



Corporate Services, Strategy, Risk and Accountability Committee Meeting

Minutes

Date: June 6, 2022
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Rory Nisan (Chair), Paul Sharman, Lisa Kearns, Kelvin Galbraith, Shawna Stolte, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Kwab Ako-Adjei, Kevin Arjoon, Laura Boyd, Joan Ford, Sheila Jones, Allan Magi, Karen Roche, Nancy Shea-Nicol, Richard Bellemare (Audio/Video Specialist), Georgie Gartside (Clerk)

Others Present: Jeffrey Abrams and Janice Atwood-Petkovski of Principles Integrity, John Mascarin and John George Pappas of Aird & Berlis LLP

1. Declarations of Interest:

None

2. Delegation(s):

None

3. Consent Items:

- 3.1 Investigation report from Burlington Ombudsman MUN-13233-0321 (CL-18-22)

Moved by Councillor Galbraith

Receive and file office of the city clerk report CL-18-22 regarding the investigation from the Ombudsman, file MUN-13233-0321.

CARRIED

3.2 Annual report from the Burlington Ombudsman (CL-20-22)

Moved by Councillor Galbraith

Receive the 2021 annual report from ADR Chambers, Ombudsman for the City of Burlington, attached as Appendix A to office of the city clerk report CL-20-22.

CARRIED

3.3 Joint Election Compliance Audit Committee with Halton Regional Municipalities (CL-23-22)

Moved by Councillor Galbraith

Approve the 2022-2026 Joint Compliance Audit Committee Terms of Reference attached as Appendix A to office of the city clerk report CL-23-22.

CARRIED

3.4 Financial results for Burlington Hydro for the period ended December 31, 2021 (F-20-22)

Moved by Councillor Galbraith

Receive and file finance department report F-20-22 providing financial results for Burlington Enterprises Corporation.

CARRIED

4. Regular Items:

4.1 Response to staff direction regarding the election and local boards (CL-25-22)

Moved by Councillor Stolte

Receive and file the memorandum dated May 17, 2022 from the City of Burlington Integrity Commissioner, attached as Appendix A to office of the city clerk report CL-25-22; and

Amend the Code of Conduct for Local Boards to delete the following from Rule 5 (Election Campaigns) as recommended by the City of Burlington Integrity Commissioner, memorandum dated May 17, 2022:

"Any member of a Board or Committee wishing to fully participate in an election campaign will be granted a leave of absence from the Board or Committee".

CARRIED

4.2 COVID-19 emergency response verbal update (CSSRA-05-22)

Moved by Councillor Sharman

Receive and file the June 6, 2022 staff presentation providing the COVID-19 emergency response verbal update.

CARRIED

4.3 Government relations annual report (CS-07-22)

Moved by Councillor Kearns

Receive and file corporate strategy report CS-07-22, providing an update on the funding, advocacy, monitoring and reporting work of government relations (GR) at the City of Burlington.

CARRIED

4.4 Closed Session Protocol (CM-18-22)

Moved by Mayor Meed Ward

Approve the Closed Session Protocol attached as Appendix A to city manager's office report CM-18-22; and

Direct the City Clerk to bring forward all related Procedure By-law amendments to the July 2022 Corporate Services, Strategy, Risk and Accountability Committee meeting.

CARRIED

4.5 Public engagement update on Robert Bateman High School land related proposals (CM-17-22)

Moved by Councillor Sharman

Receive and file city manager's office report CM-17-22 providing a public engagement update on Robert Bateman High School land related proposals.

CARRIED

4.6 Release of legal fees (CSSRA-06-22) (SD-19-22)

Moved by Councillor Sharman

In accordance with the City of Burlington's corporate policy respecting the Disclosure of External Legal Costs, direct the Executive Director of Legal Services and Corporation Counsel to bring forward a report for council's consideration to waive solicitor-client privilege in order to release the aggregate amount of legal fees paid in respect of each individual appeal to the Ontario Land Tribunal and its predecessors, Local Planning Appeals Tribunal and Ontario Municipal Board, that has reached final conclusion during this current term of Council, and report back at the next regularly scheduled meeting of the Corporate Services, Strategy, Risk and Accountability Committee. (SD-19-22)

CARRIED

5. Confidential Items:

5.1 Confidential status report on the contingency reserve fund as at April 30, 2022 (F-22-22)

Moved by Councillor Stolte

Receive and file finance department report F-22-22 providing a confidential status report on the contingency reserve fund as at April 30, 2022.

CARRIED

5.2 Confidential triannual litigation update - February 1 to April 30, 2022 (L-16-22)

In closed session, instructions were provided to the Executive Director of Legal Services and Corporation Counsel regarding the confidential triannual litigation update - February 1 to April 30, 2022 (L-16-22) and in respect of matter #20, Renimmob Properties Limited applications for 535-551 Brant Street respecting appeals to the Ontario Land Tribunal, the Executive Director of Legal Services and Corporation Counsel, their designate and/or retained legal counsel were instructed to attend at the Ontario Land Tribunal to oppose the appeal.

6. Procedural Motions:

6.1 Motion to waive the rules

Note: this item required a two-third vote to carry.

Moved by Councillor Sharman

Waive rule 36.2 of Procedure By-law 31-2021, as amended, to allow discussion of Item 4.6 listed on the Addendum - Staff Direction regarding the release of legal fees (CSSRA-06-22), as it was not received by the required agenda deadline.

CARRIED

6.2 Motion to proceed into closed session

Moved by Councillor Kearns

Move into closed session in accordance with the following provision under the Municipal Act:

Section 239(2)(e), litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, with respect to confidential legal department report L-16-22 providing the triannual litigation update - February 1 to April 30, 2022.

CARRIED

7. Information Items:

Moved by Mayor Meed Ward

Receive and file the following six items, having been given due consideration by the Corporate Services, Strategy, Risk and Accountability Committee.

CARRIED

7.1 Report projections for July and September 2022 standing committees

7.2 Staff presentation to COVID-19 emergency response verbal update (CSSRA-05-22)

7.3 Staff presentation regarding public engagement update on Robert Bateman High School land related proposals (CM-17-22)

- 7.4 May 31 2022 public meeting presentation regarding public engagement update on Robert Bateman High School land related proposals (CM-17-22)
- 7.5 Survey comments regarding public engagement update on Robert Bateman High School land related proposals (CM-17-22)
- 7.6 Presentation from Aird Berlis LLP regarding Closed Session Protocol (CM-18-22)

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:

10:44 a.m. (recessed), 12:31 p.m. (reconvened), 2:05 p.m. (recessed), 2:14 p.m. (reconvened), 2:33 p.m. (closed), 3:10 p.m. (recessed), 3:17 p.m. (reconvened), 3:40 p.m. (public)

Councillor Galbraith was in attendance until 2:33 p.m., returning at 3:17 p.m.

Chair adjourned the meeting at 3:48 p.m.