

Council Caucus Room
July 27, 2009 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury and Wettstein

Absent: Councillors Billings, Burcher and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (d) and (e) of the Municipal Act, with respect to:

- personal matters about identifiable individuals;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

Carried

The meeting adjourned at 5:31 o'clock p.m.

.....
Mayor

.....
Clerk

Council Caucus Room
July 27, 2009 5:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Beard, Bell, Burcher (arrived at 6:10), Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury and Wettstein

Absent: Councillors Billings and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The Manager of Legal Services provided information relating to a litigation matter.

Ms. L.E. Payne 1. Moved by Councillor Kovach
Seconded by Councillor Salisbury
THAT staff be given direction with respect to a litigation matter.

Carried

Ms. L.E. Payne 2. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT staff be given direction with respect to litigation matters.

Carried

- REPORT
*Amended by resolution
#1 Sept. 28/09*
3. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT William E. Koornstra be appointed to the Board of Directors of Guelph Hydro Inc. for a two year term.
- Carried
- REPORT
4. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT Ali Asaria, Lorenz Calcagno and Charles R. Davidson be appointed as Directors to the Downtown Guelph Business Association for a one year term;
- AND THAT Charles Cunningham be appointed to the Downtown Guelph Business Association to replace Brenda Whiteside as the University of Guelph representative.
- Carried
- Mrs. L.A. Giles
5. Moved by Councillor Kovach
Seconded by Councillor Farrelly
THAT the correspondence from Goretty Dias tendering her resignation from the Environmental Advisory Committee, be received with regret.
- Carried
- Mr. M. Amorosi
6. Moved by Councillor Piper
Seconded by Councillor Farrelly
THAT staff be given direction with respect to labour relations matter.
- Carried
- The Chief Administrative Officer provided the Committee with information relating to a potential litigation matter.
- Mrs. L.E. Payne
Mr. P. Cartwright
7. Moved by Councillor Kovach
Seconded by Councillor Wettstein
THAT staff be given direction with respect to a potential litigation matter.
- Carried
- Councillor Burcher arrived at 6:10 p.m.
- Mayor Farbridge
8. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT Council consideration of the CAO's objectives be deferred until September.
- Carried

The meeting adjourned at 6:50 o'clock p.m.

.....
Mayor

.....
Clerk

Council Chambers
July 27, 2009

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury and Wettstein

Absent: Councillors Billings and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

1. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the minutes of the Council meetings held on June 9, 22 and July 6, 2009 and the minutes of the Council meetings held in Committee of the Whole on June 22 and 29, 2009 be confirmed as recorded and without being read.

Carried

CONSENT REPORTS AND AGENDAS

The following item was extracted from the Audit Committee First Consent Report to be voted on separately:

- AUD-2 Audit Committee Mandate and Charter

Councillor Wettstein presented the balance of the Audit Committee First Consent Report.

2. Moved by Councillor Wettstein
Seconded by Councillor Findlay

THAT the balance of the July 27, 2009 Audit Committee First Consent Report as identified below, be adopted:

a) Recommendation to Approve the 2008 Audited Consolidated Financial Statements

Mrs. M. Neubauer

THAT the Finance Report 09-31 dated July 20, 2009 entitled "Recommendation to Approve the 2008 Audited Consolidated Financial Statements", be received;

AND THAT the 2008 Consolidated Financial Statements for the City of Guelph as audited by Deloitte and Touche LLP be forwarded to Council for approval

AND THAT Finance Report 09-29 dated July 20, 2009 entitled "2008 Financial Report Analysis", be received.

b) Recommendation to Appoint Deloitte & Touche LLP as Auditors for 2009 / Recommendation to Issue a Request for Proposal for the Appointment of New Auditors for 2010

Mrs. M. Neubauer

THAT the Finance Report 09-30 dated July 20, 2009 entitled "Recommendation to Appoint Deloitte Touche LLP as Auditors for 2009; Recommendation to Issue a Request for Proposal for the Appointment of New Auditors for 2010" be received;

AND THAT Deloitte Touche LLP be appointed auditors for the City of Guelph for fiscal 2009 in accordance with the attached engagement letter for a fee of \$108,900;

AND THAT staff proceed with a Request For Proposal for auditors for 2010 to 2014.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Community Development & Environmental Committee Fifth Consent Report to be voted on separately:

- CDES-1 Request for City to Purchase 168 Fife Road for Parkland
- CDES-5 Guelph Natural Heritage Strategy Phase 2 Terrestrial Inventory & Natural Heritage System (March 2009) / MOE Environmental Bill of Rights Review Response – Paris Galt Moraine (April 2009) / Analysis of Growing the Greenbelt
- CDES-6 Bicycle Policy
- CDES-7 Changes to Administrative Procedures for Lodging Houses and Accessory Apartments

Councillor Piper presented the balance of the Community Development & Environmental Services Committee Fifth Consent Report.

