

**The Corporation of the City of Guelph
Corporate Administration, Finance, and Emergency Services
Committee
Monday, December 5, 2011, 4:00 p.m.**

A meeting of the Corporate Administration, Finance and Emergency Services Committee was held on Monday, December 5, 2011 in the Council Chambers at 4:00 p.m.

Present: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge

Also Present: Councillors Bell, Findlay, Furfaro, Guthrie, Laidlaw and Van Hellemond

Staff Present: Mr. M. Amorosi, Executive Director, Corporate & Human Resources; Ms. S. Aram, Acting City Treasurer; Ms. T. Agnello, Acting City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

There was no disclosure of pecuniary interest.

1. Moved by Councillor Dennis
Seconded by Mayor Farbridge
THAT the minutes of the Corporate Administration, Finance and Emergency Services Committee meeting held on November 14, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from Corporate Administration, Finance & Emergency Services Committee December 5, 2011 Consent Agenda:

- CAFES-2011 A.47 Information Technology (IT): Strategic Plan Framework
- CAFES-2011 A.48 Tax Billing and Collection Policy
- CAFES-2011 A.49 2010 Investment Performance Report
- CAFES-2011 A.50 Investment Policy Review
- CAFES-2011 A.51 Canada-EU Comprehensive Economic and Trade Agreement

2. Moved by Councillor Dennis
Seconded by Councillor Wettstein

THAT the balance of the Corporate Administration, Finance & Emergency Services Committee December 5, 2011 Consent Agenda, as identified below, be adopted:

a) Budget Impacts Per Ontario Regulation 284/09

REPORT

THAT Council approve the compliance report for expenditures excluded from the 2012 Budget as required by Ontario Regulation 284/09 passed under the Municipal Act, 2001.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Canada – EU Comprehensive Economic and Trade Agreement

Ms. Cynthia Folzer expressed concern with the effect the trade agreement will have on our environment. She stated that the agreement would allow corporations to ignore or challenge municipal environmental regulations, and make it difficult to introduce rules to protect the environment. She advised that the EU has targeted the Provincial Green Energy Act as offending the CETA procurement rules which will be lengthy and costly for municipalities. Municipalities will not be able to request environmental engineering services or technologies from Canada or local services. She requested Council demand a national public consultation and debate on CETA and recognize the declaration of the rights of nature in our constitution.

Ms. Nora Chaloner advised that the Council of Canadians have a petition opposing the Charter, and have requested the federal government exclude sub federal governments and their public agencies from any EU procurement agreements. They also request any negotiations with the EU cease until public consultation can occur. She expressed concern that municipal powers are being removed and they will lose their ability to build local economies. She also stated there is a lack of information and no opportunity for municipal debate. She believes the international and inter-provincial trade deals puts municipalities in a more vulnerable position to be challenged. She stated that minimum Canadian content quotas and some local preferences for quality purposes should not be barred. She believes exclusion from CETA should be the default position of municipalities until more information can be gathered. She stated that CETA needs

to recognize strategic and public interest considerations before barring all preferential treatment based on country of origin.

She requested Council to:

- find out if the City is part of Ontario's initial procurement offer to the EU;
- review the latest draft of the procurement chapter; and
- direct staff to draft a report outlining the potential impact CETA would have on City powers.

Ms. Janice Folk-Dawson, on behalf of the Guelph & District Labour Council, stated they believe CETA will harm our communities and limit the power of local government. She raised the following three concerns:

- Europe wants procurement access to cities and provinces, crown corporations, school boards, universities and all public institutions;
- would open up our water systems to privatization because the decision-making action would be taken away from municipalities and a trade dispute panel would be making decisions;
- it will cost between 28,000 and 150,000 jobs.

She requested Council adopt the same resolution that several other municipalities have adopted.

Mr. George Kelly, Co-Chair of the Guelph-Wellington Coalition for Social Justice, stated they are concerned about the CETA proposal. He stated the coalition believes CETA will:

- weaken the democratic rights of the citizens of Guelph;
- compromise policies promoting social objectives such as ethical procurement;
- prohibit municipalities from applying buy local or buy Canadian policies preferences to contracts or requiring bidders to use a portion of Canadian goods or services;

He stated the coalition wants the municipal sector excluded from the agreement and asks Council to oppose CETA.

Mr. Keith Bellairs expressed concern about trade agreements because he believes we are giving up the ability of our government to protect our citizens and the communities in favour of protecting investor rights. He stated the standard for judging purchasing will be profit rather than benefit to the community. He said that aspects of tendering would be subject to challenge for not meeting economic profit-oriented criteria of the trade agreement. He noted that CETA will complicate and make the purchasing process more expensive and will invalidate our current purchasing by-law. CETA will require

specific new procedures to be followed and the City would have to pre-list their purchases for the year. He said that a bidder or corporation could hold up a purchasing process by challenging the city under the CETA provisions; and if the City already completed a purchase, they could face having to pay damages. All this creates new expenses for the City so he recommends the City examine the impact CETA will have as soon as possible.

Mr. James Gordon sees the free trade agreement allowing corporations to come in unfettered and denying freedom of municipalities to protect their resources. He advised that the EU is requesting full access to public procurement including the right to bid on core municipal services such as transit, water systems and wastewater management systems. He stated the agreement would provide opportunities for corporations to tie up municipalities if they are not the successful bidder. He raised the concern of the City losing control of our water supply and wastewater management system because some services and sustainability will be threatened if our water is privatized. He urged Council to do whatever possible to prevent the agreement from having control over the City and to make community and quality of life a priority over profit. He does not believe the City will thrive under CETA.

