

The Regional Municipality of Durham

MINUTES

COMMITTEE OF THE WHOLE

Wednesday, June 12, 2019

A regular meeting of the Committee of the Whole was held on Wednesday, June 12, 2019 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Regional Chair Henry assumed the Chair.

Present: All Committee members were present with the exception of Councillors Barton, Collier, Marimpietri, Mulcahy, Nicholson, Roy and Ryan.

Councillor Bath-Hadden left the meeting at 11:30 AM on municipal business

Councillor Collier attended the meeting at 9:42 AM

Councillor Leahy left the meeting at 11:20 AM on municipal business and returned at 12:30 PM

Councillor Marimpietri attended the meeting at 9:53 AM and left the meeting at 12:37 PM

Councillor Mulcahy attended the meeting at 9:31 AM

Councillor Roy attended the meeting at 10:44 AM

Councillor Yamada left the meeting at 11:20 AM on municipal business and returned at 12:30 PM

Staff

Present: E. Baxter-Trahair, C. Bandel, D. Beaton, J. Demanuele, H. Drouin, S. Gill, B. Goodwin, J. Hunt, R. Inacio, M. Januszkiewicz, G. Muller, A. Robbins, V. Patterson, J. Presta, M. Sheriff, M. Simpson, N. Taylor, C. Tennisco, S. Tsenis, and, R. Walton

1. Declarations of Interest

There were no declarations of interest.

2. Statutory Public Meetings

There were no statutory public meetings.

3. Delegations

- 3.1 Linda Gasser, Whitby resident, re: Update on Green Bin Organics Processing Negotiations with Miller Waste Systems and Authority to Sole Source the Yard Waste Processing Contract Extension to Miller Waste Systems (2019-COW-12) [Item 6. A)]
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3.2 Linda Gasser, Whitby resident, re: Organics Management Next Steps and
Updated Preliminary Business Case (2019-COW-17) [Item 6. F)]

L. Gasser appeared before the Committee regarding Report #2019-COW-12 of the Commissioners of Works and Finance; and, Report #2019-COW-17 of the Commissioners of Works, Finance and Corporate Services.

L. Gasser asked whether Options 1 and 2 of the proposed contracts extensions outlined in Report #2019-COW-12 for Source Separated Organics (SSO) processing includes haulage; and the extension date for the contract. With respect to Report #2019-COW-17 and Report #2018-COW-146, L. Gasser stated that to-date, the peer review of the Preliminary Business Case and the Phased Project Implementation Plan, respectively, have not been provided to members of Council. She believes that the approvals staff are seeking for anaerobic digestion (AD) with a mixed waste transfer and pre-sort facility, as the preferred technologies for the Regional Municipality of Durham's long-term organics management strategy, are premature. She questioned when the Deloitte Peer Review of the Preliminary Business Case will be available.

L. Gasser stated that the process staff is recommending will lock Council in before relevant details emerge; the waste project costs are not affordable; and the total consulting and legal fees for an Organics Strategy are unknown. She requested that the Committee:

- Defer or defeat Recommendations A) to D) and G) to I) of Report #2019-COW-17;
- Through Recommendation E), support limited dollars to GHD for the RFQ and preliminary Siting process to prepare for an updated business case leading to the RFP.

L. Gasser asked that Committee revisit the Region's objectives and options through the Long-Term Waste Management Plan Review and consult with the stakeholders in regard to an AD process for green bin organics / source separated organics; develop an AD process with a partner or obtain source separated organics from Regional sources; and look at the risks and uncertainties related to a Mixed Waste Pre-sort.

Moved by Councillor Carter, Seconded by Councillor Anderson,

(45) That Linda Gasser be granted a one-time 2-minute extension in order to finish her delegation.

CARRIED

She provided an overview of supplementary slides pertaining to Peel Region's Mixed Waste Processing (MWP) feasibility study. She stated that in 2018 Regional Council of Peel adopted a long-term waste management strategy; and noted that their Anaerobic Digestion Facility is being developed before the Mixed

Waste Processing Facility to process green bin organic material which includes diapers and pet waste.

