authorized to execute the necessary agreements.

18. February Committee of the Whole Meeting Schedule (2017-COW-261)

- A) That a second Committee of the Whole meeting be tentatively scheduled for Tuesday, February 6, 2018 at 9:00 a.m. in the Council Chambers, Regional Headquarters, 605 Rossland Road East, Whitby; and

- B) That the order of business for the February 6 and 7, 2018 Committee of the Whole meeting be altered in order to consider the Finance and Administration Section, including the 2018 Regional Business Plans and Budgets and property tax strategy, as the first section on the agenda.

19. Appointment of New Members to the Durham Region Accessibility Advisory Committee (2017-COW-275)

That Ms. Carla Boose and Ms. Dawn Campbell be appointed to the Durham Region Accessibility Advisory Committee.

20. Recommended Actions Related to: Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017 (2017-COW-289)

- A) That the Council Procedural By-law #42-2016 be repealed and replaced with a by-law incorporating the amendments as set out in Attachment #2 to Report #2017-COW-289;
- B) That the Acting Regional Chair By-law #56-2014 be repealed and replaced with a by-law in the form as set out in Attachment #3 to Report #2017-COW-289;
- C) That the Temporary Replacement – Alternate Members of Regional Council Policy and Procedure as set out in Attachment #4 to Report #2017-COW-289 be endorsed;
- D) That the Declarations of Interest Form as set out in Attachment #5 to Report #2017-COW-289 be approved;
- E) That the revision to the Council Code of Conduct as set out in Attachment #6 to Report #2017-COW-289 be approved;
- F) That staff be directed to develop a similar Procedure governing long-term substitutions under Section 267 of the Municipal Act; and
- G) That a revised Code be developed in consultation with area municipal Clerks with the goal of harmonizing “Gifts and Benefits” provisions within local Codes and the Regional Code, to the extent possible.

Moved by Councillor Henry, Seconded by Councillor Foster,

- (210) That the recommendations contained in Item 3 of the Finance and Administration Section of the Tenth Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Grant
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Rowett
Councillor Roy
Councillor Ryan
Councillor Woo
Regional Chair Anderson

No

Councillor Drumm
Councillor Gleed
Councillor Henry
Councillor Joe Neal
Councillor Sanders

Members Absent:

Councillor McQuaid-England
Councillor John Neal
Councillor Parish
Councillor Smith

Declarations of Interest: None

Moved by Councillor Henry, Seconded by Councillor Foster,
(211) That the recommendations contained in Item 5 of the Finance & Administration
Section of the Tenth Report of the Committee of the Whole be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Drew
Councillor Foster
Councillor Gleed
Councillor Henry
Councillor Jordan

No

Councillor Grant
Councillor Joe Neal

Councillor McLean
Councillor Mitchell
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Rowett
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair Anderson

Members Absent: Councillor McQuaid-England
Councillor John Neal
Councillor Parish
Councillor Smith

Declarations of Interest: Councillor Drumm

Moved by Councillor Henry, Seconded by Councillor Foster,
(212) That the recommendations contained in Item 20 of the Finance and Administration Section of the Tenth Report of the Committee of the Whole be adopted.

CARRIED LATER IN THE MEETING
(See Following Motions)

Moved by Councillor Jordan, Seconded by Councillor Collier,
(213) That the foregoing motion (212) of Councillors Henry and Foster to adopt the recommendations contained in Item 20 of the Finance & Administration Section of the Tenth Report of the Committee of the Whole be amended in Part C) of the recommendations so that the Temporary Replacement – Alternate Members of Regional Council Policy and Procedure be amended to reflect that alternates be permitted to participate at both Regional Committee of the Whole and Council meetings, and that the necessary revisions also be made to the Council Rules of Procedure By-law.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor Collier
Councillor Grant
Councillor Jordan
Councillor Parish

No
Councillor Aker
Councillor Ashe
Councillor Ballinger
Councillor Carter
Councillor Chapman
Councillor Drew
Councillor Drumm
Councillor Foster

Councillor Gleed
Councillor Henry
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Rowett
Councillor Roy
Councillor Ryan
Councillor Sanders
Councillor Woo
Regional Chair Anderson

Members Absent: Councillor McQuaid-England
Councillor John Neal
Councillor Smith

Declarations of Interest: None

The main motion (212) of Councillors Henry and Foster was then put to a vote and CARRIED.