3. Moved by Councillor Piper
Seconded by Councillor Bell
THAT the balance of the July 27, 2009 Community Development & Environmental Services Committee Fifth Consent Report as identified below, be adopted:

a) **City of Guelph Water Conservation Public Advisory Committee – Terms of Reference**

Dr. J. Laird
Mrs. L.A. Giles

THAT Council approve the formation of a Water Conservation and Efficiency Advisory Committee, consistent with the attached Terms of Reference, to support the ongoing implementation of the 2009 Water Conservation and Efficiency Strategy Update;

AND THAT staff report annually to Council to provide status updates on Water Conservation and Efficiency Advisory Committee activities and the implementation of the 2009 Water Conservation and Efficiency Strategy.

b) **Brownfield Redevelopment Grant Request for 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road**

Mr. J. Riddell
Ms. M. Neubauer
Ms. L.E. Payne

THAT Community Design and Development Services Report 09-62, dated June 20, 2009, regarding a request for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86

Wyndham Street South and 68A, 68B and 72 York Road, be received;

AND THAT the request for financial assistance made by Terra-View Riverside Ltd. under the Tax Increment-Based Grant Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road be approved to an estimated upset total of \$138,000 to be issued over a period of 3 years subject to the terms and conditions set hereto as Attachment 1;

AND THAT the request for financial assistance made by Terra-View Riverside Ltd. under the Tax Assistance During Rehabilitation Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road be approved for a duration of up to three (3) (i.e. 2009– 2012) years subject to the terms and conditions attached hereto as Attachment 1, as amended, by deleting paragraph 1(b) and replacing it with the following:

- b) *Enter into Tax Cancellation and Information Sharing Agreements with the City, which will specify the duration of the program and will include a requirement for milestones to be completed prior to the annual continuation of the program. This agreement shall be satisfactory to the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor.*

AND THAT Council direct staff to prepare a by-law to implement municipal tax assistance during rehabilitation in accordance with the Municipal Act and that the appropriate information and material be sent to the Minister of Finance requesting relief from the education portion of the taxes for the properties municipally known as 84 and 86 Wyndham Street South, 68A, 68B and 72 York Road for a duration of up to three (3) years;

AND THAT staff be directed to proceed with the finalization of Tax Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements with Terra-View Riverside Ltd. to the satisfaction of the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor;

AND THAT the Mayor and Clerk are authorized to sign the Tax Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements.

c) **Strategic Urban Forest Management Plan and Tree By-law Update**

Mr. J. Riddell

THAT the Community Development and Environmental Services Report 09-61 dated July 20, 2009, regarding the Strategic Urban Forest Management Plan and Tree By-law Update, be received;

AND THAT staff be directed to prepare permanent tree protection by-laws within the City of Guelph.

d) **Wellington Street Dam and Parklands Agreement**

Mr. J. Riddell
Ms. M. Neubauer

THAT the Community Development and Environmental Services Report 09-67, dated July 20, 2009, regarding the Wellington Street Dam and Parklands Agreement be received;

AND THAT staff investigate the physical condition of the Wellington Street Dam and the financial, environmental and liability implications of the possible control and maintenance of the dam structure and report back on the results before deciding to take responsibility for the lands and infrastructure;

AND THAT staff continue to work with the Grand River Conservation Authority to resolve the issues associated with the expired agreement;

AND THAT staff hold initial public consultation sessions to gauge the public interest in the long term operation and possible removal of the Wellington Street Dam;

AND THAT staff investigate the possibility of undertaking a Municipal Class Environmental Assessment (EA) under Schedule "B" to assess the long term operation including possible removal of the dam structure and the downstream weir structures;

AND THAT this project be considered for the 2010 Capital Budget.

e) **FCM Green Municipal Fund Support for Guelph Innovation District Secondary Plan**

Mr. J. Riddell
Ms. M. Neubauer

THAT Report No. 09-65, dated July 20, 2009 from Community Design and Development Services, regarding FCM Green Municipal Fund Support for the Guelph Innovation District Secondary Plan be received;

