

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

February 17, 2005

Regional Council met at 9:32 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: Bell, Black, Di Biase, Grossi, Jones, Sherban, Taylor and Young

Regional Councillor: Barrow, Ferri, Frustaglio, Heath, Hogg, Jackson, Jones, O'Donnell, Scarpitti, Van Bynen, and Wheeler.

Staff: Cartwright, Davidson, Garrett, Hulton, Schipper, Simmons, Tuckey, Woolhead.

DECLARATIONS

- 13 2005 Capital Budget and 19th Avenue Interceptor Leslie Trunk Sewer**
(Clause 8, Report No. 2 of the Finance and Administration Committee and Report No. 2 of the Chief Administrative Officer and the Commissioner of Finance)

Mayor Black declared an interest in Clause 8, Item 1, Report No. 2 of the Finance and Administration Committee and Report No. 2 of the Chief Administrative Officer and Commissioner of Finance regarding the 2005 Capital Budget, consulting services for the 19th Avenue Interceptor Leslie Trunk Sewer Project. She declared this interest due to the fact that her spouse works for a company that is a sub-contractor on this project and did not take part in the consideration or discussion or vote on these items insofar as they pertained to this project.

- 14 Banking Services Review**
(Clause 2 of Report No. 2 of the Finance and Administration Committee)

Regional Councillor Van Bynen declared an interest regarding Clause 2, Report 2 of the Finance and Administration Committee due to the fact that he is still technically employed by the Royal Bank, and did not take part in the consideration or discussion or vote on these items insofar as they pertained to this project.

15 MINUTES

It was moved by Regional Councillor Frustaglio, seconded by Mayor Sherban, that the Minutes of the Council meeting held on January 20, 2005, be confirmed in the form supplied to the Members.

Carried

PRESENTATION, REPORTS AND COMMUNICATIONS

16 2005 Capital and Operating Budget

(Clause 8, Report No. 2 of the Finance and Administration Committee and Report No. 2 of the Chief Administrative Officer and the Commissioner of Finance)

Presentation, Communications and Reports

Michael Garrett, Chief Administrative Officer and Sandra Cartwright, Commissioner of Finance, made a presentation regarding the 2005 Capital and Operating Business Plan and Budget. (A copy of the presentation is on file in the office of the Regional Clerk.) Ms. Cartwright provided an overview of the key cost drivers and a summary of the various program reductions. The recommended budget increase has been reduced from 8.9% in December 2004 to 5.2%. Key service delivery and program improvements for 2005 were also noted.

It was moved by Regional Councillor Heath, seconded by Mayor Taylor that the presentation be received and Council receive the following communications and reports and consider them as part of its budget deliberations:

David Barrow, Chair, Police Services Board, February 10, 2005, regarding reductions to the 2005 Police Services Budget;

Robert Prowse, Town Clerk, Town of Richmond Hill, February 9, 2005, forwarding a resolution adopted by the Council of the Town of Richmond Hill at its meeting on February 7, 2005, regarding Greater Toronto Area (GTA) Pooling – Town of Richmond Hill Portion;

Evelyn Buck, February 14, 2005 and February 16, 2005, regarding the proposed budget for the Character Community initiative, and requesting deputant status. *(The Regional Chair apprised Council that Ms. Buck was unable to attend Council today.);*

J. D. Leach, City Clerk, City of Vaughan, February 16, 2005, forwarding a resolution adopted by the Council of the City of Vaughan at its meeting on February 16, 2005, regarding Greater Toronto Area Pooling and Social Services Costs; and

Clause 8, Item No. 1 of Report 2 of the Finance and Administration Committee and Report 2 of the Chief Administrative Officer and Commissioner of Finance.

Carried

Motions and Amendments

It was moved by Regional Councillor Frustaglio, seconded by Mayor Jones, that Council adopt Report No. 2 of the Chief Administrative Officer and the Commissioner of Finance, including recommendations 1 to 7 contained in the report, as amended to include further recommendations 8 and 9 as follows:

1. The 2005 Regional Tax Supported Operating Business Plan and Budget, with total gross expenditures of \$969,052,000 and property tax funded expenditures of \$568,117,000 be approved, with the following funding sources:

Tax Levy:

- Regional operating programs	\$247,036,000	
- Contribution to regional capital programs	38,268,000	
- Police Services	150,673,000	
- Other Special Purpose Bodies	<u>132,140,000</u>	
Total Tax Levy		\$568,117,000
Subsidies, Grants, Reserve Funds, Other Revenues		218,689,000
Water/Waste Water Rate		<u>182,246,000</u>
Total Tax Levy Supported Budget		<u>\$969,052,000</u>