L. Gasser responded to questions from the Committee.

4. Presentations

4.1 Organics Management Next Steps and Updated Preliminary Business Case (2019-COW-17) [Item 6. F)]

N. Taylor and J. Presta provided a PowerPoint presentation on the Organics Management Next Steps and Updated Preliminary Business Case. Highlights from the presentation included:

- Recommended Organics Management Solution
 - Solution: Anaerobic Digestion (AD) facility includes mixed waste transfer and pre-sort facility
 - Technology: Wet AD
 - Service Delivery: Design-Build-Operate-Maintain (DBOM) long term 15 – 25 year contract
 - Procurement Process: Two Step
- Professional Expertise Required
 - GHD Limited as owner's engineer (not to exceed \$800,000 to complete original 2016 Part 3 proposal)
 - Independent third party fairness monitor to oversee subsequent procurement processes (not to exceed \$100,000)
 - External legal counsel (not to exceed \$125,000) to provide advice for future next steps
- Updated 2019 Preliminary Business Case
 - Preliminary business case updated for new and updated information since June 2018
 - Uncertainties remain in this updated June 2019 preliminary business case
 - Business case will be updated as the remaining uncertainties are resolved and the project scope is refined
 - Approval of specific financing for the project will be sought at time of RFP issuance and confirmed at time of award
- Updated 2019 Preliminary Business Case – Capital Cost Estimate vs Assumed Full First Year of Operations
- Service Delivery Approach Analysis
 - Regional Council directed analysis of 2 service delivery approaches:
 - > Design Build Operate Maintain (DBOM)
 - > Sector service contract
 - Analysis focused on assessing criteria related to:
 - > Level of Regional ownership and control
 - > Degree of risk transfer to the private sector; and

- > Business/financial considerations
 - GHD assisted staff with analysis
 - Recommended DBOM service delivery approach
- Next Steps
 - Regional staff to report back the results of the following to Regional Council for direction:
 - 1) Feasibility of potential partnership/joint venture through EOI and whether negotiations should commence.
 - 2) Evaluation of siting options, environmental compliance and permitting requirements.
 - 3) Detailed project implementation schedule.
 - 4) Results of the RFPQ (pre-qualified companies) for approval.
 - 5) Recommended timing and approval to initiate the RFP based on resolution of uncertainties (e.g. siting, project implementation timing, etc.).

J. Presta responded to questions of the Committee regarding the requirements for an agreement with the host municipality of the Anaerobic Digestion (AD) facility and mixed waste transfer and pre-sort facility; the elements associated with processing costs for green bin organics, leaf and yard waste, recyclables and garbage collection.

N. Taylor responded to questions regarding the benefits of the Region's service approach for public ownership / partnership of the transfer/pre-sort facility. Discussion followed on the Region's approach for implementing a long-term organics management solution to include public ownership with a contract from the private sector to design, build, operate and maintain (DBOM) the facilities in terms of financial Capital costs and funding opportunities; the GHD risk allocation analysis; the risks associated with ownership versus the merchant delivery model; when an update on the haulage costs will be available to Council; and the EOI evaluation team.

M. Januszkiewicz responded to questions regarding the various types of Anaerobic Digestion (AD) facilities operating within Canada including Edmonton, Halifax and Toronto; the difference between aerobic and anaerobic digestion; and revenue opportunities for the sale of glass.

Councillor Collier requested a copy of the GHD risk allocation analysis. J. Presta advised he will forward the report to Councillor Collier directly.

Councillor Collier also inquired about the incurring costs in terms of the best, medium and worse case scenarios; and any opportunities for renewable costs, the costs to-date, and the potential revenue stream. M. Januszkiewicz advised that when the data on the recyclables is available to staff, they will provide a report to Council.

E. Baxter-Trahair responded to questions regarding the Region's engagement of a third party Fairness Monitor to oversee the procurement processes to protect the Region and to ensure fairness and transparency on behalf of the vendor and the stakeholders.

5. Correspondence

There were no communications to consider.

