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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, November 6, 2019

A regular meeting of the Works Committee was held on Wednesday, November 6, 2019 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Present: Councillor Mitchell, Chair

Councillor Barton
Councillor Crawford
Councillor McLean
Councillor John Neal
Councillor Smith
Regional Chair Henry

Also

Present: Councillor Collier

Absent: Councillor Marimpietri, Vice-Chair, was absent due to municipal business

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer

A. Christie, Manager, Engineering Planning & Studies

- J. Demanuele, Director of Business Services, Works Department
- J. Hunt, Director of Legal Services, Corporate Services Legal Services
- R. Inacio, Systems Support Specialist, Corporate Services IT
- R. Jagannathan, Director of Transportation and Field Services, Works Department
- M. Januszkiewicz, Director of Waste Management, Works Department
- J. Paquette, Manager (Works), Corporate Communications
- S. Penak, Committee Clerk, Corporate Services Legislative Services
- S. Siopis. Commissioner of Works

1. Declarations of Interest

There were no declarations of interest.

2. Adoption of Minutes

Moved by Councillor Smith, Seconded by Councillor Barton,

(145) That the Regular Works Committee meeting minutes held on October 2, 2019, be adopted.

CARRIED AS AMENDED (See Following Motion)

Moved by Councillor Crawford, Seconded by Councillor Barton,

(146) That the 2nd paragraph on page 4 of the October 2, 2019 Works minutes, under Item 7.2 B): Report #2019-W-70 – Options for Redistribution of Frontage Charges for a Watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax, be amended in its entirety, so that it now reads as follows:

'Councillor Collier noted that when it comes to residential lots, there is no threshold specified in the Regional By-Law #89-2003 to calculate frontage charges. The only threshold specified is for agriculture. Since the Region's By-law is silent for residential lots, he stated that O. Reg 586/06, s.16 (4)(b) must be followed which states: if the matter is not dealt with by by-law, 30 metres shall be used as the threshold. Legal staff confirmed that if a Regional by-law is silent, the Ontario Regulation would prevail. In response to Councillor Collier's question regarding re-petitioning, staff indicated that they would not recommend taking this action.'

CARRIED

Moved by Councillor McLean, Seconded by Councillor Smith,

(147) That the Closed Works Committee meeting minutes held on October 2, 2019 be adopted.

CARRIED

3. Statutory Public Meetings

There were no statutory public meetings.

4. Delegations

There were no delegations to be heard.

5. Presentations

There were no presentations to be heard.

6. Waste

6.1 Correspondence

A) Correspondence dated September 18, 2019 from the Town of Ajax, re: Single-Use Plastics Ban

Discussion ensued regarding the intent of the Town of Ajax's resolution with respect to the single-use plastics ban at their facilities and buildings.

A question was raised with respect to what the Region of Durham is currently doing to ban single-use plastics. S. Siopis advised that the use of eco-containers, and proper re-useable cutlery, have been implemented at Regional Headquarters. She also advised that the Region is looking to host a meeting of the waste staff from the local area municipalities to discuss the topic of a single-use plastics ban, to develop a program that is comparable, implementable, and practical.

Moved by Councillor McLean, Seconded by Councillor Barton,

(148) That correspondence dated September 18, 2019 from the Town of Ajax, re: Single-Use Plastics Ban, be received for information.

CARRIED

Moved by Councillor John Neal, Seconded by Councillor Crawford,

(149) That staff be directed to report back to the Works Committee with respect to establishing a policy regarding eliminating single-use plastics, in consultation with Durham's local area municipalities.

CARRIED

6.2 Reports

There were no Waste Reports to consider.

7. Works

7.1 Correspondence

A) Correspondence dated September 27, 2019 from the Town of Whitby, re: Thickson Road Beautification

Moved by Regional Chair Henry, Seconded by Councillor Crawford,

(150) That correspondence dated September 27, 2019 from the Town of Whitby, re: Thickson Road Beautification, be referred to staff for consideration.

CARRIED

B) Correspondence dated October 24, 2019 from the City of Oshawa, re: <u>Establishment of new Community Safety Zones and Speed Reduction</u> Moved by Regional Chair Henry, Seconded by Councillor Crawford,

(151) That correspondence dated October 24, 2019 from the City of Oshawa, re: Establishment of new Community Safety Zones and Speed Reduction, be referred to staff for consideration.