AND THAT Council direct staff to apply for a FCM Green Municipal Fund Grant for the development of the Guelph Innovation District Secondary Plan as a sustainable community plan that includes a sustainable community vision and sustainability targets;

AND THAT the City of Guelph requests \$155,000 from FCM Green Municipal Funds to help offset total projects of \$340,000 which were previously approved by Guelph Council.

f) **Westminster Woods Fencing**

Mr. J. Riddell

THAT no action be taken with respect to the request for removal or relocation of the proposed fence at the rear of properties adjacent to the Provincially Significant Wetlands in Westminster Woods Subdivision;

AND THAT staff encourage the developer to meet with the residents to determine if any modifications can be made to the proposed fencing while still meeting all of the requirements of the Environmental Impact Report for this subdivision.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge. (11)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Emergency Services, Community Services & Operations Committee Sixth Consent Report to be voted on separately:

- ECO-6 Guelph Transit Statutory Holiday Service
- ECO-8 Consideration of Funding for Pissoir (Open Air Urinal) Pilot Program and Change in Length of Pilot Program Duration

Councillor Hofland presented the balance of the Emergency Services, Community Services & Operations Committee Sixth Consent Report.

4. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the balance of the July 27, 2009 Emergency Services, Community Services & Operations Committee Consent Report as identified below, be adopted:

a) **College Avenue West Pavement Markings**

Mr. D. McCaughan

THAT College Avenue West between Hanlon Road and Stone Road West be remarked to a three lane cross-section with a centre two-way left turn lane, one travel and bike lane in each direction.

b) **Noise Control By-law Exemption Request for the Guelph Jazz Festival**

Mr. D. McCaughan

THAT, an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from live amplified music in association with the Guelph Jazz Festival between the hours of 11:00 p.m. to 1:00 a.m. annually, be approved.

c) **Noise Control By-law Exemption Request for 31 Kendrick Avenue, Guelph, Fundraiser for the Masai Centre**

Mr. D. McCaughan

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the Masai Fundraiser at 31 Kendrick Avenue, including the amplification of music between the hours of 7:00 p.m. to 10:00 p.m. on August 29, 2009, be approved;

AND THAT the applicant notifies the surrounding neighbourhood of the activities associated with the Masai Fundraiser before the event occurs.

d) **Noise Control By-law Exemption for the New Student Orientation Week at the University of Guelph**

Mr. D. McCaughan

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the New Student Orientation Weekend including the amplification of music and speech and crowd noise between the hours of 11:00 p.m. to 12:00 a.m. annually, be approved.

e) **Children's Foundation of Guelph and Wellington: Service Agreement Related to Fee Assistance for Children**

Ms. A. Pappert

THAT the Mayor and Clerk be authorized to execute a service agreement between the City of Guelph and the Children's Foundation of Guelph and Wellington that supports the granting of fee assistance to children and youth for participation in educational, cultural and recreation enrichment activities.

f) **Torch Run Relay – Vanoc 2010**

Ms. A. Pappert

THAT while the City of Guelph encourages citizens to cheer on Olympic Torch Relay Runners as they pass through Guelph for one minute on December 28, 2009, no special civic funded event is planned in conjunction with the Torch Relay.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Finance, Administration & Corporate Services Committee Fourth Consent Report to be voted on separately:

- FACS-1 Wellington-Dufferin-Guelph Health Unit – facility requirements
- FACS-2 Business Licence By-law Review Process – Corporate Administrative Cost Recovery
- FACS-3 Proposed New Business Licensing By-law
- FACS-4 Operating Budget Variance Report as at December 31, 2008 (subject to year end audit)

Councillor Burcher presented the Governance Committee Fourth Consent Report.

5. Moved by Councillor Burcher
Seconded by Councillor Hofland

THAT the July 27, 2009, Governance Committee Fourth Consent Report as identified below, be adopted:

a) **Procedural Motions**

Mrs. L.A. Giles

THAT the votes on all motions be recorded in the minutes of Council meetings, and that By-law (1996)-15200, as amended, be further amended by deleting the requirement to pass the following procedural motions:

- Motion to hear delegations;
- Motion for Council to go into Committee of the Whole to consider reports and correspondence;
- Motion for the Committee to rise with leave to sit again;
- Motion for the action taken in Committee of the Whole to be confirmed by Council.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge. (11)

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the Council as Committee of the Whole Fifth Consent Report.