2. The 2005 Regional Capital Business Plan & Budget, with total gross expenditures of \$577,220,000 be approved, with the following funding sources:

Development Charges	89,717,000
Capital Reserve Funds	39,537,000
Subsidy / Grants	45,791,000
Debt Financing	280,118,000
Contribution from tax levy	41,856,000
Contribution from water / sewer rate	40,515,000
Other Revenues / Recoveries	<u>39,686,000</u>
Total Capital Budget	<u>\$577,220,000</u>

3. The proposed issuance of new debt financing up to the amount of \$280,118,000 as detailed in Attachment 3, be approved.
4. The 2005 proposed Regional Staff Complement of 2,167.5 be approved.
5. The 2005 Business Plans and service level for departments be approved.
6. The 2006 and 2007 Budget Forecast be received.
7. The Treasurer be authorized to submit the 2005 Regional Business Plan & Budget to the Government Finance Officers Association's (GFOA) Distinguished Budget Award Program.

8. The proposed EMS ambulance and associated paramedics be reinstated with a budget impact of \$648,000, or 0.13%, so that the Region's total budget increase for 2005 would be 5.32%.
9. All GTA Pooling costs referred to in the budget be collected, but payment be capped at a 3% increase from 2004, and the difference in costs and payment be referred to the Finance and Administration Committee for consideration on how the difference can be applied to the Program Reductions referred to in the presentation from the Chief Administrative Officer and the Commissioner of Finance.

It was moved in amendment by Regional Councillor Scarpitti, seconded by Regional Councillor Jones, that Council approve a further \$1 million in the Capital Business Plan and Budget for new roads and road widenings.

It was moved in amendment by Regional Councillor Heath, seconded by Regional Councillor Jones, that recommendation 9 contained in the main motion be amended to provide that all GTA Pooling costs referred to in the budget be collected, but payment be capped at a 3.0% increase from 2004 to reflect the projected increase in the City of Toronto's overall budget.

Votes

The amendment moved by Regional Councillor Heath, seconded by Regional Councillor Jones, regarding capping GTA Pooling payment at a 3.0% increase from 2004, carried.

The amendment moved by Regional Councillor Scarpitti, seconded by Regional Councillor Jones regarding placing an additional \$1 million in the Capital Business Plan and Budget for roads and road widenings, lost.

The motion moved by Regional Councillor Frustaglio, seconded by Mayor Jones, as it pertains to approval of the 19th Avenue Interceptor Leslie Trunk Sewer project in the Capital Business Plan and Budget, carried.

The remainder of the main motion moved by Regional Councillor Frustaglio, seconded by Mayor Jones carried, as amended, on the following recorded vote:

FOR: Barrow, Bell, Black, Di Biase, Ferri, Frustaglio, Grossi, Jackson, J. Jones, T. Jones, O'Donnell, Scarpitti, Sherban, Van Bynen, Wheeler, Young (16)

AGAINST: Heath, Hogg (2)

17 New Financial Deal
(*Report 1 of the Chief Administrative Officer and Commissioner of Finance*)

It was moved by Mayor Jones, seconded by Mayor Black that Report 1 of the Chief Administrative Officer and Commissioner of Finance regarding York Region's Position on a new Financial Deal: Advocating for Legislative and Funding Changes, be adopted.

Carried

18 Provincial Courts
(*Clause 8, Item 1 of Finance and Administration Committee Report No. 2*)

It was moved by Mayor Di Biase, seconded by Mayor Bell, that:

WHEREAS the proposed 2005 court prosecutions budget provides for the flat-lining of revenues at the 2004 level;

AND WHEREAS the budget provides for an additional 11 new staff positions, representing an increase of 14.3% over 2004;

AND WHEREAS the *Provincial Offences Act* Joint Board resolved not to support the proposed 2005 budget because the flat-lining is contrary to the inter-municipal agreement and because the Chief Administrative Officers have agreed to undertake a review of all court processes;

NOW THEREFORE BE IT RESOLVED that the additional money realized from the flat-lining and the additional costs for the new staff positions be placed in a contingency fund pending the review and that the hiring of the 11 positions be deferred pending the review;

AND BE IT FURTHER RESOLVED THAT following the review, the budget be referred back to the Joint Board for consideration and recommendation to the Finance and Administration Committee for approval.

It was moved by Regional Councillor Barrow, seconded by Mayor Jones that:

1. the motion moved by Mayor Di Biase and the recommendation in Clause 8 of Finance and Administration Committee Report No. 2 relating to Provincial Courts staff be referred to the next meeting of the Finance and Administration Committee; and
2. the Regional Solicitor prepare a resolution for the Committee's consideration petitioning the Province to hire more Justices of the Peace.