Councillor Hofland stepped down from the Chair and Councillor Wettstein assumed the Chair

3. Moved by Mayor Farbridge
Seconded by Councillor Hofland

THAT the report dated December 5, 2011 regarding the Canada-EU Comprehensive Economic and Trade Agreement which has been prepared by Economic Development and Tourism Services be received;

AND THAT Guelph City Council does not support the ratification of the Canada-EU Comprehensive Economic and Trade Agreement by the Government of Canada at this time without the Government of Canada providing further opportunity for public and municipal government assessment of the Canada-EU Comprehensive Economic and Trade Agreement and the opportunity for further input into the Canada-EU Comprehensive Economic and Trade Agreement;

AND THAT the City of Guelph request a briefing from the Ontario Government on the scope and content of trade negotiations with the European Union, including the details of its procurement, services and investment offers to the EU;

AND THAT the City of Guelph requests the Federation of Canadian Municipalities to provide a sector-by-sector analysis of the potential

impacts on municipal functions and powers of the procurement regime that the European Union is seeking, and which exists already in the WTO Agreement on Government Procurement;

AND THAT the resolutions regarding the Canada-EU Comprehensive Economic and Trade Agreement be sent to AMO for consideration and circulation.

It was requested the clauses be voted on separately.

4. Moved by Mayor Farbridge
Seconded by Councillor Hofland

Mr. P. Cartwright

THAT the report dated December 5, 2011 regarding the Canada-EU Comprehensive Economic and Trade Agreement which has been prepared by Economic Development and Tourism Services be received.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

5. Moved by Mayor Farbridge
Seconded by Councillor Hofland

THAT Guelph City Council does not support the ratification of the Canada-EU Comprehensive Economic and Trade Agreement by the Government of Canada at this time without the Government of Canada providing further opportunity for public and municipal government assessment of the Canada-EU Comprehensive Economic and Trade Agreement and the opportunity for further input into the Canada-EU Comprehensive Economic and Trade Agreement.

VOTING IN FAVOUR: Councillors Hofland, and Mayor Farbridge (2)

VOTING AGAINST: Councillors Dennis, Kovach and Wettstein (3)

Defeated

6. Moved by Mayor Farbridge
Seconded by Councillor Hofland

REPORT

THAT the City of Guelph request a briefing from the Ontario Government on the scope and content of trade negotiations with the European Union, including the details of its procurement, services and investment offers to the EU.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, and Mayor Farbridge (4)

VOTING AGAINST: Councillor Wettstein (1)

Carried

7. Moved by Mayor Farbridge
Seconded by Councillor Hofland

THAT the City of Guelph requests the Federation of Canadian Municipalities to provide a sector-by-sector analysis of the potential impacts on municipal functions and powers of the procurement regime that the European Union is seeking, and which exists already in the WTO Agreement on Government Procurement.

VOTING IN FAVOUR: Councillors Hofland, and Mayor Farbridge (2)

VOTING AGAINST: Councillors Dennis, Kovach and Wettstein (3)

Defeated

8. Moved by Mayor Farbridge
Seconded by Councillor Hofland

REPORT

THAT the resolutions regarding the Canada-EU Comprehensive Economic and Trade Agreement be sent to AMO for consideration and circulation.

VOTING IN FAVOUR: Councillors Hofland, Wettstein, and Mayor Farbridge (3)

VOTING AGAINST: Councillors Dennis and Kovach (2)

Carried

Councillor Hofland resumed the Chair.

Information Technology (IT): Strategic Plan Framework

9. Moved by Mayor Farbridge
Seconded by Councillor Kovach

REPORT

THAT the IT Strategic Plan Framework be approved and that staff be authorized to develop the IT Strategic Plan.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Tax Billing and Collection Policy

REPORT

10. Moved by Mayor Farbridge
Seconded by Councillor Kovach
THAT Report FIN-11-55 dated December 5, 2011, entitled 'Tax Billing and Collection Policy', be approved, as amended, deleting Refunds and Credit Balances Section G. iv, a portion of paragraph 2. which states: "credits under \$5.00 will be written off".

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Staff will remove the Tax Services Charges chart from the Tax Billing and Collection Policy report text and make it a Schedule to allow for efficient amendments.

2010 Investment Performance Report

Ms. S. Aram

11. Moved by Mayor Farbridge
Seconded by Councillor Wettstein
THAT the report dated December 5, 2011 entitled '2010 Investment Performance Report', be received for information.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Investment Policy Review

REPORT

12. Moved by Councillor Kovach
Seconded by Councillor Dennis
THAT the City investment policy, Appendix 1, be approved as amended;

AND that staff bring forward the Investment Policy at the beginning of each term of Council.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

2011 Investment Portfolio Improvements Report

Ms. S. Aram

13. Moved by Councillor Kovach
Seconded by Mayor Farbridge
THAT Report FIN-11-60 dated December 5, 2011 and entitled '2011
Investment Portfolio Improvements Report', be received for
information.

VOTING IN FAVOUR: Councillors Hofland, Dennis, Kovach, Wettstein
and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

The meeting adjourned at 6:02 p.m.

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Chairperson