

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

April 23, 2009

Regional Council met at 9:33 a.m. in the Council Chambers, York Region Administrative Centre, 17250 Yonge Street, Newmarket, with Regional Chair Fisch presiding.

The following were present at this Meeting:

Mayor: Barrow, Black, Emmerson, Grossi, Jackson, Morris, Scarpitti, Van Bynen and Young

Regional Councillor: Ferri, Frustaglio, Heath, Hogg, Jones, Spatafora, Taylor and Wheeler

Staff: Davidson, Hulton, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Russell, Simmons and Tuckey

43 MINUTES

It was moved by Mayor Van Bynen, seconded by Regional Councillor Spatafora that Council confirm the Minutes of the Council meeting held on March 26, 2009 in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

**44 National Access Awareness Week
May 24 to May 30, 2009**

Regional Councillor Vito Spatafora, Chair, York Region Accessibility Advisory Committee, March 26, 2008, requesting that Council recognize May 24 to May 30, 2009 as National Access Awareness Week.

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Taylor that Council receive the communication and recognize May 24 to May 30, 2009 as National Access Awareness Week.

Carried

**45 Girl's Rights Week
May 4 to May 8, 2009**

Lyn Thompson-Alcock, Executive Director, Girls Incorporated of York Region, March 24, 2009, requesting that Council recognize May 4 to May 8, 2009 as "Girl's Rights Week".

It was moved by Regional Councillor Hogg, seconded by Mayor Grossi that Council receive the communication and recognize May 4 to May 8, 2009 as "Girl's Rights Week".

Carried

**46 Pride Week
June 7 to 14, 2009**

John O'Mara, Committee Co-Chair, Addiction Services for York Region and Barb Urman, Committee Co-Chair, York Region Lesbian, Gay, Bisexual, Trans Community Outreach Project, March 26, 2009, requesting that Council recognize June 7 to 14, 2009 as "Pride Week."

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Heath that Council receive the communication and recognize June 7 to 14, 2009 as "Pride Week."

Carried

47 Health Care Funding in Ontario
(Clause 8 of Health and Emergency Medical Services Committee Report No. 3)

Anna Knowles, Deputy Clerk, Town of East Gwillimbury, April 9, 2009, forwarding a resolution adopted by the Council of the Town of East Gwillimbury at its meeting on March 23, 2009, regarding Health Care Funding in Ontario.

It was moved by Mayor Young, seconded by Mayor Morris that the communication be received.

Carried

48 Community Policing Partnerships Grant Program Extension

Connie Phillipson, Executive Director, The Regional Municipality of York Police Services Board, April 22, 2009, forwarding a report received by the Police Services Board at its meeting on April 22, 2009, regarding the Community Policing Partnerships Grant Program Extension.

It was moved by Regional Councillor Wheeler, seconded by Mayor Black that Council authorize the Regional Municipality of York to enter into the necessary agreement with the Ministry of Community Safety and Correctional Services.

Carried

49 COMMITTEE REPORTS

It was moved by Mayor Emmerson, seconded by Mayor Jackson that Council resolve itself into Committee of the Whole to consider the following reports:

Report No. 3 of the Community Services and Housing Committee
Report No. 4 of the Finance and Administration Committee
Report No. 3 of the Health and Emergency Medical Services Committee
Report No. 4 of the Planning and Economic Development Committee
Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 4 of the Transit Committee
Report No. 4 of the Transportation and Works Committee
Report No. 1 of the Commissioner of Finance and the Chief Administrative Officer

Carried

Regional Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose and recommended that Council adopt the recommendations in the following reports with amendments as noted:

Report No. 3 of the Community Services and Housing Committee
Report No. 4 of the Finance and Administration Committee
Report No. 3 of the Health and Emergency Medical Services Committee
Report No. 4 of the Planning and Economic Development Committee
Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 4 of the Transit Committee, with the following amendment:

Clause 1 regarding Co-ordinated Transit Street Furniture Program – Supplementary Report – amendment to Committee Recommendation No. 4 so that it reads as follows:

4. *Referral of the following report dated April 14, 2009 to the Commissioner of Transportation Services for a report back to the June 18, 2009 Transit Committee meeting presenting options and methodologies for structuring the RFP for the Co-ordinated Transit Street Furniture program to allow for both a consolidated and split bid submission.*

Report No. 4 of the Transportation and Works Committee

Report No. 1 of the Commissioner of Finance and the Chief Administrative Officer

It was moved by Mayor Grossi, seconded by Mayor Jackson that Council adopt the recommendations of the Committee of the Whole.

Carried

50 BY-LAWS

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Spatafora that Council introduce and approve certain Bills in the form as noted on the Revised Agenda and enact them as By-laws.

By-law No. 2009-14	To acquire certain land for or in connection with the intersection improvements to the intersection of Ninth Line (YR 69) and Elgin Mills Road East (YR 49), Town of Markham.
By-law No. 2009-15	To acquire certain lands for or in connection with the widening and reconstruction of Vivian Road (YR 74), Town of Whitchurch-Stouffville
By-law No. 2009-16	To acquire certain lands for or in connection with constructing the Joe Dales Forcemain, Town of Georgina
By-law No. 2009-17	To dedicate certain lands for the purposes of public highways
By-law No. 2009-18	A by-law to establish tax ratios and to specify the percentage by which tax rates are to be reduced for prescribed property subclasses for 2009
By-law No. 2009-19	A by-law to set and levy the rates of taxation for Regional general purposes for the year 2009
By-law No. 2009-20	To authorize the borrowing upon 10 year sinking fund debentures in the principal amount of \$190,000,000.00 (\$115,900,000.00 of which amount may be raised by the issue of refinancing debentures on or before the maturity date) for the purposes of The Regional Municipality of York
By-law No. 2009-21	To authorize the borrowing upon 10 year sinking fund debentures in the principal amount of \$10,000,000.00 (\$6,100,000.00 of which amount may be raised by the issue of refinancing debentures on or before the maturity date) for the purposes of The Corporation of the Township of King

By-law No. 2009-22	To authorize the borrowing of the aggregate of the principal amounts authorized by By-laws Nos. 2009-20 and 2009-21 in the aggregate principal amount of \$200,000,000.00 (\$122,000,000.00 of which amount may be raised by the issue of refinancing debentures on or before the maturity date) and the issuing of one series of 10 year sinking fund debentures therefor
By-law No. 2009-23	A by-law to designate lanes on regional roads for the exclusive use of certain classes of vehicles

Carried

OTHER BUSINESS

51 Special Meeting – Council Educational Workshop April 30, 2009

It was moved by Mayor Barrow, seconded by Mayor Jackson that:

1. Regional Council hold a special meeting in the form of a workshop that is closed to the public pursuant to subsection 239 (3.1) of the *Municipal Act* for the purpose of educating its Members on the Region's sustainable waste management plan; and
2. the meeting be held in the Seminar Room of the Regional Administrative Centre, 17250 Yonge Street, Newmarket, Ontario beginning at 9:30 a.m. on Thursday, April 30, 2009.

Carried

52 PRIVATE SESSION

It was moved by Regional Councillor Wheeler, seconded by Mayor Scarpitti that Council convene in Private Session for the purpose of considering the following:

1. Private Report of the Transportation and Works Committee – 16th Avenue Well Mitigation Program Close Out – Personal Matters about Identifiable Individuals.
2. Private Report of the Finance and Administration Committee – ONA Collective Bargaining Mandate – Labour Relations.
3. Private Report of the Rapid Transit Public/Private Partnership Steering Committee – Cornell Terminal Go Forward – Land Acquisition.