The recommendations contained in Items 2, 4, 6 to 19 of the Finance & Administration Section of the Tenth Report of the Committee of the Whole were adopted through motion (209).

Health & Social Services

21. Standing Agreement with Zoll Medical Canada Limited (2017-COW-270)

- A) That Zoll X-Series monitor/defibrillators be adopted as the Regional Standard for a period of five (5) years, the anticipated lifecycle of the Paramedic Services Division new monitor/defibrillator inventory; and
- B) That a Standing Agreement with Zoll Medical Canada Limited be negotiated to supply the Paramedic Services Division with non-warranty maintenance and repair service, reusable and disposable accessory equipment for Zoll X-Series monitor/defibrillators at a cost not to exceed \$200,000 for 2018 with the option of four (4) additional one-year terms.

The recommendations contained in Item 21 of the Health & Social Services Section of the Tenth Report of the Committee of the Whole were adopted through motion (209).

Planning & Economic Development

22. Durham Environmental Advisory Committee (DEAC) Membership Appointments, File: A01-37-02 (2017-COW-258)
-
- A) That the following people be appointed to the Durham Environmental Advisory Committee:
- i) Ms. Eden Porter – Youth member; and
 - ii) Mr. Connor Duffy – Post-Secondary member;
- B) That Mr. Christopher Junop be re-appointed as a Youth member to the Durham Environmental Advisory Committee; and
- C) That a copy of Report #2017-COW-258 of the Commissioner of Planning and Economic Development be forwarded to the Durham Environmental Advisory Committee.
23. Regional Response to Metrolinx Draft 2041 Regional Transportation Plan (RTP) Environmental Bill of Rights Registry Number 013-1550 (2017-COW-286)
-
- A) That Attachment 1 to Report #2017-COW-286: Submission to Metrolinx outlining Regional Staff Comments on Metrolinx Draft 2041 Regional Transportation Plan to Report #2017-COW-286 be endorsed as the Region of Durham's position on the draft 2041 Regional Transportation Plan;
- B) That Regional Council recommends that the 2041 Metrolinx Regional Transportation Plan should incorporate Durham's rapid transit priorities including:
- i) Completion of the Bowmanville GO Rail extension by 2024 with electrified service on the northern alignment;
 - ii) Completion of the Durham-Scarborough Bus Rapid Transit Corridor by 2023;
 - iii) Design and completion of the Simcoe Street Bus Rapid Transit Corridor by 2031;
 - iv) Development of GO Rail to Seaton by 2031 in keeping with the Durham Transportation Master Plan; and
 - v) Development of a Regional Transit Service strategy and its implementation along the 407 East Corridor in coordination with Durham Region Transit;

- vi) Light Rail Transit along the Highway 407 Corridor from the Municipality of Clarington to Pearson Airport.
 - C) That the Province of Ontario should reinstate municipal elected representation to the Metrolinx Board; and
 - D) That copies of Report #2017-COW-286 be sent to the Minister of Transportation, the President and CEO of Metrolinx, Durham MPPs, and Durham area municipalities.
24. Region of Durham Local Food Business Retention & Expansion (BR&E) Project, Ontario Rural Economic Development (RED) Funding (2017-COW-288)
-
- A) That unbudgeted funding in the amount \$12,500 be received from the Ontario Rural Economic Development (RED) Program and \$2,000 in unbudgeted funding from Durham Farm Fresh Marketing Association, as supplementary to the 2017 Business Plans and Budgets;
 - B) That unbudgeted funding in the amount of \$14,500, in addition to the Regional contribution of \$10,500, be expended as outlined in Section 5.2 Project Budget of Report #2017-COW-288; and
 - C) That the Regional Chair and Regional Clerk be authorized to execute the agreement with the Minister of Agriculture, Food and Rural Affairs.

The recommendations contained in Items 22 to 24 of the Planning & Economic Development Section of the Tenth Report of the Committee of the Whole were adopted through motion (209).