CARRIED

7.2 Reports

A) Acquisition of Property Required for the Victoria/Bloor Street (Regional Road 22) Rehabilitation Project, in the City of Oshawa and Town of Whitby (2019-W-75)

Report #2019-W-75 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (152) That we recommend to Council:

A) That the purchase agreement for the Victoria/Bloor Street Rehabilitation Project be approved:

938255 Ontario Inc. 747 Bloor Street West \$59,400

Part of Lot 16, Broken Front

Concession
City of Oshawa

- B) That financing for the acquisition be provided from the funds allocated in the approved project budget; and
- C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.

CARRIED

B) Expropriation of Lands Required for Road Improvements in Connection with the Durham Live Development, in the City of Pickering (2019-W-76)

Report #2019-W-76 from S. Siopis, Commissioner of Works, was received.

Detailed discussion ensued regarding the timelines for the construction of the road improvements required as part of the Durham Live Development, as the soft opening is March 2020; how the process can be expedited; and why a roads project is not required to be completed before a hold is lifted.

S. Siopis advised that Regional staff have started negotiations with the five local landowners and that if a negotiation with a landowner is unsuccessful, the Region can consider the option to commence the expropriation process.

Moved by Councillor McLean, Seconded by Councillor Smith, (153) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings, if necessary, where negotiations are unsuccessful with respect to the acquisition of property for the construction of road improvements required as part of the Durham Live Development on Regional Road 1 (Brock Road) and Regional Road 22 (Bayly Street), in the City of Pickering as are generally depicted in Attachment # 1 of Report #2019-W-76 of the Commissioner of Works, and for such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the Project;
- B) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation A) of Report #2019-W-76, and to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration;
- C) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation B) of Report #2019-W-76, including the Notices of Application of Approval to Expropriate;
- D) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act R.S.O. 1990, c. E.26 related to the acquisition of property for the construction of road improvements required as part of the Durham Live Development on Regional Road 1 (Brock Road) and Regional Road 22 (Bayly Street), in the City of Pickering remain confidential in accordance with Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporation purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a complete and full and final basis; and
- E) That the Regional Municipality of Durham enter into an agreement with Pickering Developments (401) Inc. and Pickering Developments (Bayly) Inc. and any other party as may be required or appropriate, for full cost recovery related to the acquisition or expropriation of lands required in connection with Durham Live Development, and that Pickering Developments (401) Inc. and Pickering Developments (Bayly) Inc. and any other party as may be added to the agreement, post security in favour of the Regional Municipality

of Durham in an amount as determined by the Regional Municipality of Durham to cover the costs of the acquisitions and/or expropriations.

CARRIED

C) Lease Agreement to Use a Portion of Metrolinx Parking Lot at the Ajax GO Station for Additional Bus Parking at O'Brien Court in the Town of Ajax for Durham Region Transit (2019-W-77)

Report #2019-W-77 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (154) That we recommend to Council:

- A) That a lease agreement with Metrolinx for 2,509.05 square metres (0.62 acres) of required parking space, being part of the overall parent parcel area being 14,528.21 square metres (3.59 acres) at O'Brien Court, in the Town of Ajax, to accommodate Bus Parking for Durham Region Transit be approved with the following terms and conditions:
 - i) The term is for a period of five years commencing August 1, 2019, ending July 31, 2024, with an option to extend for an additional two years subject to the rental rate being negotiated;
 - ii) The annual rental rate for the five-year period of the agreement is \$38,703* based on an internal evaluation;
 - iii) The Regional Municipality of Durham is responsible for snow removal of the licensed area;
 - iv) Metrolinx is responsible for any adjacent grass-cutting and lighting of the lot; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the lease agreement.
 - (*) before applicable taxes in all instances CARRIED
- D) Lease with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for the Regional Municipality of Durham Health Department at 419 King Street East, in the City of Oshawa (2019-W-78)

Report #2019-W-78 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (155) That we recommend to Council:

- A) That the lease with Ivanhoe Cambridge II Inc and 7503067 Canada Inc. for 235.88 square metres (2,539 square feet) of office space, being part of the building located at 419 King Street East, in the City of Oshawa be approved with the following terms and conditions:
 - i) The term is for a period of five years commencing November 1, 2019 and ending October 31, 2024;
 - ii) The annual rental rate for the first three-years of the lease is \$34,276.50* based on a rate of \$145.31* per square metre (\$13.50* per square foot); the annual rate for the fourth and fifth years of the lease is \$35,546.00* based on a rate of \$150.69* per square metre (\$14.00* per square foot);
 - iii) The Region is responsible for all operating costs for the building, common areas and the leased premises;
 - iv) The Region is responsible for a proportionate share of any applicable property taxes; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the lease agreement.
 - (*) before applicable taxes

CARRIED

E) Lease Agreement with the Durham District School Board for Use of the Regionally Owned Premises Located within the Main Tract of the Durham Regional Forest, in the Township of Uxbridge (2019-W-79)

Report #2019-W-79 from S. Siopis, Commissioner of Works, was received.