4. Private Report of the Transit Committee – York Region Transit, Construction Contract Award, 8300 Keele Street Operations and Maintenance Facility – Security of Municipal Property and Solicitor-Client.
5. Private Report of the Regional Solicitor and the Commissioner of Environmental Services – York Region Appeal of Town of Pickering By-law 6906/08 (Dalar Properties: 1050 Squires Beach Road, Pickering) - Solicitor-Client.
6. Police Investigations Unit Construction Contract – Security of Municipal Property and Solicitor-Client.

Carried

Council met in Private Session at 11:51 a.m. and reconvened in public session at 1:40 p.m.

It was moved by Regional Councillor Jones, seconded by Regional Councillor Ferri that Council rise and report from Private Session.

Carried

53 Cornell Terminal Go Forward

It was moved by Regional Councillor Heath, seconded by Mayor Young that Council adopt the recommendations contained in the private report of the Rapid Transit Public/Private Partnership Steering Committee, dated April 16, 2009 as follows:

1. Council authorize staff to finalize the Cornell terminal site plan and confirm funding opportunities.
2. Council authorize staff to negotiate the early transfer of the terminal lands from H&R Developments Ltd. in fulfillment of the Regional conditions of approval for the H&R development lands.
3. Staff report back to Council regarding the site plan, project costs and funding sources prior to submission to the Town of Markham for site plan approval.
4. Staff re-examine the opportunity to integrate the Viva Cornell Terminal within the future proposed Havelock / 407 Transitway terminal and report back in May.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to a Land Acquisition.

**54 York Region Transit, Construction Contract Award
8300 Keele Street Operations and Maintenance Facility**
(Report No. 5 of the Transit Committee)

It was moved by Regional Councillor Jones, seconded by Regional Councillor Frustaglio that Council adopt Report No. 5 of the Transit Committee, including the following recommendations:

1. Regional Council authorize the award of tender T-08-96 for the construction of the YRT Operations and Maintenance Facility located at 8300 Keele Street in the City of Vaughan to the lowest bidder, Bondfield Construction Company Limited, in the amount of \$28,250,000 plus applicable taxes;
2. Regional Council authorize the Regional Chair and Regional Clerk to execute the agreement with the successful bidder, subject to negotiation of the terms and conditions, and subject to the approval of the Regional Solicitor as to form and content.

Carried

55 York Region Appeal of Town of Pickering By-law 6906/08 (Dalar Properties: 1050 Squires Beach Road, Pickering)

It was moved by Mayor Young, seconded by Regional Councillor Heath that Council adopt the recommendations contained in the private report of the Regional Solicitor and the Commissioner of Environmental Services dated April 16, 2009, as follows:

1. The Regional Solicitor be authorized to settle this matter on the terms set out in the private report.
2. The Regional Solicitor be authorized to execute Minutes of Settlement substantially in the form attached as Attachment 1 to the private report.
3. Appropriate Regional staff be authorized to attend at the Ontario Municipal Board (“OMB”) hearing on this matter in support of the Regional position.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it contains information subject to Solicitor-Client Privilege.

56 Police Investigations Unit Construction Contract

It was moved by Mayor Grossi, seconded by Regional Councillor Taylor that Council adopt the following recommendations:

1. Council approve the award of tender T-08-67 for construction of the Investigative Services and Support Services Facility in the Town of Aurora to the lowest bidder,

Bondfield Construction Company Limited, in the amount of \$51,540,000.00 plus applicable taxes; and

2. The Regional Chairman and Regional Clerk be authorized to execute the agreement with Bondfield Construction Company Limited, as per the negotiated terms and conditions dated April 9, 2009, and subject to the approval of the Regional Solicitor as to form and content.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to the Security of Municipal Property.

57 CONFIRMATORY BY-LAW

It was moved by Mayor Young, seconded by Regional Councillor Frustaglio that Council enact the following by-law to confirm the proceedings of this meeting of Council.

By-law No. 2009-24 To confirm the proceedings of Council at its meeting held on April 23, 2009.

Carried

The Council meeting adjourned at 1:42 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on May 21, 2009

Regional Chair