Works

25. Closure and Conveyance of Elsa Storry Avenue (formerly described as Brock Road), in the City of Pickering, and Approval to Execute the Brock Road Transfer Agreement with Infrastructure Ontario and Lands Corporation (2017-COW-259)
-
- A) That a By-law be passed by the Regional Municipality of Durham to stop up and close as public highway, that portion of Elsa Storry Avenue (formerly described as Brock Road) legally described as Part of Lots 18 and 19, Concession 5, City of Pickering being Parts 12, 13, 14, 15, and 16 on Registered Plan 40R-29608;
 - B) That the lands described above be declared surplus to Regional needs and subsequently be conveyed to Ontario Infrastructure and Lands Corporation for a nominal amount subject to any easements required by the Regional Municipality of Durham and that may be required by any utility;

- C) That the Regional Municipality of Durham accept the transfer of 22.27 acres from the Province of Ontario for the realigned Brock Road and road widening requirements along Brock Road and Whitevale Road for a nominal sum; and
- D) That authority be granted to the Regional Chair and Regional Clerk to execute all documents associated with this road closure and conveyance of lands as may be required including the Brock Road Transfer Agreement with Infrastructure Ontario and Lands Corporation to facilitate the land transfers as described in Recommendations B) and C).

26. Declaration of Lands as Surplus and Approval to Transfer to the Municipality of Clarington: Energy Drive Right of Way, and the New Courtice Road and Darlington Park Road Alignments (2017-COW-260)

- A) That the property, being Parts 1, 2, 6, 7, 13 and 14 on Plan 40R-29099 and Parts 7 and 8 on Plan 40R-29418 in the Regional Municipality of Durham, Municipality of Clarington be declared surplus;
- B) That the lands described above be conveyed to the Municipality of Clarington for a nominal sum; and
- C) That authority be granted to the Regional Clerk and Regional Chair to execute all documents associated with this conveyance.

27. Approval to Negotiate and Award a Sole Source Service Agreement with WaterTrax Inc. for the Provision of Water Supply and Sanitary Sewerage Data Management Services (2017-COW-271)

- A) That a sole source service agreement be negotiated and awarded to WaterTrax Inc. to provide water supply and sanitary sewerage data management services, for a three year term, commencing January 31, 2018, at a cost of \$102,348* in the first year, \$104,395* in the second year and \$106,483* in the third year, for a total estimated contract value of \$313,226*;
- B) That financing for the water supply and sanitary sewerage data management services provided by WaterTrax Inc. be provided from the annual Water Supply and Sanitary Sewerage Systems Business Plans & Budgets; and
- C) That the Commissioner of Finance be authorized to execute the necessary documents related to the sole source service agreement.
(*before applicable taxes

28. Additional Engineering Services for the Detailed Design of Lake Ridge Road (Regional Road 23) Reconstruction and Intersection Modifications from North of Highway 407 to Ninth Concession Road/Myrtle Road (Regional Road 5), in the City of Pickering and the Town of Whitby (2017-COW-272)

- A) That additional commitments to The Municipal Infrastructure Group Ltd. Be authorized for costs associated with additional detailed design engineering services for Lake Ridge Road (Regional Road 23) reconstruction and intersection modifications from north of Highway 407 to Ninth Concession Road/Myrtle Road (Regional Road 5), in the City of Pickering and the Town of Whitby, in the amount of \$89,930*, over and above the approved upset limit of \$59,961* resulting in a revised upset limit not to exceed \$149,891*, to be funded from savings within the engineering component of the project; and
- B) That the Commissioner of Finance be authorized to execute the engineering services agreement.
(*including disbursements and before applicable taxes)

29. Standardize and Sole Source Supply and Delivery of Combination Plow/Dump/Salter Trucks (2017-COW-273)

- A) That the Viking Cives Ltd. International Truck combination cab and chassis and truck mounted plows/dump/salter bodies be adopted as the standard for the Regional Municipality of Durham for the four year period commencing January 1, 2018 to December 31, 2021;
- B) That the resulting sole source contract with Viking Cives Ltd. be negotiated subject to the approval of the financing; and
- C) That the Commissioner of Finance be authorized to execute any required contracts or agreements.