Discussion ensued with respect to possible options on how to better utilize the space of the Regionally owned premises located within the main tract of the Durham Regional Forest, in the Township of Uxbridge; and whether co-location with other Uxbridge camps would be a possibility.

Staff advised that they are undertaking work to deal with some of the parking pressures including looking to demolish a residential property because of its condition, to be used as potential parking spaces and washroom facilities. Staff also advised that they are working with the Lake Simcoe Region Conservation Authority to bring more facilities to this area of the forest.

Moved by Councillor McLean, Seconded by Councillor Smith, (156) That we recommend to Council:

- A) That the Regional Municipality of Durham enter into a new lease agreement with the Durham District School Board for their use of approximately 2.02 hectares (5 acres) including existing buildings in the Main Tract of the Durham Regional Forest, in the Township of Uxbridge, on the following terms and conditions:
 - i) The annual rent is a nominal sum (\$2.00);
 - ii) The term to be for a period of five years commencing January 1, 2019, and ending on December 31, 2023, together with an option to renew under the same terms and conditions for a further period of five years;
 - iii) The Durham District School Board be responsible for the cost of all maintenance and repairs of the buildings, including items of a capital nature, together with all operating costs including utilities, any applicable taxes and the cost of snow removal; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Agreement.

CARRIED AS AMENDED (See Following Motion)

Moved by Councillor Barton, Seconded by Councillor Smith,

(157) That the main motion (156) of Councillors McLean and Smith be amended to add the following as a new Part C):

And further:

'C) That a meeting be arranged between the Township of Uxbridge, representatives from the Durham District School Board (DDSB), and Durham staff, to address concerns with respect to the possible underutilization of the regionally owned property, and that staff subsequently be directed to prepare a memorandum for Regional Council with the outcome of that discussion.'

CARRIED

The main motion (156) of Councillors McLean and Smith was then put to a vote and CARRIED AS AMENDED.

F) Increase in the Regional Municipality of Durham's Share for the Existing Servicing Agreement with Medallion Developments (Harmony) Limited for the Extension and Oversizing of a Trunk Sanitary Sewer and the Construction of Pedestrian Facilities on Harmony Road (Regional Road 33), in the City of Oshawa (2019-W-80)

\$722,300

Report #2019-W-80 from S. Siopis, Commissioner of Works, was received.

Councillor John Neal asked staff how the bus stops at these locations would be managed when there are no bus stop platforms anymore on the side of the road. Chair Mitchell advised that his question would be forwarded to Durham Region Transit (DRT) staff and communicated back to Councillor John Neal directly.

Staff responded to questions regarding the proposed pedestrian facilities to service local schools, as referenced in Section 3.4 of Report #2019-W-80 of the Commissioner of Works.

Moved by Councillor McLean, Seconded by Councillor Smith, (158) That we recommend to Council:

- A) That an increase in the Regional Municipality of Durham's Share in the amount of \$752,400 be approved for the existing Servicing Agreement with Medallion Developments (Harmony) Limited for the extension and oversizing of a trunk sanitary sewer and the construction of Pedestrian Facilities on Harmony Road (Regional Road 33), in the City of Oshawa, at a new estimated total Regional Municipality of Durham Share of \$2,301,600;
- B) That financing for the increase in the Regional Municipality of Durham's Share for the Sanitary Sewerage Component of the Servicing Agreement be provided from the following Regional sources:

Regional Costs – Sanitary Sewer

2019 Sanitary Sewerage System Capital Budget

Item #142 – Allowance for Regional Share for works in conjunction with residential subdivision development (M1910)

Residential Development Charge Reserve Fund	\$533,057
Commercial Development Charge Reserve Fund	\$33,226
User Rate	<u>\$156,017</u>

Total Regional Share – Sanitary Sewer

C) That financing for the increase in Regional Municipality of Durham's Share for the Regional Road Component of the Servicing Agreement be provided from the following Regional sources:

Regional Costs - Roads

2019 Capital Road Program

Item #78 – Harmony Road from Coldstream to Conlin (R1723)

