



Regular Meeting of Council
Agenda

Date: December 14, 2020
Time: 1:00 pm
Location: Council Chambers Level 2, City Hall

1. Call to Order:

2. National Anthem:

3. Regrets:

4. Proclamations:

4.1. Gift of Giving Back Week: December 1-8, 2020

4.2. Be That Guy Day: January 10, 2021

5. Motion to Approve Council Minutes:

Confirm the minutes of the following meetings of Council:

5.1. Regular meeting of Council November 23, 2020

5.2. Special meeting of Council November 26, 2020

5.3. Special meeting of Council December 10, 2020

6. Recognitions and Achievements:

7. Presentations:

8. Declarations of Interest:

9. Delegations:

In order to speak at a Council meeting, individuals must register as a delegation no later than 12:00 noon the day before the meeting. To register, complete the online application at www.burlington.ca/delegation, email cityclerks@burlington.ca

10. Recommendations from Standing Committees:

10.1. Council Workshop meeting of November 24, 2020

There were no recommendations from this meeting.

10.2. Community Planning, Regulation & Mobility meeting of November 26, 2020

a. New Official Plan – Region of Halton Draft Notice of Decision (PL-22-20)

Endorse the modifications to the adopted Burlington Official Plan (April 2018), as set out in the draft Notice of Decision from the Region of Halton, dated November 16, 2020 and attached as Appendix A to community planning department report PL-22-20; and

Direct the Director of Community Planning to notify the Region of Halton that the City of Burlington endorses the modifications to the adopted Burlington Official Plan, and requests that the Region issue its Notice of Decision to approve the new Burlington Official Plan, as modified; and

Direct the Director of Community Planning to provide input into the Halton Regional Official Plan Review to clarify the extent of lands requested to be added to the Region of Halton Employment Area, through the Regional Official Plan Review.

10.3. Environment, Infrastructure & Community Services meeting of December 7, 2020

a. Concessions and vending services (RS-10-20)

Direct the Director of Recreation Services and the Manager of Procurement Services to issue an RFP for the concession operations at Mountainside outdoor pool and the Beach concession for the summer of 2021, with revised healthy food restrictions as outlined in recreation services department report RS-10-20; and

Direct the Director of Recreation Services to request quotes from healthy vending providers to pilot the provision of vending services in selected year-round facilities as outlined in recreation services department report RS-10-20.

b. Halton Equity and Diversity Roundtable Charter endorsement (RS-13-20)

Authorize the Mayor and City Clerk to sign the Halton Equity and Diversity Roundtable Charter endorsement attached as appendix A of recreation services department report RS-13-20, on behalf of the Corporation of the City of Burlington in order to partner with others in support of an inclusive

Halton Region.

c. Proposed Council/Committee Changes – 2021 (MO-09-20)

Approve the following Chair and Vice-Chair appointments:

Environment, Infrastructure and Community Services Committee

Chair: Councillor Paul Sharman

Vice Chair: Councillor Kelvin Galbraith

Community Planning, Regulation and Mobility Committee

Chair: Councillor Kelvin Galbraith

Vice Chair: Councillor Shawna Stolte

Corporate Services, Strategy, Risk and Accountability Committee

Chair: Councillor Lisa Kearns

Vice Chair: Councillor Rory Nisan

Council Workshop

Chair: Councillor Angelo Bentivegna

Vice Chair: Councillor Paul Sharman

Budget

Chair: Councillor Rory Nisan

Vice Chair: Councillor Lisa Kearns

Planning Statutory Public Meeting

Chair: Councillor Shawna Stolte

Vice Chair: Councillor Angelo Bentivegna

Direct the City Manager, Mayor and City Clerk to plan and schedule Council Governance - education and training workshops with council for 2021-2022 as outlined in Mayor's Office report MO-09-20.

Refer the discussion of enhanced roles for the deputy mayor to the governance education and training workshops; and

Direct the Mayor to bring a proposed rotation for 2021-2022 to the December 14, 2020 Council meeting.