30. Award of Request for Proposal #1129-2017 for Engineering Services to Undertake a Class Environmental Assessment to Plan for Additional Zone 1 Water Storage and a New Zone 2 Water Pumping Station to Service the Newcastle Urban Area in the Municipality of Clarington (2017-COW-274)

- A) That Request for Proposal #1129-2017 be awarded to Stantec Consulting Limited to provide engineering services to undertake a Class Environmental Assessment to plan for additional Zone 1 Water Storage and a new Zone 2 Pumping Station to service the Newcastle Urban Area in the Municipality of Clarington, at an upset limit not to exceed \$226,930* to be funded from the approved project budget of \$800,000; and

- B) That the Commissioner of Finance be authorized to execute the engineering services agreement.
(*including disbursements and before applicable taxes
31. Approval of Request for Pre-Qualification #1149-2017 for Supervisory Control and Data Acquisition Contractors for the Regional Water Supervisory Control and Data Acquisition Upgrade and Integration Program – East Remaining Sites in the Municipality of Clarington (2017-COW-276)
- A) That in accordance with Request for Pre-Qualification #1149-2017, the following contractors be pre-qualified for the tendering of the Regional Water Supervisory Control and Data Acquisition Upgrade and Integration Program – East Remaining Sites in the Municipality of Clarington (Regional Tender T-1057-2017):
- Procon Constructors Inc.
 - Selectra Inc.
 - Summa Engineering Limited; and
- B) That tender documents for the Regional Water Supervisory Control and Data Acquisition Upgrade and Integration Program – East Remaining Sites be issued and awarded only to the above noted contractors.
32. Sole Source Supply for the Odour and Corrosion Control System at the Carruthers Creek Sanitary Sewage Pumping Station, in the Town of Ajax (2017-COW-277)
- A) That a sole source supply of bioxide, dosing pumps and technical services agreement to provide odour and corrosion control at the Carruthers Creek Sanitary Sewage Pumping Station (SSPS) be negotiated and awarded to Evoqua Water Technologies effective January 1, 2018 for a term not to exceed one year at an upset limit not to exceed \$400,000* subject to the approval of the proposed 2018 Sanitary Sewerage Operations Budget; and
- B) That the Commissioner of Finance be authorized to execute any necessary agreements.
(*before applicable taxes
33. Sole Source Engineering Services for the Condition Assessment of the Port Darlington Water Pollution Control Plant in the Municipality of Clarington (2017-COW-278)

- A) That a sole source engineering services agreement be negotiated and awarded to WSP Canada Inc., to provide engineering services for the Condition Assessment of the Port Darlington Water Pollution Control Plant in the Municipality of Clarington at an upset limit not to exceed \$103,690* to be funded from the prior approved Sanitary Sewerage Capital budget; and
- B) That the Commissioner of Finance be authorized to execute the Engineering Services Agreement.
(*before applicable taxes

34. Pre- Budget Approval for the 2018 Equipment Replacement Program
(2017-COW-279)

- A) That the Works Department be provided pre-budget approval at an upset limit of \$7,608,000 to proceed with tenders for the replacement of equipment in 2018, as identified in Attachment #1 to Report #2017-COW-279; and
- B) That financing for the estimated expenditure totalling \$7,608,000 be provided from the Equipment Replacement Reserve.

35. Proposed Revisions to The Regional Municipality of Durham's Temporary Sign
By-law (2017-COW-280) [AS AMENDED]

- A) That The Regional Municipality of Durham's Temporary Sign By-law #22-2014, be repealed and replaced with a new by-law in the form as set out in Attachment #1, as amended, to Report #2017-COW-280; and
- B) That a copy of Report #2017-COW-280 be forwarded to the Area Municipalities for information.

36. Amendments to Regional Traffic and Parking By-Law #44-2006
(2017-COW-281)

- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law #44-2006, generally in the form included as Attachment #1 to Report #2017-COW-281, for presentation to Regional Council for passage; and
- B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1 to Report #2017-COW-281.

37. Authorization to Adopt the Fleet Management Services Master Agreement Executed between the Province of Ontario's Ministry of Government and Consumer Services and BSM Technologies Ltd. For Telematics Services, and to Negotiate an Agreement Including any Amendments, with BSM Technologies Ltd. For the Provision of GPS Based Automatic Vehicle Location System and Services (2017-COW-282)

- A) That the Fleet Management Services Master Agreement executed between the Province of Ontario's Ministry of Government and Consumer Services and BSM Technologies Ltd. for telematics services be adopted by the Regional Municipality of Durham; and
- B) That an agreement with BSM Technologies Ltd. be negotiated for the provision of GPS-based Automatic Vehicle Location (AVL) System and Services based on the SaaS business model of the Province's Vendor on Record (VOR) Arrangement # OSS-00589311 for a term to January 31, 2022 with two optional extensions of up to two years each at a total estimated annual cost of \$219,000* for system fees and repairs and a one-time cost of \$63,000* for upgrading 171 vehicles.
(*before applicable taxes

