

REPORT RCC-09-22 UPDATE ON MARINA OPERATIONS
DELEGATION NOTES: Anne and Dave Marsden, Community
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**PART VI
PRACTICES AND PROCEDURES**

**MUNICIPAL ORGANIZATION AND ADMINISTRATION
Role of council**

**224 OF THE MUNICIPAL ACT, THE GOVERNING LEGISLATION OF THIS COUNCIL
STATES IT IS THE ROLE OF COUNCIL:**

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality;

It should, therefore, come as no surprise to all members of this Council that citizen expectations in terms of Committee reports require them to be truthful, transparent and trustworthy.

May 5, 2022 we returned to in-person delegations. We raised the return to in-person delegations what seems like at least a year ago.

Councillor Stolte was the only Councillor who supported consideration of what we were advocating for, an immediate safe return to in-person delegations.

But for Council finally caving in to public pressure on this topic, we would not have picked up a copy of the May 5, 2022 Environment, Infrastructure and Community Services Committee Addendum from the Council Chamber.

We did not have time to give the Addendum more than a quick review. The very first word jumped out at Anne. “Recently” which replaced the date LPMA received notice of a non-renewal of insurance. The most basic information on this matter, the day LPMA, and thus city staff and Council knew that a non-renewal of insurance notice had been issued is missing from the report provided to the public.

LPMA’s delegation provided the missing date - March 22, 2022. More than enough time for this very serious issue faced by the

city being placed on the April, 2022 Committee Agenda. The question we are asking, at this time is why every member of this Council chose to remain silent on this issue when they clearly have a duty TO ENSURE THE TRANSPARENCY OF THE OPERATIONS OF THE MUNICIPALITY.

The very first word of this report sets the tone in our minds as to how one should read the rest of the report as the very first word manipulates the truth. The last paragraph of the addendum states the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel reviewed and approved the report. This means these individuals are responsible for the transparency of the report being in question in the form it was placed before the public.

What is all this Marsden fuss about? The fuss is the *Municipal Act* demands Council transparency in terms of the operation of the municipality. Further “having Integrity” a subject under the microscope by this council is not a description that can be used

in terms of every member of Council remaining silent March 22, 2022 to May 4/5, that the Marina was without insurance as at April 30, 2022.

A state of affairs that indicates the decision to utilize \$4 million dollars of tax payers hydro reserves in 2020, not a popular decision of council at all, may now see the hydro reserves flushed rather than what they were meant to achieve.

LPMA certainly did not keep the matter secret:

“Since receiving the notice of non-renewal, our board has exhausted all avenues to obtain coverage. We met numerous times with the City, council members, our insurance broker. other insurance brokers, our lawyer, and BS&BC.”

THE LPMA DELEGATION TO COUNCIL SHOWS THEY WERE “ON IT” AS THEY SHOULD HAVE BEEN PUTTING THE DATE THE DEATH KNELL STARTED TOLLING FOR THEIR ORGANIZATION’S MANAGEMENT OF THE MARINA AT MARCH 22, 2022.

OPTIONS CONSIDERED SHOW there is the opportunity for the City’s insurer to take over the insurance. However, there is

insufficient information at this point in time for citizens to make even an educated guess as to whether such a move serves the city's interests.

There are many, us among them, who did not believe the \$4m hydro reserves being swallowed up by a wave break was in the best interests of the city. The city taking on the operation of the Marina and purchasing the insurance with two claims already in process sounds to us like an impossible situation in terms of fiscal responsibility. Particularly with negotiations fast approaching in terms of La Salle that have seen us pay a ridiculously low price for this gem that most do not understand belongs to Hamilton. We will gladly celebrate being proven wrong in this matter. Perhaps being proven wrong can begin with earlier discussions with Hamilton than presently anticipated.