Receive and file the related environmental scan in appendix A to Mayor's Office report MO-09-20

d. Procedure By-Law amendment staff direction (EICS-C-03-20)

Direct the City Clerk to prepare a staff report with recommended updates to the Procedure By-law on the following items:

Add definitions to the Procedure By-law for council memorandums, staff reports, municipal officer reports and resolutions; and

Provide guidance on how members of council's items are submitted to standing committees versus straight to council; and

Review the notice of motion section to refine and include deadlines (time) for motions to committee and council; and

Define an agenda review process for standing committees and council, including the Chair's role; and

Provide clarity on items that are provided to Audit Committee versus Corporate Services, Strategy, Risk and Accountability Committee.

e. Designing and evolving our organization (Phase 2) – department functional design and management structures (CM-32-20)

Receive and file the City Manager's Office report CM-32-20 providing the functional design and management structures for City of Burlington future state organization; and

Direct the City Manager to proceed with the Designing and Evolving our Organization implementation plan framework and process including departmental changes as outlined in Appendix A of report CM-32-20.

f. Metrolinx presentation (EICS-C-04-20)

Receive and file Mayor's memo (EICS-C-04-30) sponsoring a delegation from Metrolinx regarding updates on Metrolinx projects in Burlington; and

Direct the Director of Community Planning, Regulation and Mobility to bring comments back to the Council meeting of December 14 on the current Metrolinx proposal for Council endorsement.

g. Incident follow up (RS-03-20)

Pursuant to section 239(2)(b) of the Municipal Act, personal matters about an identifiable individual, including municipal or local board employees.

Receive and file confidential recreation services department report RS-03-

20 regarding an incident follow up.

10.4. Community Planning, Regulation & Mobility meeting of December 8, 2020

- a. Sidewalk Warrant and Local Improvement By-law Update (TS-16-20)

Direct staff to amend By-law 4-2010 to remove reference to sidewalks and no longer apply local improvement charges to sidewalk infill projects.

- b. Transit Five-Year Business Plan (2020 – 2024) (TR-02-20)

Approve the Transit Five-Year Business Plan (2020-2024), as outlined in Appendix A of transit department report TR-02-20.

- c. Update on the Downtown Burlington Urban Growth Centre (UGC) and Major Transit Station Area (MTSA) Supplemental Discussion Paper (PL-59-20)

Direct the Director of Community Planning to provide comments to the Region and state Council's support and endorsement on the Downtown Burlington UGC and MTSA Supplemental Discussion Paper, upon Council approval on December 14, 2020.

10.5. Audit Committee meeting of December 9, 2020

- a. Financial highlights as at September 30, 2020 (F-36-20)

Receive and file finance department report F-36-20 providing financial highlights as at September 30, 2020.

- b. Financial policies (F-35-20)

Receive and file finance department report F-35-20 providing information on financial policies.

- c. External audit plan for audit for the fiscal year ended December 31, 2020 (F-34-20)

Approve the external audit plan for the fiscal year ended December 31, 2020 as presented by Deloitte LLP at the Audit Committee meeting of December 9, 2020.

10.6. Corporate Services, Strategy, Risk & Accountability meeting of December 10, 2020

- a. Investment Policy (F-19-20)

Approve the updated Investment Policy as outlined in Appendix A of finance department report F-19-20.

- b. Expenses excluded from the budget (F-39-20)

Receive and file finance department report F-39-20 regarding expenses excluded from the budget to meet the requirements of Regulation 284/09 of the *Municipal Act, 2001*.

- c. 2021 Interim Tax Levy By-Law (F-40-20)

Approve by-law XX-2020 attached as Appendix A to finance department report F-40-20 which provides for the levy of the 2021 interim taxes.