38. Update on Review of Policy Regarding Public Art Installations on Regional Infrastructure (2017-COW-285)

- A) That staff be authorized to permit an area municipality to install and maintain a public art feature on Regional Municipality of Durham infrastructure where that area municipality currently has an approved and established Public Art Policy and where the public art feature meets minimum requirements to participate in that program;
- B) That any installations of public art on Regional Municipality of Durham infrastructure be subject to a license agreement outlining specific terms and conditions for the use of that specific infrastructure as deemed necessary by the Regional Municipality of Durham as reflected, but not limited to, the terms and conditions as provided in Attachment #1 to Report #2017-COW-285;
- C) That the Commissioner of Works be authorized to approve or deny any request for the installation of public art on Regional Municipality of Durham infrastructure in consultation with Regional staff as necessary, and be authorized to execute any license agreement related to the use of Regional infrastructure for the installation of public art on terms and conditions as provided in Attachment #1 to Report #2017-COW-285 and approved by the Commissioner of Works and Commissioner of Finance, and in a form and content as recommended by the Regional Municipality of Durham's solicitor; and

- D) That a copy of Report #2017-COW-285 of the Commissioner of Works be forwarded to the area municipalities for their information.

Moved by Councillor Henry, Seconded by Councillor Foster,

- (214) That the recommendations contained in Item 35 of the Works Section of the Tenth Report of the Committee of the Whole be adopted.

CARRIED AS AMENDED
LATER IN THE MEETING
(See Following Motions)

Moved by Councillor Aker, Seconded by Councillor Ashe,

- (215) That the foregoing motion (214) of Councillors Henry and Foster to adopt the recommendations contained in Item 35 of the Works Section of the Tenth Report of the Committee of the Whole be amended so that the Temporary Sign By-law as contained in Attachment #1 to Report #2017-COW-280 be amended as follows:

In Section 2.01 (e) by adding the words 'with the exception of election signs' to the end; and

In Section 2.02 by adding a new part (h) as follows:

- (h) no person shall erect, maintain or display more than one sign within 100 metres of any other sign being used to attract attention to the same candidate.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Aker
Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Drew
Councillor Henry
Councillor Pidwerbecki
Councillor Rowett
Councillor Sanders
Councillor Woo

No

Councillor Ballinger
Councillor Collier
Councillor Drumm
Councillor Foster
Councillor Gleed
Councillor Grant
Councillor Jordan
Councillor McLean
Councillor Mitchell
Councillor Joe Neal
Councillor O'Connor
Councillor Parish
Councillor Pickles
Councillor Roy
Councillor Ryan
Regional Chair Anderson

Members Absent: Councillor McQuaid-England
Councillor John Neal
Councillor Smith

Declarations of Interest: None

Moved by Councillor Collier, Seconded by Councillor Joe Neal,
(216) That the foregoing motion (214) of Councillors Henry and Foster to adopt the recommendations contained in Item 35 of the Works Section of the Tenth Report of the Committee of the Whole be amended so that the Temporary Sign By-law as contained in Attachment #1 to Report #2017-COW-280 be amended as follows:

In Section 2.01 (e) by adding the words 'or candidate' after the words 'activity of business'.

CARRIED

The main motion (214) of Councillors Henry and Foster was then put to a vote and CARRIED AS AMENDED.

The recommendations contained in Items 25 to 34 and 36 to 38 of the Works Section of the Tenth Report of the Committee of the Whole were adopted through motion (209).

Other Business

1. Development Charges Complaint Committee
 - A) Report #2 of the Development Charges Complaint Committee re: Valiant Rental Properties Limited, 425 Taunton Road West, City of Oshawa

That Council confirm the development charges imposed by the Region of Durham on Valiant Rental Properties Limited for the development of property known municipally as 425 Taunton Road West, City of Oshawa.