6. Reports

- A) Update on Green Bin Organics Processing Negotiations with Miller Waste Systems and Authority to Sole Source the Yard Waste Processing Contract Extension to Miller Waste Systems ([2019-COW-12](#))
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Report #2019-COW-12 from J. Presta, Acting Commissioner of Works, and N. Taylor, Commissioner of Finance, was received.

Staff responded to questions regarding extending the contract with Miller Waste Systems for Leaf and Yard Waste; and future opportunities for short term contract extensions.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(46) That we recommend to Council:

- A) That the Regional Municipality of Durham enter into a four-year extension of Contract C002462 with Miller Waste Systems for Leaf and Yard Waste processing, effective July 1, 2019 to extend its term from August 23, 2020 to June 30, 2024 at a four year total cost of approximately \$5,938,077, * subject to annual CPI adjustments, to be funded from the annual Solid Waste Management Operating Budget; and
- B) That the Commissioner of Finance be authorized to execute all documents related to the contract extensions.

CARRIED

- B) Region of Durham's Investment Plan for the Canada-Ontario Community Housing Initiative (COCHI) and Ontario Priorities Housing Initiative (OPHI) Programs ([2019-COW-13](#))
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Report #2019-COW-13 from N. Taylor, Commissioner of Finance, and Dr. H. Drouin, Commissioner of Social Services, was received.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(47) That we recommend to Council:

- A) That further to the correspondence from the Ministry of Municipal Affairs and Housing (MMAH) as outlined in Attachment #1 to Report #2019-COW-13 of the Commissioner of Finance and Commissioner of Social Services, the Regional Chair and Regional Clerk be authorized to execute the Ontario Transfer Payment Agreement with the MMAH in order for the Region of Durham to participate in the Canada-Ontario Community Housing Initiative (COCHI) and Ontario Priorities Housing Initiative (OPHI) Programs and secure available 100 per cent Federal and Provincial funding in the total amount of \$11,822,854 (\$5,071,593 in 2019-20 (confirmed); \$2,643,030 in 2020-21 (planned); and \$4,108,231 in 2021-22 (planned));
- B) That the proposed Investment Plan as detailed in Attachment #2 to Report #2019-COW-13, as required by the Province, outlining the following allocations for the available Federal and Provincial funding for the Canada-Ontario Community Housing Initiative (COCHI) and Ontario Priorities Housing Initiative (OPHI) Programs over the three-year Provincial funding period be approved and forwarded to the MMAH:

Proposed Federal and Provincial Funding Allocations for the Region of Durham's Investment Plan

		Component	Year 1 2019-2020 Confirmed Allocation (\$)	Year 2 2020-2021 Planning Allocation (\$)	Year 3 2021-2022 Planning Allocation (\$)	Total (\$)
(i)	COCHI Capital	Repair	525,393	287,730	441,531	1,254,654
		COCHI Subtotal	525,393	287,730	441,531	1,254,654
(ii)	OPHI Capital	Home Repair	4,318,890	0	0	4,318,890
(iii)	OPHI Capital	Home Ownership	0	100,000	0	100,000
(iv)	OPHI Capital	Rental	0	2,137,535	3,483,365	5,620,900
		OPHI Subtotal	4,318,890	2,237,535	3,483,365	10,039,790

Σ		Administration	227,310	117,765	183,335	528,410
		TOTAL	<u>5,071,593</u>	<u>2,643,030</u>	<u>4,108,231</u>	<u>11,822,854</u>