6. Moved by Councillor Kovach
Seconded by Councillor Burcher

THAT the July 27, 2009, Council as Committee of the Whole Fifth Consent Report as identified below, be adopted:

- a) **Memorandum of Agreement between the City of Guelph and OPSEU Local 231**

Mr. M. Amorosi

THAT the Memorandums of Agreement between the City of Guelph and OPSEU Local 231 on file with Human Resources, be approved.

- b) **Citizen Appointments – Municipal Property & Building Commemorative Naming Policy Committee**

Mrs. L.A. Giles

THAT Robin Bergart and Enrico Stradiotto be appointed to the Municipal Property & Building Commemorative Naming Policy Committee for a term ending November, 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge. (11)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the Consent Agenda to be voted on separately:

- A-4 Long Term Capital Forecast – Update #1 Five Year Capital Improvement Plan
- B-2 Guelph Hydro Inc. amendment to Shareholders Agreement
- B-3 Councillor Laidlaw request to attend AMO Conference
- B-4 Councillor Laidlaw request to attend AMO Conference

7. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the balance of the July 27, 2009 Council Consent Agenda as identified below, be adopted:

a) **Proposed Demolition of 7 Chester Street**

Mr. J. Riddell
Mr. B. Poole

THAT Report 09-63 regarding the proposed demolition of a detached dwelling at 7 Chester Street, City of Guelph, from Community Design and Development Services dated July 27, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 7 Chester Street, be approved;

AND THAT 7 Chester Street be removed from the Municipal Register of Cultural Heritage Properties for "non-designated" heritage structures.

b) **Proposed Demolition of 37 Callander Drive**

Mr. J. Riddell
Mr. B. Poole

THAT Report 09-64 regarding the proposed demolition of a detached dwelling at 37 Callander Drive, City of Guelph, from Community Design and Development Services dated July 27, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 37 Callander Drive, be approved.

c) **Canada – Ontario Affordable Housing Program**

Mr. S. Wilson
Hon. J. Watson
Liz Sandals
Mr. J. Riddell
Ms. M. Neubauer
Ms. H. Loewig

THAT the following resolution be approved and forwarded to the Ministry of Municipal Affairs and Housing, Liz Sandals, M.P.P. and the County of Wellington:

WHEREAS the Federal/Provincial Stimulus Funding program has allocated funds for affordable housing projects;

AND WHEREAS two projects have been proposed in Guelph, specifically a project developed by the St. Joseph's Health Centre at their site on Westmount Road, and a second private sector project proposed for 71 Wyndham Street;

AND WHEREAS the City has been advised that the County, as the Consolidated Municipal Service Manager, has submitted these projects for consideration by the Ministry, however before the Ministry will consider the two submissions, a motion from Wellington County is required approving the proposals;

AND WHEREAS City staff have committed to the proponents of the projects that the City will assist to expedite the necessary planning and permit approvals;

AND WHEREAS these affordable housing projects are essential to meeting the shortfall of available housing units in Guelph;

THEREFORE be it resolved that the City of Guelph supports the affordable housing projects proposed by St. Joseph's Health Centre and 71 Wyndham Street;

AND FURTHER THAT the County, as the Consolidated Municipal Service Manager, be requested to pass a resolution, as soon as possible, approving the Affordable Housing Program projects for St. Joseph's Health Centre and for 71 Wyndham Street as required by the Ministry;

AND FURTHER, that municipal incentives for the Guelph projects be that staff be authorized to offer a deferred payment plan for the required municipal fees and charges to coincide with the timing of the receipt of the Affordable Housing Program grant payments, as well as the change to property tax class provisions, which is already in place under the City's by-law;

AND FURTHER that staff be directed to negotiate agreements in respect to future liabilities of these two affordable Housing projects.

B Items for Direction of Council

1) Daltec Canadian Buffalo Manufacturing Ltd. – employee recognition

Mr. P. Csaszar

THAT the City of Guelph has no objection to an outdoor event planned by Daltec Canadian Buffalo Manufacturing Ltd. for August 28, 2009.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

PRESENTATIONS

Dr. Nicola Mercer, Medical Officer of Health was present and provided a brief history and responsibilities of the Wellington-Dufferin-Guelph Publi Health. She advised

that the various leases that they have will expire in 2011. She requested that the City support WDGPH's ownership of property as a strategy to manage long term facility costs and future facility needs and to engage with the other funding partners to discuss the facility needs to meet the legislated public health standards.

Councillor Beard presented Clause 1 of the Fourth Consent Report of the Finance, Administration & Corporate Services Committee.