Moved by Councillor Chapman, Seconded by Councillor O'Connor,
(217) That the recommendation contained in Item 1 of Other Business be adopted.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Aker	Councillor Ashe
Councillor Ballinger	Councillor Carter
Councillor Chapman	Councillor Henry
Councillor Collier	Councillor Parish
Councillor Drew	Councillor Roy
Councillor Drumm	Councillor Woo
Councillor Foster	
Councillor Gleed	

Councillor Grant
Councillor Jordan
Councillor McLean
Councillor Joe Neal
Councillor O'Connor
Councillor Pickles
Councillor Pidwerbecki
Councillor Ryan
Councillor Sanders
Councillor Smith
Regional Chair Anderson

Members Absent: Councillor McQuaid-England
Councillor Mitchell
Councillor John Neal
Councillor Rowett

Declarations of Interest: None

By-laws

69-2017 Being a by-law to dedicate and establish certain lands as public highway to be and to form part of the public highway known as:

Regional Road Number 28, Rossland Road
City of Oshawa, in the Regional Municipality of Durham

This by-law implements the recommendations contained in Item #1 of the 5th Report of the Works Committee presented to Regional Council on April 19, 2006.

70-2017 Being a by-law to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

This by-law implements the recommendations contained in Item #20 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

71-2017 Being a by-law to appoint an Acting Regional Chair for The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #20 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

72-2017 Being a by-law to requisition, on an interim basis, from the lower-tier municipalities before the adoption of the 2018 Regional estimates, a sum equal to fifty percent of the taxes requisitioned for Regional purposes made by the Regional Council against the lower-tier municipalities for all property classes in the year 2017.

This by-law implements the recommendations contained in Item #9 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

73-2017 Being a by-law to authorize the Chair and Treasurer of the Regional Municipality of Durham to borrow from time to time by way of promissory notes, such sum or sums at any one time not exceeding the total amount of \$500,000,000 to meet current expenditures including liabilities of The Regional Municipality of Durham for the year 2018.

This by-law implements the recommendations contained in Item #7 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

74-2017 Being a by-law to approve and adopt the 2018 Current and Capital Budgets for Water purposes in the amount of \$182,583,708.

This by-law implements the recommendations contained in Item #12 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

75-2017 Being a by-law to approve and adopt the 2018 Current and Capital Budgets for Sanitary Sewage purposes in the amount of \$176,439,628.

This by-law implements the recommendations contained in Item #12 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

76-2017 Being a by-law to regulate temporary signs and banners devices on or adjacent to Regional roads.

This by-law implements the recommendations contained in Item #35 of the 10th Report of the Committee of the Whole, as amended, presented to Regional Council on December 13, 2017.

77-2017 Being a by-law to amend By-law Number 44-2006 which regulates traffic and parking on roads under the jurisdiction of the Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #36 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

78-2017 Being a by-law to amend By-Law 33-2005, as amended, being a by-law respecting the exercise of certain delegated powers regarding sewage system inspection and approvals including the appointment of certain employees of the Health Department of The Regional Municipality of Durham as Sewage System Inspectors pursuant to Section 3(2) of the *Building Code Act*, 1992.

This by-law implements the recommendations contained in Item #5 of the 2nd Report of the Health & Social Services Committee presented to Regional Council on February 14, 2007.

79-2017 Being a by-law to amend the by-law respecting the Water Pollution Control System and the Storm Sewer System in the Regional Municipality of Durham and the establishment of sewer surcharge rates and sewer charges and being By-law No. 90-2003 of The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #3 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

80-2017 Being a by-law to amend the by-law respecting the Water Supply System in the Regional Municipality of Durham and the establishment of water rates and water charges and being By-law No. 89-2003 of The Regional Municipality of Durham.

This by-law implements the recommendations contained in Item #3 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

81-2017 Being a by-law regarding development charges for transit services.

This by-law implements the recommendations contained in Item #5 of the 10th Report of the Committee of the Whole presented to Regional Council on December 13, 2017.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(218) That By-law Numbers 69-2017 to 81-2017 inclusive be passed.

CARRIED

Confirming By-law

82-2017 Being a by-law to confirm the proceedings of Regional Council at their meeting held on December 13, 2017.

Moved by Councillor Aker, Seconded by Councillor Ashe,
(219) That By-law Number 82-2017 being a by-law to confirm the proceedings of the
Council of the Regional Municipality of Durham at their meeting held on
December 13, 2017 be passed.

CARRIED

Adjournment

Moved by Councillor Chapman, Seconded by Councillor Henry,
(220) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:58 AM

Roger Anderson, Regional Chair

Ralph Walton, Regional Clerk