COUNCIL

OF

THE REGIONAL MUNICIPALITY OF YORK

October 22, 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, Landon, Spatafora, Taylor, Virgilio and Wheeler
Staff:	Davidson, Hulton, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Russell, Simmons and Tuckey

144 MINUTES

It was moved by Mayor Emmerson, seconded by Regional Councillor Virgilio that Council confirm the Minutes of the Council meeting held on September 24, 2009 in the form supplied to the Members.

Carried

PRESENTATIONS

Council then received the following presentations:

145 2009 United Way Campaign

Daniele Zanotti, Chief Executive Officer, United Way of York Region gave Council an overview of the 2009 United Way Campaign. Mr. Zanotti highlighted the United Way's report "…addressing Our Strengths", which addresses the pace of growth, the changing face of growth and the places where the growth is occurring. Mr. Zanotti reviewed key areas of the campaign: helping our youth grow up strong; enabling individuals and families to achieve economic independence; and improving the wellbeing of individuals and community by getting people actively involved through volunteering and civic engagement. This year's campaign goal is $7.65 million, which represents a 2.7% increase.

Regional Chair Fisch noted that all Members of Council are involved in one way or the other in the United Way Campaign and wished Mr. Zanotti all the best in the campaign for this very important cause.

It was moved by Regional Council Frustaglio, seconded by Regional Council Ferri that Council receive the deputation.

Carried

146 2010 Draft Capital and Operating Business Plans and Budgets

Lloyd Russell, Commissioner of Finance, presented an outline of the proposed 2010 Capital and Operating Business Plans and Budgets.

The presentation included the current proposed increases in the capital and operating budgets and the water and wastewater rates together with a number of financial pressures on the Region, both in 2010 and in the longer term. The current proposed 2010 net tax levy increase in the draft Business Plans and Budgets is 0.1%. The presentation also proposed a series of timelines for consideration of the Business Plans and Budgets, with Standing Committee reviews to occur in November 2009 and Regional Council approval now scheduled to occur on December 16, 2009.

It was moved by Mayor Van Bynen, seconded by Mayor Scarpitti that the presentation be received.

Carried

COMMUNICATIONS

Council considered the following communications:

147 Lupus Awareness Month

Kathy Crowhurst, Lupus Foundation of Ontario, September 21, 2009, regarding recognition of October as Lupus Awareness Month.

It was moved by Mayor Jackson, seconded by Mayor Grossi that Council receive the communication and that Regional Council recognize October 2009 as ‘Lupus Awareness Month’.

Carried

Hospital Capital Funding
(Clause 13 of Finance and Administration Committee Report 7)

148 Bruce Macgregor, Chief Administrative Officer, October 21, 2009, regarding Hospital Capital Funding – Memorandum of Understanding.

It was moved by Mayor Emmerson, seconded by Regional Councillor Heath that Council receive the communication and refer it to consideration of Clause 13 of Finance and Administration Committee Report No. 7.

Carried

149 Michael O'Flanagan, October 21, 2009.

It was moved by Mayor Jackson, seconded by Regional Councillor Hogg that Council receive the communication and refer it to consideration of Clause 13 of Finance and Administration Committee Report No. 7.

Carried

150 Anita Moore, Clerk, Town of Newmarket, October 20, 2009, regarding Town of Newmarket Resolution R10-2008.

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Virgilio that Council receive the communication and refer it to consideration of Clause 13 of Finance and Administration Committee Report No. 7.

Carried

151 **Contract Award, Viva Bus RFP P-08-102**
(Clause 10 of Transportation Services Committee Report 2)

Mark Brager, Director of North American Transit Sales, New Flyer, October 20, 2009, regarding Contract Award, VIVA Bus RFP P-08-102 and requesting deputant status.

It was moved by Mayor Grossi, seconded by Mayor Scarpitti that Council receive the communication and grant deputant status.

Carried

DEPUTATION

Council then heard the following deputation:

152 **Contract Award, Viva Bus RFP P-08-102**
(Clause 10 of Transportation Services Committee Report No. 2)

Mark Brager, Director of North American Transit Sales, New Flyer made a deputation to Regional Council regarding his company's submission to the recent RFP for articulated rapid transit vehicles.

It was moved by Mayor Emmerson, seconded by Regional Councillor Frustaglio that Council receive the deputation, direct staff to meet with representatives of New Flyer and to prepare an information briefing on Canadian content policies for the Transportation Services Committee.

Carried

153 COMMITTEE REPORTS

It was moved by Mayor Grossi, seconded by Regional Councillor Taylor that Council resolve itself into Committee of the Whole to consider the following reports:

Report No. 2 of the Community and Health Services Committee
Report No. 2 of the Environmental Services Committee
Report No. 7 of the Finance and Administration Committee
Report No. 7 of the Planning and Economic Development Committee
Report No. 2 of the Transportation Services Committee

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. 2 of the Community and Health Services Committee

Clause 10, Update - Committee Proceedings, Deputation No. 1 be amended as follows:

That the deputation be received and that Regional Council support the request of the York Region Children's Aid Society and request that the Regional Chair send a letter of support on behalf of Regional Council.