Carried

19 GTA Pooling – City of Vaughan Resolution
(*Communication from John D. Leach, City Clerk, dated February 16, 2005*)

It was moved by Regional Councillor Frustaglio, seconded by Mayor Di Biase, that Regional Council:

1. endorse the position of the City of Vaughan set out in the letter from John D. Leach, City Clerk, dated February 16, 2005, supporting in principle the actions of the Town of Richmond Hill regarding GTA Pooling and requesting the Province to eliminate GTA Pooling and to take further steps to remove funding for the implementation of Provincial social policies from property taxation, subject to inclusion of the following after the fourth preamble:

“AND WHEREAS the Provincial Government has demanded that the Province of Ontario receive its fair share of funding from the Federal Government;”

and the following after the last paragraph:

“BE IT RESOLVED that until funding for the implementation of Provincial social policies is removed from property taxation, the Province of Ontario acknowledge that the Region of York is also entitled to its fair share of funding for the delivery of social services within the Region;

AND THAT a copy of this resolution be forwarded to all York Region MPP’s and the other Regions in the 905 area.”

and

2. adopt the following motion recommended by the Human Services Planning Coalition:

WHEREAS the Human Services Planning Coalition was established in 2001 to help ensure long-term, integrated planning and funding of human services in York Region; and

WHEREAS the Coalition partners include representatives from all health, education, social and community service providers in York Region; and

WHEREAS the HSPC first documented the extent and impact of historical under-funding of health services in York Region in 2002 in the report *Fair is Fair*; and

WHEREAS the HSPC first documented the extent and impact of historical under-funding of social services in York Region in 2003 in the report *Towards a New Model for Social Services Funding*; and

WHEREAS the HSPC recognizes that a greater investment in social services in York Region is needed to keep pace with rapid growth and to catch up to historical under-funding; and

WHEREAS the HSPC recognizes that property tax dollars should not be a core revenue source for social services; and

WHEREAS the HSPC supports the repatriation of York Region's property tax dollars being sent to Toronto for social services;

THEREFORE BE IT RESOLVED THAT Regional Council stop sending pooling dollars to support social services and social housing programs in Toronto.

It was then moved by Regional Councillor Frustaglio, seconded by Mayor Di Biase, that the resolution from the City of Vaughan, the proposed amendment to this resolution and the proposed resolution from the Human Services Planning Coalition be referred to the next meeting of the Finance and Administration Committee.

Carried

COMMUNICATIONS

20 Sharon Community Plan Review

(Clause No. 1 and Attachment 1(a) of Planning and Economic Development Committee Report No. 2)

Mr. Michael McQuaid, Weir Foulds, Barristers & Solicitors, February 8, 2005, regarding Official Plan Amendment No. 122, the Sharon Community Plan Review.

It was moved by Mayor Sherban, seconded by Regional Councillor Hogg, that the communication be considered with Clause No. 1 and Attachment 1(a) of Report No. 2 of the Planning and Economic Development Committee and be received.

Carried

(See Minute No. 24.)

21 OMERS Contribution Rates

Regional Chair Emil Kolb, The Regional Municipality of Peel, February 3, 2005, regarding the increase in OMERS contribution rates.

It was moved by Regional Councillor Barrow, seconded by Regional Councillor Wheeler, that the communication be referred to the Commissioner of Finance for a report to the Finance and Administration Committee.

Carried

22 Assessment Rates – Horse Farms

Leslie Brooks, Chair of the Ontario Equestrian Federation (OEF) and Association of Riding Establishments (ARE) MPAC Committee, February 15, 2005, regarding the re-assessment of horse farms to Commercial assessment rates and requesting deputant status.

(Ms. Brooks was not able to attend the meeting but requested the Regional Chair to bring forward comments on her behalf.)

It was moved by Regional Councillor Jones, seconded by Mayor Sherban that the communication be received and Chair Fisch present the comments on behalf of Ms. Brooks.

Carried

23 Regional Chair Fisch outlined concerns stated by Leslie Brooks and Jim Waechter, Chairs of the ARE/OEF MPAC Committee, in a document (undated) entitled “Property Tax Crisis for Horse Farms” that was circulated to Members of Council.

It was moved by Regional Councillor Heath, seconded by Regional Councillor Wheeler that the matter be referred to the Commissioner of Finance for a report to the Finance and Administration Committee and that a letter be sent to the Minister of Finance indicating that the Region has just received notice of this issue and wishes to have more time to review and comment on this issue beyond the current Provincial March 3, 2005 deadline.