,	9
Residential Development Charges Commercial Development Charges Roads Capital Reserve	\$23,066 \$2,693 \$4,341
Total Regional Share – Roads	\$30,100
Total Increase in Regional Share	<u>\$752,400</u>
Total City of Oshawa's Share – Roads	<u>\$115,500</u>

D) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

CARRIED

G) Approval of Request for Pre-Qualification RFPQ #1065-2019 of General Contractors for the Construction of the Seaton Zone 4 Water Reservoir and Zone 5 Pumping Station in the City of Pickering (2019-W-81)

Report #2019-W-81 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (159) That we recommend to Council:

- A) That in accordance with Request for Pre-Qualification RFPQ# 1065-2019, the following general contractors be pre-qualified for the tendering of the construction of the Seaton Zone 4 Reservoir and Zone 5 Pumping Station in the City of Pickering:
 - Graham Construction and Engineering LP
 - Kenaidan Contracting Ltd.
 - Maple Reinders Constructors Ltd.
 - Matheson Constructors Ltd.
 - North America Construction (1993) Ltd.
 - Peak Engineering and Construction Ltd.
- B) That the tender documents for the construction of the Seaton Zone 4
 Reservoir and Zone 5 Pumping Station Tender (D2019-050) be issued only
 to the above noted general contractors.

CARRIED

 Sole Source Award to ASL Roteq Ltd. and Approval for Unbudgeted Capital to Undertake Detailed Design and Construction for the Replacement of Pump #1 and Pump #3 and the Supply of a Spare Pump at the Madawaska Sanitary Sewage Pumping Station, in the City of Oshawa (2019-W-82)

Report #2019-W-82 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (160) That we recommend to Council:

- A) That unbudgeted capital work in the amount of \$200,000 to undertake the detailed design and construction for replacement of Pump #1 and Pump #3 and the supply of a spare pump at the Madawaska Sanitary Sewage Pumping Station (SSPS), located at 239 Madawaska Ave, in the City of Oshawa be approved;
- B) That the Regional Municipality of Durham enter into a sole source agreement with ASL Roteq Ltd., for the supply of Grundfos pumps for the Madawaska Sanitary Sewage Pumping Station in the City of Oshawa at an upset limit of \$73,000; and
- C) That financing in the amount of \$200,000 for the detailed design, construction and supply of the proposed pump replacements be provided as follows:

2019 Sanitary Sewerage Capital Budget

Item #11E Municipality of Clarington Road Program (C1999)
User Revenue

\$68,990

Item 14 Works to rectify identified system deficiencies independent of road programs in various locations (M1999) User Revenue

\$131,010

Total Financing

\$200,000

CARRIED

I) Reallocation of Funding for Construction of the Church Street Sanitary Sewer from Harrisview Street to Hurst Drive, in the Town of Ajax (2019-W-83)

Report #2019-W-83 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (161) That we recommend to Council:

That financing of additional commitments for the Church Street Sanitary Sewer (Project A1704) in the amount of \$400,000 be provided from the 2019 Sanitary Sewerage System Budget Item 75, Foster Creek Trunk Sanitary Sewer on Sunset

Boulevard/Lakeview Road from Rudell Road to Church Street, Newcastle (Project C1002) as follows:

Financing	Approved Project Budget \$	Proposed Reallocation from C1002	Revised Project Budget \$
Residential Development Charges	482,950	295,200	778,150
Commercial Development Charges	37,700	18,400	56,100
Industrial Development Charges	124,150	-	124,150
User Revenue	5,200	86,400	91,600
Total Financing (A1704)	<u>650,000</u>	<u>400,000</u>	<u>1,050,000</u>

CARRIED

J) Award of Request for Proposal #1078-2019 for Engineering Services for the Detailed Design for the Rehabilitation of Bowmanville Avenue (Regional Road 57) and the Rehabilitation of Robins Bridge and Two (2) Culverts, in the Municipality of Clarington (2019-W-84)

Report #2019-W-84 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (162) That we recommend to Council:

- A) That Request for Proposal #1078-2019 be awarded to CIMA Canada Inc. to provide engineering services for the detailed design for the rehabilitation of Bowmanville Avenue (Regional Road 57) and the rehabilitation of Robins Bridge and two culverts, in the Municipality of Clarington. The total upset limit not to exceed \$309,960* to be funded from the approved project budget of \$422,000; and
- B) That the Commissioner of Finance be authorized to execute the professional services agreement.
 - (*) includes disbursements and are before applicable taxes CARRIED
- K) Sole Source Award to CIMA Canada Inc. and Approval for Unbudgeted Capital to Undertake Detailed Design of Pump Replacement at the Taunton Road Water Pumping Station Located on Grandview Street North in the City of Oshawa for Interim Capacity Increase to the Zone 4 Water Supply Service Area (2019-W-85)