Report No. 2 of the Environmental Services Committee

Report No. 7 of the Finance and Administration Committee

Clause 13, regarding Approval to Execute the Memorandum of Understanding for Capital Funding of Hospitals, be approved subject to subsections 5.2, 5.3 and 6.4 of the Hospital Capital Funding Memorandum of Understanding being amended as follows:

5.2 In the event that the Development Charges Act is amended during the term of this MOU to provide for eligibility for hospital funding, the York Hospitals agree that the terms of this MOU may be subject to review by Regional Council to determine whether the amount of Hospital Funds provided in this MOU could be adjusted.

5.3 The York Region Hospitals agree to support and shall also compel their respective foundations to support the Region's request that hospital capital funding be eligible for contribution from development charges.

6.4 Despite the early termination of this MOU under subsection 6.3, any of the York Region Hospitals shall continue to be entitled to receive Hospital Funds approved by the Region, provided a Funding Approval Letter has been received by the Region in respect of the Project.

(See Minute Nos. 148, 149 and 150.)

Report No. 7 of the Planning and Economic Development Committee

Report No. 2 of the Transportation Services Committee

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

Carried

154 BY-LAWS

It was moved by Regional Councillor Heath, seconded by Mayor Scarpitti 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. 2009-41	A by-law to provide for the procurement of goods and services
By-law No. 2009-42	To authorize the issue of replacement debenture certificates
By-law No. 2009-43	To authorize the execution of a book entry only - services agreement and a rider, both with CDS Clearing and Depository Services Inc. ("CDS") and both in respect of the deposit in the CDS system of debentures as book entry only securities
By-law No. 2009-44	To authorize the borrowing upon sinking fund debentures in the principal amount of $187,600,000.00 ($109,204,000.00 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. 2009-45	To authorize the borrowing upon sinking fund debentures in the principal amount of $12,400,000.00 ($7,796,000.00 of which amount may be raised by the issue of refinancing debentures on or before the maturity date) for a purpose of The Corporation of the Town of Newmarket

By-law No. 2009-46	To authorize the borrowing of the aggregate of the principal amounts authorized by By-laws Nos. 2009-44 and 2009-45 in the aggregate principal amount of $200,000,000.00 ($117,000,000.00 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 sinking fund debentures therefor

Carried

OTHER BUSINESS

155 Communities in Bloom National Symposium

Regional Councillor Ferri, Honourary Chair of the Symposium, thanked Regional Chair Fisch for his participation and York Region for their support and contribution to the very successful Communities in Bloom National Symposium held September 29 to October 4, 2009 in Vaughan.

Regional Chair Fisch indicated that he was very appreciative for being named Honorary Co-Chair of this event that brought people from around the world to Vaughan and York Region. He also congratulated the Township of King for winning an award.

MOTION

156 Change of Date - December 2009 Regional Council Meeting

Regional Chair Fisch indicated that Council should consider moving the date of the December Regional Council meeting to accommodate the Olympic Torch Run through York Region.

It was moved by Mayor Emmerson, seconded by Mayor Jackson that the December Regional Council meeting be changed from Thursday, December 17, 2009 to Wednesday, December 16, 2009.

Carried

157 PRIVATE SESSION

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

1. Private Attachment to Report 7 Clause 8 of the Finance and Administration Committee – Amended Agreement to Provide Clearing and Depository Services for Regional Debt Issues – Security of Municipal Property.

2. Private Attachment to Report 7 Clause 14 Item 1 of the Finance and Administration Committee – Proposed Purchase of Land Egypt Tower Site – Land Acquisition.

3. Private Report of the Finance and Administration Committee – OMB Appeal Applewood I & II Holdings and Vaughan Mills Hotels Inc. – Litigation or Potential Litigation.

4. Private Report of the Community Services and Health Committee – York Region Accessibility Advisory Committee – Personal matters about identifiable individuals.

5. Private Attachment to Report No. 2 Clause No. 9 of the Community and Health Services Committee – Community Development Investment Fund Strategy: Request for Approval of Recommended 2010 One-Year Projects – Security of Municipal Property.

Carried

Council met in Private Session at 11:39 a.m. and reconvened in Council at 12:11 p.m.

It was moved by Mayor Young, seconded by Mayor Emmerson that Council rise and report from Private Session.

Carried

158 OMB Appeal Applewood I & II Holdings and Vaughan Mills Hotels Inc.

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Frustaglio that Council adopt the recommendations contained in the private report of the Finance and Administration Committee dated October 8, 2009 as follows:

1. Council approve the payment terms outlined in the private report in settlement of a development charge complaint from Applewood I & II and Vaughan Mills Hotels Inc. that has been appealed to the Ontario Municipal Board ("OMB").

2. That the Chair and Regional Solicitor be authorized to execute any agreements related to this settlement.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to Litigation or Potential Litigation.

159 Private Attachment - Community Development Investment Fund Strategy: Request for Approval of Recommended 2010 One-Year Projects

(Clause 9 of Community and Health Services Committee Report No. 2)

It was moved by Regional Councillor Spatafora, seconded by Mayor Barrow that Council receive and make public the private attachment to Clause 9 of Community and Health Services Committee Report No. 2.

Carried

160 CONFIRMATORY BY-LAW

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

By-law No. 2009-47	To confirm the proceedings of Council at its meeting held on October 22, 2009.

Carried

The Council meeting adjourned at 12:13 p.m.

Denis Kelly
Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on November 19, 2009.

Bill Fisch
Regional Chair