Carried

24 COMMITTEE REPORTS

Mayor Bell presented the following additional reports for the consideration of Council:

Report No. 2 of the Finance and Administration Committee
Report No. 2 of the Health and Emergency Medical Services Committee
Report No. 2 of the Planning and Economic Development Committee
Report No. 2 of the Rapid Transit Public/Private Steering Committee
Report No. 2 of the Solid Waste Management Committee
Report No. 2 of the Transit Committee
Report No. 2 of the Transportation and Works Committee
Report No. 1 of the Commissioner of Health Services

It was moved by Mayor Bell, seconded by Regional Councillor Scarpitti, that the reports be received and that Council resolve itself into Committee of the Whole to consider them.

Carried

Regional Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose after making the following recommendations:

Report No. 2 of the Finance and Administration Committee be adopted without amendment;
Report No. 2 of the Health and Emergency Medical Services Committee be adopted without amendment;
Report No. 2 of the Planning and Economic Development Committee be adopted without amendment;
Report No. 2 of the Rapid Transit Public/Private Steering Committee be adopted without amendment;
Report No. 2 of the Solid Waste Management Committee be adopted without amendment;
Report No. 2 of the Transit Committee be adopted without amendment;
Report No. 2 of the Transportation and Works Committee be adopted without amendment; and
Report No. 1 of the Commissioner of Health Services be adopted without amendment.

It was moved by Regional Councillor Scarpitti, seconded by Mayor Jones, that Council adopt the recommendations of the Committee of the Whole.

Carried

25 BY-LAWS

It was moved by Regional Councillor Barrow, seconded by Mayor Bell, that certain Bills be introduced and approved in the form as noted on the Revised Agenda, and enacted as By-laws.

By-law No. OP-0032-2005-011	A by-law to adopt Amendment No. 47 to the Official Plan for the Region of York
By-law No. R-1408-2005-012	To provide for restricted loads on certain Regional Roads
By-law No. R-1409-2005-013	To authorize the temporary closing of Rutherford Road (Y.R. 72) in the City of Vaughan
By-law No. RD-0517-2005-014	To dedicate certain lands for the purposes of public highways

Carried

OTHER BUSINESS

26 2005 Big Brothers and Big Sisters Bowling for Kids Sake

Mayor Young invited the Regional Chair and Mayors and other municipalities to participate in the 2005 Big Brothers and Big Sisters Bowling for Kids Sake challenge. Police Chief Armand La Barge is the Honorary Chair this year.

PRIVATE SESSION

- 27** It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Ferri that Council convene in Private Session for the purpose of considering certain property and legal matters.

Carried

Council met in Private Session at 12:53 p.m. and reconvened in Council at 1:37 p.m.

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

Carried

28 Implementation of GO Transit Memorandum of Understanding – Capital Works

It was moved by Regional Councillor O'Donnell, seconded by Regional Councillor Jones, that the following recommendations be adopted:

1. Regional Council authorize expenditure of up to \$1.83 million, from the *Quick Start* budget, to construct a canopy and fare equipment rough-in at Finch Terminal, a pedestrian bridge at the Richmond Hill Centre, and to redesign the platform at the Eagle Terminal to accommodate GO Transit buses.
2. Staff report back on the final cost of works identified in this report.

Carried

29 Financial Update – York Region Transit Plan as of January 31, 2005

It was moved by Regional Councillor Van Bynen, seconded by Regional Councillor Ferri that Council adopt the report of the Rapid Transit Public/Private Partnership Steering Committee regarding the Financial Update – York Region Transit Plan as of January 31, 2005.

Carried

30 York Region Transit Durham Promotions International Bus Advertising Contract

It was moved by Regional Councillor Jones, seconded by Regional Councillor Van Bynen that the following recommendations be adopted:

1. The Region enter into a six-month extension of the bus advertising contract with Durham Promotions International (“DPI”) to July 31, 2005, conditional on:
 - (i) DPI paying the amounts calculated to be owing for the months of October, November, December 2004 subject to any agreed deductions for out-of-service buses and recent damage sustained to the vinyl advertisements; and
 - (ii) DPI providing further security by way of letter of credit in the amount of \$140,000.00 to secure payments from January through July 2005 inclusive; and
2. The Regional Chair and Clerk be authorized to execute the agreement on behalf of the Region, subject to the prior review by Legal Services.

Carried

31 CONFIRMATORY BY-LAW

It was moved by Mayor Grossi, seconded by Regional Councillor Hogg, that the following by-law be enacted to confirm the proceedings of this meeting of Council.

By-law No. M-0715-2005-015

To confirm the proceedings of Council at its meeting held on February 17, 2005.

Carried

The Council meeting adjourned at 1:39 p.m.

Denis Kelly
Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 31st day of March, 2005

Bill Fisch
Regional Chair