- C) That in order to address the need for urgent capital repairs and to support non-profit Community Housing, it is recommended that COCHI/OPHI Year 1 funding, as outlined in the Investment Plan, be directed to priority repairs of Community Housing projects, with the following specific actions:
- a) Upon execution of the Ontario Transfer Payment Agreement for COCHI/OPHI, regional staff be authorized to submit a Project Information Form (PIF) to MMAH for selected repair projects;
 - b) Prior to the distribution of funds to housing providers, the Regional Chair and Regional Clerk be authorized to enter into a contribution agreement with each housing provider in order to access funding and establish legal obligations and reporting requirements for the project, as required under the COCHI/OPHI Program Guidelines;
 - c) To ensure all program funding is fully utilized, the Commissioner of Finance be authorized to reallocate underspent project specific funding to alternate projects that can utilize the funding within the program deadlines;
 - d) The housing providers receiving funding be required to segregate this funding to ensure reporting and accountability in a manner satisfactory to the Commissioner of Finance; and
 - e) Regional staff be authorized to obtain additional professional consulting services in an amount not to exceed \$75,000 in order to monitor capital repair projects, with financing provided from the administration allocation;
- D) That the Regional Chair and Regional Clerk be authorized to enter into an amending agreement with Habitat for Humanity Durham for the shared administration of the Home Ownership Component of the Ontario Priorities Housing Initiative (OPHI) year 2 funding allocation and with eligible purchasers for down payment assistance of up to \$25,000 per household for four units to a maximum of \$100,000, in a manner consistent with the funds made available to the previous homeowners under the Investment in Affordable Housing (IAH) and Social Infrastructure Fund (SIF) programs;

- E) That in order to address the lack of affordable rental supply in Durham, the Ontario Priorities Housing Initiative funding be made available for rental construction across the program period as below:

**OPHI Rental Housing Funding Distribution
Region of Durham**

	Year 1	Year 2	Year 3	Total
Funding Allocation	0	\$2,137,535	\$3,483,365	\$5,620,900
# of Potential Units	0	12 to 17	18 to 25	30 to 42

- F) That staff be authorized to issue a Request for Proposal (RFP), upon confirmation of funding from MMAH, for the purpose of soliciting rental housing project proposals for a total value not to exceed the annual amount available under the COCHI/OPHI Investment Plan, under the terms and conditions of the Rental Housing Component of the Ontario Priorities Housing Initiative (OPHI), with recommended rental housing projects being brought forward for Regional Council endorsement; and
- G) That given the administration involved to deliver OPHI programs, both within funding years and to ensure compliance over the program's affordability periods, it is recommended that 5% of the Region's OPHI allocation be leveraged to offset program administrative costs and that, to maintain the 2018-2019 baseline federal funding no administration costs be leveraged against the Region's COCHI allocation.

CARRIED

C) Proposed Housing Services Act Regulation Changes ([2019-COW-14](#))

Report #2019-COW-14 from N. Taylor, Commissioner of Finance, and Dr. H. Drouin, Commissioner of Social Services, was received.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(48) That we recommend to Council:

That Report #2019-COW-14 of the Commissioner of Finance and Commissioner of Social Services be endorsed and submitted to the Ministry of Municipal Affairs and Housing (MMAH) as the Region of Durham's response to the proposed Housing Services Act regulation changes posted to Ontario's Regulatory Registry under proposal numbers 19-MMAH003, 19-MMAH004, 19-MMAH005, including the following key comments and recommendations:

- i) MMAH consider the comments and recommendations set out in Attachment #1 of Report #2019-COW-14 of the Commissioner of Finance, and Commissioner of Social Services – Region of Durham's Detailed Response to Proposed Regulatory Changes under the Housing Services Act;

- ii) MMAH work with service managers to determine the financial impact of the proposed RGI simplification changes, including strategies for mitigation or compensation of these costs;
- iii) RGI scales for social assistance households be revised to align to maximum shelter allowances for Ontario Works and Ontario Disability Support Program (ODSP); and
- iv) Special Priority Policy (SPP) applicants be addressed outside of service manager wait lists to meet the immediate needs of this group and to allow service managers to better address the needs of chronological applicants and locally identified priorities on their wait lists.

CARRIED

D) Initiation of the Durham Region Community Safety and Well-Being Plan (CSWP) (2019-COW-15)

Report #2019-COW-15 from Dr. H. Drouin, Commissioner of Social Services, and B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(49) That we recommend to Council:

- A) That Report #2019-COW-15 of the Commissioners of Social Services and Planning and Economic Development, be received for information; and
- B) That a copy of Report #2019-COW-15 be sent to the area municipalities, Durham Region Police Service, and the Durham Region Community Safety and Well-Being Plan (CSWP) Stakeholders for information.