Report #2019-W-85 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (163) That we recommend to Council:

- A) That approval be granted for unbudgeted capital work in the amount of \$250,000 to undertake the detailed design to replace two existing pumps at the Taunton Road Water Pumping Station to provide an interim capacity increase to the Zone 4 water supply;
- B) That the Regional Municipality of Durham enter into a sole source engineering services agreement with CIMA Canada Inc. for the detailed design of the pump replacement at the Taunton Road Water Pumping Station located on Grandview Street North in the City of Oshawa for Interim Capacity Increase to the Zone 4 Water Supply Service Area at an upset limit not to exceed \$250,000; and
- C) That financing in the amount of \$250,000 for the detailed design of the new pumps and appurtenances be provided as follows:

2019 Water Supply System Capital Budget

Item 157 – Proposed Zone 4 Pumping Station at Harmony Road Reservoir, Oshawa (Project D1507)

Residential Development Charges	\$189,750
Commercial Development Charges	4,775
User Revenue	<u>55,475</u>

Total Financing \$250,000

CARRIED

8. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

9. Confidential Matters

9.1 Reports

A) Confidential Report of the Commissioner of Works – Acquisition or Disposition of Land for Regional Corporation Purposes with Respect to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2019-W-74)

Confidential Report #2019-W-74 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Barton, Seconded by Councillor McLean, (164) That we recommend to Council:

That the recommendations contained in Confidential Report #2019-W-74 of the Commissioner of Works, be adopted.

CARRIED

10. Other Business

10.1 <u>Lead in Tap Water</u>

Councillor John Neal raised a concern from a Durham resident regarding the recent media articles with respect to ongoing investigative reporting around lead being found in tap water, and how the Region would be addressing this issue.

S. Siopis informed the Committee that the Region of Durham has active lead sampling programs and active replacement programs currently in place. She noted that as a result of the recent news articles there has been no influx of calls or concerns regarding finding lead in tap water, as Durham's programs are well established.

Moved by Councillor John Neal, Seconded by Regional Chair Henry,

(165) That staff be directed to bring forward a memorandum to the Works Committee outlining the Region's lead service replacement program and active lead sampling program.

CARRIED

10.2 2018 Municipal Benchmarking Data

Councillor John Neal raised a concern from a Durham resident regarding the 2018 municipal benchmarking data that was recently released and asked for staff comments. S. Siopis advised that staff would look further into this item and report back to the Committee.

Moved by Councillor John Neal, Seconded by Councillor Smith,

(166) That staff be given time to analyze the 2018 municipal benchmarking data along with the residents' concerns and report back to the Works Committee.

CARRIED

10.3 Cross Connection Control Survey, in the Township of Brock

Councillor Smith brought forward a question from a local church in the Township of Brock, with respect to a Cross Connection Control Survey they received from the Works Department and questioned what was involved. He asked whether the survey would be an information gathering process or if there would be action required from the church.

S. Siopis asked that Councillor Smith provide her with more details regarding the survey that the church received, and she would follow up with him directly.

10.4 Clear Garbage Bags

Discussion ensued with respect to the success that Kawartha Lakes has had with using clear garbage bags, and whether Durham Region would be giving a second thought on a similar policy.

M. Januszkiewicz advised that that Extended Producer Responsibility (EPR) would be implemented in 3 years and she will be bringing forward a report in January/February 2020 with more details.

10.5 Use of Sodium Chloride Brine on Regional Roads

A question was raised regarding the effect the sodium chloride brine that is applied to the roads, has on resident and fleet vehicles during the wintertime. S. Siopis advised that because of the brine being applied to the roadways prior to a snow fall, less salt is being used which is a positive. She also advised that applying brine to the roadways is hugely beneficial when it comes to safety as it helps to reduce ice formation on the roadways.

10.6 Roadwork for the Wynfield Long-Term Care Facility Expansion

In response to a question, staff advised that a right in off Ritson Road and Coldstream Drive for the Wynfield Long-Term Care Facility can be accommodated, but the additional roadwork is the responsibility of the City of Oshawa and the developer.

11. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on Wednesday, December 4, 2019 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

Moved by Councillor McLean, Seconded by Councillor Barton, (167) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:21 AM

Respectfully submitted,
D. Mitchell, Chair
S. Penak, Committee Clerk