Wellington-Dufferin-Guelph Health Unit – facility requirements

Dr. N. Mercer
Mr. H. Loewig
Ms. Mr. Neubauer
Ms. L. Sandals
Mr. T. Arnott
Ms. S. Jones

8. Moved by Councillor Beard
Seconded by Councillor Wettstein

THAT the Council of the City of Guelph support in principle the Wellington-Dufferin-Guelph Public Health's ownership of property;

AND THAT the local MPPs Liz Sandals, Ted Arnott and Sylvia Jones be advised of the City's support in principle;

AND further that staff be requested to meet with the staff of the Counties of Wellington and Dufferin to review the financial analysis and options and report back to the Finance, Administration & Corporate Services Committee.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Ms. M. Neubauer

9. Moved by Councillor Hofland
Seconded by Councillor Kovach

THAT the matter of funding for the Wellington-Dufferin-Guelph Public Health ownership of property be referred to the capital budget process for discussion.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Long Term Capital Forecast – Update #1 Five Year Capital Improvement Plan

The Director of Finance provided information on the impacts of external forces on the City's long term capital forecast and highlighted the proposed funding of capital projects, debt and reserve limits and guidelines for the preparation of the 2010-14 capital budget.

It was requested that the clauses be voted on separately.

Ms. M. Neubauer
Senior Mgt. Team

10. Moved by Councilor Hofland
Seconded by Councilor Beard

THAT Guelph Hydro be requested to proceed with monetization of the Notes Receivable from GHESI, presently held by the City of Guelph, in the amount of \$30 million to fund the City's share of Infrastructure Stimulus Fund and RInC Programs, as well as a new capital project reserve fund to be established for purposes described in Report No. FIN-09-32 entitled 'Long Term Capital Forecast – Update #1 Five Year Capital Improvement Plan'.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Kovach (1)

Carried

Ms. M. Neubauer
Senior Mgt. Team

11. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT Council authorize an amendment to the 2009 capital budget to include the Infrastructure Stimulus and RInC Programs as identified in Schedule A in the amount of \$76,416,000.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Ms. M. Neubauer
Senior Mgt. Team

12. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT Council authorize debenture financing for the Organics Facility project to a maximum amount of \$28 million, for a term not to exceed 20 years; and that the balance of the project be funded from Federal Gas Tax.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Kovach (1)

Carried

13. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT cash flow be managed and debt issued such that the following ratios are maintained:

Outstanding Debt as a % of Operating Revenues – Not to exceed 55%

Principal & Interest as a % of Operating Revenues – Not to exceed 10%

Debt to Reserve Ratio – target of increasing to a 1:1 ratio over the next 5 years, and maintained at 1:1 thereafter.

14. Moved by Councillor Bell
Seconded by Councillor Kovach

THAT the matter of establishing debt and reserve ratios be referred to the Finance, Administration & Corporate Services Committee for in-depth discussion.

VOTING IN FAVOUR: Councillors Bell, Farrelly and Kovach (3)

VOTING AGAINST: Councillors Beard, Burcher, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (8)

Defeated

15. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT cash flow be managed and debt issued such that the following ratios are maintained:

Outstanding Debt as a % of Operating Revenues – Not to exceed 55%

Principal & Interest as a % of Operating Revenues – Not to exceed 10%

Debt to Reserve Ratio – target of increasing to a 1:1 ratio over the next 5 years, and maintained at 1:1 thereafter.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

Ms. M. Neubauer
Senior Mgt. Team

Ms. M. Neubauer
Senior Mgt. Team

16. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT staff be directed to prepare financial policies for approval by FACS at the September meeting, which incorporate the debt and reserve limits identified above.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Kovach (1)

Carried

Ms. M. Neubauer
Senior Mgt. Team

17. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT the following guidelines be considered in preparing the 2010 – 2014 preliminary capital budget and forecast for discussion:

- Maintaining the above debt and reserve ratios.
- Considering Council's established strategic priorities as shown on Schedule A to Report FIN-09-32.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Bell (1)

Carried

18. Moved by Councillor Salisbury
Seconded by Councillor Hofland

THAT persons wishing to address Council be permitted to do so at this time.

Carried

DELEGATIONS

Changes to Administrative Procedures for Lodging Houses and Accessory Apartments

Daphne Wainmann-Wood was present on behalf of the Old University Neighbourhood Residents Association and advised of their support of the staff recommendation with respect to lodging houses and accessory apartments. She expressed concern that two-unit houses are not included and that they should also be required to have a business licence.