CARRIED

E) The 2019 Regional Municipality of Durham Asset Management Plan (2019-COW-16)

Report #2019-COW-16 from N. Taylor, Commissioner of Finance, and J. Presta, Acting Commissioner of Works, was received.

J. Presta responded to questions regarding whether the water supply assets that are rated in very poor condition are a water safety risk; whether the 2018 watermain breaks were the result of polybutylene connections; and if staff look at the utilization of equipment in terms of hours of operation, owned versus rentals; and underutilization.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(50) That we recommend to Council:

- A) That the Regional Strategic Asset Management Policy as set out in Attachment #1 to Report #2019-COW-16 of the Commissioner of Finance and Commissioner of Works, be approved and submitted to the Ontario Ministry of Infrastructure to comply with Ontario Regulation 588/17, Asset Management Planning for Municipal Infrastructure, which requires municipalities to have adopted a Strategic Asset Management Policy by July 1, 2019; and
- B) That the best business practice of allocating funds to address priority rehabilitation and replacement needs of Regional infrastructure systems identified in Report #2019-COW-16, produced through the Region's asset management planning process, continue as part of the Region of Durham's 2020 Financial Planning and Budget deliberations.

CARRIED

F) Organics Management Next Steps and Updated Preliminary Business Case (2019-COW-17)

Report #2019-COW-17 from J. Presta, Acting Commissioner of Works, N. Taylor, Commissioner of Finance and D. Beaton, Commissioner of Corporate Services, was received.

Staff responded to questions regarding the Region of Peel's long-term waste management strategy; and whether staff has studied the various pre-sort facilities utilizing similar technology. M. Januszkiewicz advised that staff will be provide a memo in regard to pre-sort facilities.

J. Presta responded to questions regarding the potential beneficial uses of the by-products of an AD facility including Region fleet fueling.

M. Januszkiewicz responded to questions regarding the Environmental Assessment and Certificate of Approval requirements; the site selection investigations; and opportunities for public consultation for the residents of the host municipality.

Discussion ensued regarding the funding by Extender Producer Responsibility and Stewardship Ontario for the net cost of recycling for municipalities. M. Januszkiewicz advised that staff will be preparing a presentation to Council on marketable items by the year end of 2019.

J. Presta and N. Taylor responded to questions regarding the Region's service delivery approach for a long-term organics management solution as noted in Part C) of Report **#2019-COW-17**. Discussion followed on an AD organics processing facility management solution by a private sector contractor for the design, build, operation and maintenance (DBOM) of the facility; the business case costs, assumptions and funding opportunities for the DBOM; the allocation of future Gas Tax monies; procurement considerations; the Region's interest to

maximize qualified bidders; and the Region's best practices to mitigate the risks resulting from the multiple facilities.

J. Presta and M. Januszkiewicz responded to questions regarding the variations in technology factors, sizing and processing capabilities that could impact the Durham York Energy Centre incinerator plant such as emissions and excess capacity.

It was requested that GHD be invited to attend the June 26, 2019 Council meeting to provide feedback on questions raised by members of Regional Council.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(51) That we recommend to Council:

- A) That approval be granted for the Region to proceed with Council's preferred long-term organics' management technology solution, with the capital project to include both a mixed waste transfer and pre-sort facility and an anaerobic digestion (AD) organics management processing facility with the specific financing to be approved at time of Request for Proposal (RFP) issuance and confirmed at the time of RFP award;
- B) That wet anaerobic digestion be approved as the Region's technology for processing organic materials, to maximize diversion, including Green Bin organics and the organic fraction of mixed garbage wastes;
- C) That the Region's service delivery approach for implementing the Region's long-term organics management solution include public ownership of the transfer/pre-sort facility and AD organics management processing facility with a long-term (15-25 year) single contract to be obtained from the private sector to design, build, operate and maintain (DBOM) the facilities;
- D) That procurement follow a two-step Request for Proposal Qualifications (RFPQ) and Request for Proposal (RFP) process, in which:
 - a. The RFPQ shall include appropriate requirements for financial capacity (construction, bonding, operations) together with technical requirements, to be issued with the list of recommended prequalified companies (to participate in the subsequent RFP) to be presented to Regional Council for approval in fall 2019;
 - b. The subsequent RFP process shall be issued together with the design-build-operate-maintain contract to reduce the need for protracted negotiations prior to financial close;
- E) That Regional staff be authorized to retain GHD Limited (GHD) to act as the owner's engineer, at a cost not to exceed \$800,000 to be funded from the existing capital project funds, for the following scope of work:

- a. Development of a detailed project implementation schedule setting out key activities and milestones for the execution of the project;
 - b. Undertake the siting evaluation and environmental compliance approvals and permitting application for transfer/mixed waste pre-sort and AD facilities within Durham Region; and
 - c. Support both the RFPQ and RFP processes, including development of technical documentation and evaluations;
- F) That the updated 2019 preliminary business case for the Region's recommended transfer/mixed waste pre-sort and AD facilities be received for information, recognizing that an update will be provided as part of the recommendation to Regional Council to proceed with RFP issuance once uncertainties around key parameters are resolved (e.g. siting and haulage implications, project implementation timing and site specifications, energy and other by-product preferences, available connections, revenues, costs and implications due to evolving regulatory requirements);
- G) That an independent third-party fairness monitor be retained at a total cost not to exceed \$100,000 to oversee subsequent procurement processes as approved by Regional Council to protect the Regional Municipality of Durham and to ensure fairness and transparency on behalf of vendors and other stakeholders, and that the selection of the fairness monitor be made at the discretion of the Chief Administrative Officer and Commissioner of Finance;
- H) That external legal counsel be retained at a cost not to exceed \$125,000 to provide advice for the next steps of the long-term organics management solution and assist in the procurement process and contractual arrangements; and
- I) That Regional staff report back to Regional Council on the results of the following to seek further direction:
- a. The feasibility of a potential partnership/joint venture with the preferred proponent identified through the Expression of Interest (EOI-1152-2018 to solicit interest in a partnership to procure, finance and share the net costs arising from the development and implementation of the Region's long-term organics waste management solution project), and whether negotiations to establish this partnership/joint venture should commence;
 - b. The evaluation of siting (i.e. location) and environmental compliance approvals and permitting application requirements for the transfer/mixed waste pre-sort and AD facilities within Durham Region;

- c. A detailed project implementation schedule, including key activities and milestones, to progress the implementation of the Region's long-term organic's management solution; and
- d. Recommended timing and approval to initiate the RFP, based on resolution of uncertainties around key parameters (e.g. siting and haulage implications, project implementation timing and site specifications, energy and other by-product preferences, available connections, revenues, costs and implications due to evolving regulatory requirements).

CARRIED LATER IN THE MEETING ON A
RECORDED VOTE
(See Following Motions)

Moved by Councillor Marimpietri, Seconded by Councillor John Neal,
(52) That the Committee recess for 10 minutes.

CARRIED

The Committee recessed at 11:25 AM and reconvened at 11:38 AM.

Moved by Councillor Joe Neal, Seconded by Councillor Collier,
(53) That the main motion (51) of Councillors McLean and Leahy be amended
in Parts C) and D) to provide as follows:

An option for consideration for the business case as part of the RFP process to
include a long-term contract for a facility or facilities owned by a third party.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Carter
Councillor Collier
Councillor Crawford
Councillor John Neal
Councillor Joe Neal
Councillor Wotten

No

Councillor Anderson
Councillor Ashe
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Smith

Regional Chair Henry

Members Absent: Councillor Barton
Councillor Bath-Hadden
Councillor Leahy
Councillor Nicholson
Councillor Ryan
Councillor Yamada

Declarations of Interest: None

J. Presta and N. Taylor responded to questions regarding the processing of the multi residential and commercial waste; and how the Region's excess capacity is disposed. Detailed discussion ensued regarding the option of a long-term contract for private partners versus ownership by Durham Region of a facility.

Moved by Councillor McLean, Seconded by Councillor Lee,
(54) That the question be now put.