- d. Temporary Borrowing By-Law (F-43-20)

Approve the by-law attached as Appendix A to finance department report F-43-20, to authorize the temporary borrowings of monies from the Royal Bank of Canada to meet the ordinary expenditures of the corporation for the 2021 fiscal year; and

Authorize the Mayor and City Clerk to execute the security agreement attached as Appendix B to finance department report F-43-20, subject to the satisfaction of the Executive Director of Legal Services & Corporation Counsel.

- e. Write-off of property taxes deemed uncollectible (F-44-20)

Approve the write-off of uncollectible property taxes on the eight properties identified in finance department report F-44-20 in accordance with the provisions of Section 354 of the *Municipal Act, 2001*; and

Direct the Treasurer to remove the property tax amounts from the tax roll; and

Direct the Chief Financial Officer to forward finance department report F-44-20 to the Region of Halton and Ministry of Finance.

- f. 2020 to 2021 group health benefit renewal (HR-04-20)

Retain Sun Life as the provider of major medical, dental, long term disability and life insurance plans for the benefit year December 1, 2020 to November 30, 2021.

- g. Risk governance strategy (CM-34-20)

Approve the risk governance strategy as provided in Appendix A of City Manager's office report CM-34-20; and

Approve the City of Burlington's enterprise risk governance and management policy as provided in Appendix B of City Manager's office

report CM-34-20.

h. 2021-2030 capital budget overview (F-42-20)

Receive the proposed 2021 capital budget book; and

Direct staff to present the recommendations in Appendix A of finance department report F-42-20 to the Corporate Services, Strategy, Risk & Accountability meeting of January 12, 2021 for review and approval, taking into consideration committee amendments.

i. Asset management program update (F-49-20)

Receive and file finance department report F-49-20, providing the city's asset management program update.

j. Renewal of Ombudsman agreement (CL-21-20)

Re-appoint ADR Chambers Inc. ("ADR Chambers") as Ombudsman for the City of Burlington and its local boards pursuant to section 223.13(1) of the *Municipal Act, 2001* for a two-year term commencing January 1, 2021 to December 31, 2022; and

Authorize the Mayor and Clerk to execute a service agreement and any ancillary documents between the City of Burlington and ADR Chambers regarding the appointment of ADR Chambers as Ombudsman, subject to the satisfaction of the City Solicitor; and

Enact an appointing by-law to re-appoint ADR Chambers as the Ombudsman for the City of Burlington and its local boards until December 31, 2022.

k. Public appointment process - shortlisting of applicants (CL-24-20)

Waive the rules of the Council, Boards and Committees Appointment to Boards and Recruitment of Citizens for Committees corporate policy to allow for applicants during the fall 2020/winter 2021 recruitment to be shortlisted for interview purposes as described in clerks department report CL-24-20.

l. Low-income seniors property tax rebate program update (F-50-20)

Approve an increase to the low-income seniors property tax rebate from \$525 to \$550 for eligible property owners effective for the 2021 tax year; and

Approve by-law XX-2020 attached as Appendix A to finance department report F-50-20 which provides for an update to the property tax rebate for eligible property owners, and repeal by-law 12-2016, effective January 1,

2021.

- m. Confidential legal update on an insurance matter (L-26-20)

Pursuant to Section 239(2)(a) the security of the property of the municipality or local board; Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Receive and file confidential legal department report L-26-20 providing an update on an insurance matter.

- n. Confidential legal update on a litigation matter (L-37-20)

Pursuant to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Refer confidential legal department report L-37-20 to a standing committee or council meeting in Q1 of 2021.

11. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

- 11.1. Council Workshop meeting minutes of November 24, 2020
- 11.2. Community Planning, Regulation and Mobility Committee meeting minutes of November 26, 2020
- 11.3. Environment, Infrastructure and Community Services meeting minutes of December 7, 2020
- 11.4. Community Planning, Regulation and Mobility meeting minutes of December 8, 2020
- 11.5. Audit Committee meeting minutes of December 8, 2020
- 11.6. Corporate Services, Strategy, Risk and Accountability meeting minutes of December 10, 2020

12. Reports of Municipal Officers:

- 12.1. Artificial Ice Opportunity (RS-14-20)

Authorize the Director of Recreation Services to accept the donation from Patrick J McNally Foundation for one neighbourhood artificial ice surface as outlined in report

RS-14-20; and

Authorize the Director of Recreation Services to execute a donation agreement, subject to the satisfaction of the Executive Director of Legal Services, with the Patrick J McNally Foundation for one artificial ice surface as outlined in Report RS-14-20; and

Authorize the Director of Recreation Services to work with the Manager of Procurement Services to procure two artificial ice surfaces through a single source process with GLICE funded from the COVID account, to be purchased this December for installation during the Winter 2021, as outlined in report RS-14-20; and

Authorize the Director of Recreation Services to install the artificial ice surface at two neighbourhood rinks.

12.2. CM-36-20 Funding Opportunities

Direct staff to submit an Expression of Interest regarding the Audit and Accountability Fund, Intake 2 to the Province of Ontario by the December 18, 2020 deadline, and;

Direct the Chief Financial Officer to single source a third-party consultant to complete the By-law Consolidation Review should the City of Burlington's request for funding be approved by the Ministry of Municipal Affairs and Housing, and;

Direct staff to submit these four projects: the Elgin Street Promenade, Stage 4, the Palmer Trail, the City Hall customer service window renovations and the Roads, Parks and Forestry operations centre renovation as the City of Burlington's submission to the Investing in Canada Infrastructure (ICIP) – Program COVID-19 Resilience Infrastructure Stream, and;

Authorize the Mayor and City Clerk to execute the necessary Transfer Payment Agreements between the City of Burlington and Province of Ontario in relationship to the Audit and Accountability Fund, Intake 2, should the funding be approved, and the Investing in Canada Infrastructure (ICIP) – Program COVID-19 Resilience Infrastructure Stream, along with any other related documents or by-laws to the satisfaction of the Executive Director of Legal Services and Corporation Counsel.

13. Notices of Motion:

14. Motions:

- 14.1. Motion to move into closed session regarding the security of the property of the municipality or local board - security matter

In accordance with sections 239(2) and 239(3) of the Municipal Act, S.O. 2001, c. 25

14.2. Motion to move into public session.

Move into public session.

15. Motion to Receive and File Council Information Packages:

Receive and file the following Information Packages, having been prepared and distributed to Council:

15.1. Council Information Package November 26, 2020

15.2. Council Information Package December 3, 2020

16. Motion to Receive and File Information Items:

Receive and file information items, having been considered by Council:

16.1. Memorandum from Kaylan Edgcumbe, Manager of Integrated Mobility regarding Metrolinx presentation (EICS-C-04-20)

16.2. Memorandum from Mayor Meed Ward regarding regarding Deputy Mayor Rotation for 2021-2022 (MO-9-20)

17. Motion to Consider Confidential Items:

18. Motion to Approve By-Laws:

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

18.1. 98-2020: A by-law to amend the Local Improvement By-law 4-2010.

18.2. 99-2020: A by-law to levy 2021 interim taxes and establish penalty and interest rates.

18.3. 100-2020: A by-law to authorize the temporary borrowings of monies from the Royal Bank of Canada.

18.4. 101-2020: A by-law to re-appoint ADR Chambers as the Ombudsman for the City of Burlington and its local boards until December 31, 2022.

18.5. 102-2020: A by-law to provide a tax rebate for eligible property owners.

18.6. 103-2020: A by-law to appoint a Fire Chief for the City of Burlington.

19. Motion to Confirm Proceedings of the Council Meeting:

Enact and pass By-law Number 104-2020 , being a by-law to confirm the proceedings of Council at its meeting held Monday, December 14, 2020 being read a first, second and third time.

20. Verbal update on COVID-19 from City Manager Tim Commisso and Mayor Marianne Meed Ward.

21. Statements by Members:

22. Motion to Adjourn:

Adjourn this Council now to meet again at the call of the Mayor.