CARRIED on a 2/3rds Vote

The main motion (51) of Councillors McLean and Leahy was then put to a vote
and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Joe Neal
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Regional Chair Henry

No

Councillor John Neal

Members Absent: Councillor Barton
Councillor Bath-Hadden
Councillor Leahy
Councillor Nicholson
Councillor Ryan
Councillor Yamada

Declarations of Interest: None

- G) Provincial Funding Update: Implications for the Region of Durham (2019-COW-18)
Report #2019-COW-18 from N. Taylor, Commissioner of Finance, and R.J. Kyle, Commissioner & Medical Officer of Health, was received. E. Baxter-Trahair responded to questions regarding how the Region will address the provincial funding shortfall that may be implemented in the future; potential property tax changes; and opportunities for cross departmental initiatives, including with the local area municipalities.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(55) That we recommend to Council:

That Report #2019-COW-18 of the Commissioner of Finance and Commissioner & Medical Officer of Health, be received for information.

CARRIED

- H) GO East Extension Update and Transit Oriented Development Evaluation (2019-COW-19)

Report #2019-COW-19 from B. Bridgeman, Commissioner of Planning and Economic Development, and N. Taylor, Commissioner of Finance, was received.

In response to a question regarding the Region of Durham's preferred Option for the GO east extension, Regional Chair Henry provided a brief update on Council's requests to the Province and Metrolinx to confirm the commitment to extend the GO Rail service north of Highway 401 through Oshawa to Bowmanville by 2024; negotiations with CN and CP rail; the continued conversations with the local area municipalities; and the economical benefits for the Region.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(56) That we recommend to Council:

- A) That the update on the GO East Extension to Bowmanville provided within Report #2019-COW-19 of the Commissioner of Planning and Economic Development, and Commissioner of Finance, be received for information;

- B) That a Transit Oriented Development Evaluation exercise be undertaken as a sole source contract by N. Barry Lyon Consultants Limited, at a cost not to exceed \$150,000, to be financed at the discretion of the Commissioner of Finance and completed by December 31, 2019, in order to examine the potential impact of route alignments on private sector investment at proposed GO Station locations along the GO East Extension to Bowmanville;
- C) That the Commissioner of Finance be authorized to execute the necessary agreements;
- D) That Regional Council be apprised on the findings and recommendations that are contained in the Transit Oriented Development Evaluation upon its completion;
- E) That Metrolinx and the Province of Ontario be requested to reaffirm their commitment to the CP alignment approved in 2011 through the Oshawa to Bowmanville Rail Service Expansion and Rail Maintenance Facility Transit Project Assessment Process Environmental Assessment; and
- F) That a copy of Report #2019-COW-19 be sent to the Minister of Transportation, the President and Chief Executive Officer at Metrolinx, Durham Members of Provincial Parliament, and Durham area municipalities.

CARRIED

I) Endorsement of Broadband Project by FlashFibr ([2019-COW-20](#))

Report #2019-COW-20 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

S. Gill responded to questions regarding the Broadband Coordinator's scope of work; the facilitating and enabling for the delivery of broadband services to the businesses and residents within Durham Region; the projected full coverage; and potential funding opportunities for the northern municipalities.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(57) That we recommend to Council:

That the Region of Durham endorse and provide support-in-principle for the proposed Broadband infrastructure project by FlashFibr which aligns with and advances the strategic priorities outlined in the Council-approved Regional Broadband Strategy.

CARRIED

J) Financing Terms for the Extension of Municipal Water Supply Services Resulting from Successful Petitions for Properties Located Within the Provincial Greenbelt ([2019-COW-21](#))

Report #2019-COW-21 from J. Presta, Acting Commissioner of Works, and N. Taylor, Commissioner of Finance, was received.

J. Hunt responded to questions regarding how the financing for long-term extensions of municipal water supply services from successful petitions will be secured.

Moved by Councillor McLean, Seconded by Councillor Leahy,
(58) That we recommend to Council:

- A) That Schedule E of By-law #89-2003 be amended to reflect the addition of the following payment terms for extension of municipal water supply services resulting from successful petitions for properties located within the Greenbelt:
 - i) The annual interest rate for the payment of frontage charges for the extension of municipal water supply services to properties in the Greenbelt be established at the prime rate of the Region's financial institution plus 1.5 per cent (to a maximum of 6 per cent), with the prime rate based on the date the final letter outlining fees owing is issued; and
 - ii) The payment term for the frontage charges for the extension of services to properties in the Greenbelt be 10 years or 15 years at the option of the property owner;
- B) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law #89-2003, generally in the form included as Attachment #1 to Report #2019-COW-21 of the Acting Commissioner of Works, and Commissioner of Finance, for presentation to Regional Council for passage;
- C) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #89-2003 as indicated in the form included as Attachment #1 to Report #2019-COW-21; and
- D) That a review of payment terms related to frontage charges for the extension of water supply and sanitary sewerage services resulting from a successful petition process (within or outside of the Provincial Greenbelt) be reviewed as part of the 2020 User Rate Study.

CARRIED AS AMENDED LATER IN THE
MEETING ON A RECORDED VOTE
(See Following Motions)

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(59) That the main motion (58) of Councillors McLean and Leahy be amended by adding the following as a new Part E):

- E) That payments be secured against the title of the property.
CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Collier, Seconded by Councillor Foster,
(60) That the foregoing amending motion (59) of Councillors Joe Neal and John Neal be amended by adding the words, 'and, the debt discharged upon transfer of ownership' after the word, 'property'.
CARRIED

The amending motion (59) of Councillors Joe Neal and John Neal was then put to a vote and CARRIED AS AMENDED.

Moved by Councillor Smith, Seconded by Councillor Wotten,
(61) That the main motion (58) of Councillors McLean and Leahy be amended in Part A) i) by deleting the words, '(to a maximum of 6 per cent)'.
CARRIED ON THE FOLLOWING RECORDED
VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada

No

Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Lee
Councillor McLean
Councillor Pickles
Regional Chair Henry

Members Absent:

Councillor Barton
Councillor Bath-Hadden
Councillor Marimpietri
Councillor Mitchell
Councillor Nicholson
Councillor Ryan

Declarations of Interest: None

N. Taylor responded to questions with respect to the recommended formula based on the prime rate of the Region's financial institution plus 1.5 per cent regarding the fluctuation in the lending market; the forecasting of debentures; and profit versus recovery of services.

Moved by Councillor Collier, Seconded by Councillor Lee,

(62) That the main motion (58) of Councillors McLean and Leahy be amended in Part A) i) by deleting the words, 'the prime rate of the Region's financial institution plus 1.5 per cent; and replacing them with the words, 'the rate incurred by the Region'.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Collier
Councillor Crawford
Councillor Kerr
Councillor Lee
Councillor Pickles

No

Councillor Anderson
Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent:

Councillor Barton
Councillor Bath-Hadden
Councillor Marimpietri
Councillor Nicholson
Councillor Ryan

Declarations of Interest: None

The main motion (58) of Councillors McLean and Leahy was then put to a vote and CARRIED UNANIMOUSLY AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

No

Councillor Anderson
Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Barton
Councillor Bath-Hadden
Councillor Marimpietri
Councillor Nicholson
Councillor Ryan

Declarations of Interest: None

7. Confidential Matters

There were no confidential matters to be considered.

8. Other Business

8.1 Provincial Approval to Sell Beer and Wine at Convenient Stores

Councillor Joe Neal inquired about the recent approval by the Province to allow the sale of beer and wine at Convenience Stores; and questioned how the beer and wine bottles, purchased from these stores, will be returned. J. Presta advised that staff will follow-up on the recycling process for these bottles.

8.2 Construction Roadwork in the Region of Durham

Councillor Carter inquired about the timelines for road resurfacing along Simcoe Street north, at Roberts Street; and, along Harmony Road, north of Rossland Road in the City of Oshawa. J. Presta advised that the road construction at Roberts Street and Simcoe Street should be completed by August; and he noted staff would respond to Councillor Carter directly on the Harmony Road timelines.

9. Adjournment

Moved by Councillor Chapman, Seconded by Councillor Lee
(63) That the meeting be adjourned.

CARRIED

The meeting adjourned at 1:11 PM

Respectfully submitted,

John Henry, Regional Chair

Committee Clerk