Angela Morrison expressed concern with the number of poorly run two-unit houses and that they should be required to have a license.

Geoff Allen was not present.

Unto Kihlanki was present and expressed concern with the operation of two-unit houses and the increased demand on city services. He suggested that such establishments are operated as a business and should be licenced as such.

Councillor Piper presented Clause 7 of the Fifth Consent Report of the Community Development & Environmental Services Committee.

Mr. J. Riddell
Mrs. L.A. Giles

19. Moved by Councillor Piper
Seconded by Councillor Bell
THAT the Community Design and Development Services Report 09-60 regarding the Administrative Procedures for Lodging Houses and Accessory Apartments, dated July 20, 2009, be received;

AND THAT staff be directed to report back with a proposed amendment to the Business Licensing By-law, to require Lodging Houses to have a business license;

AND THAT staff be directed to prepare an amendment to the Zoning By-law to require a licensing process in order to establish priorities for lodging houses;

AND THAT staff be directed to report back with a proposed amendment to the Registration of Two-Unit Houses By-law Number (1997)-15392, to incorporate the expiration of registration after three years to require the reinspection of these properties.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Mr. J. Riddell

20. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT staff be directed to report back on opportunities for licensing and other forms of management, including designation as a lodging house, of two-unit rentals within single family homes.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Guelph Transit Statutory Holiday Service

Elizabeth Quintanar was present and stressed the importance of bus service.

Councillor Hofland presented Clause 6 of the Sixth Consent Report of the Emergency Services, Community Services & Operations Committee.

21. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT Guelph Transit statutory holiday schedule service be discontinued, beginning in August 2009 and for the remainder of the year including New Year's Day 2010.

22. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT Guelph Transit statutory holiday schedule service be discontinued, beginning in August 2009 and for the remainder of the year including New Year's Day 2010.

VOTING IN FAVOUR: Councillors Beard and Kovach (2)

VOTING AGAINST: Councillors Bell, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

Defeated

Consideration of Funding for Pissoir (Open Air Urinal) Pilot Program and Change in Length of Pilot Program Duration

Mark Rodford was present on behalf of the Nightlife Task Force and provided information on other municipalities who operate pissoirs and the funding associated with the program. He advised that the Task Force has sourced a unit and is requesting the city to participate in funding the units in the amount of \$8,400. He further advised that they are in support of a shorter pilot program of 8 weeks.

23. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the matter of the funding and pilot program duration for pissoirs (open air urinals) be re-opened.

VOTING IN FAVOUR: Councillors Beard, Burcher, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Bell, Farrelly and Kovach, (3)

Carried

24. Moved by Councillor Burcher
Seconded by Councilor Findlay
THAT the City of Guelph Procedural by-law be suspended to allow Council to continue beyond 11 p.m.

Carried

25. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT Council approve a pilot project of 2 pissoirs (open air urinals) to be located in downtown Guelph for a period not to exceed 8 weeks or the cost of \$8,400.

Mr. D. McCaughan
Ms. M. Neubauer
Guelph Bus. Assoc.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

**Guelph Natural Heritage Strategy Phase 2
Terrestrial Inventory & Natural Heritage System
(March 2009)
MOE Environmental Bill of Rights Review Response
– Paris Galt Moraine (April 2009)
Analysis of Growing the Greenbelt**

Judy Martin of the Sierra Club was present and expressed concern with the reduction/elimination of some environmental corridors and the buffers around significant natural features. She requested that the City consider protecting more of the land.

Councillor Piper presented Clause 5 of the Fifth Consent report of the Community Development & Environmental Services Committee.

Mr. J. Riddell

26. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the Community Design and Development Services Report 09-40 regarding the Natural Heritage Strategy, dated July 20, 2009, be received;

AND THAT staff be directed to apply the criteria developed through the Natural Heritage Strategy Phase 2 Report – Terrestrial Inventory & Natural Heritage System prepared by Dougan and Associates, dated March 2009 and summarized in Attachment 2, as the basis for identifying the Natural Heritage System and policies to be incorporated into the Official Plan Update;

AND THAT staff be directed to address the protection of significant portions of the Paris/Galt Moraine through the Natural Heritage System and policies to be incorporated into the Official Plan Update.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

27. Moved by Councillor Wettstein
Seconded by Councillor Burcher

THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Wettstein presented Clause 2 that was extracted from the Audit Committee First Consent Report.

Audit Committee Mandate and Charter

28. Moved by Councillor Wettstein
Seconded by Councillor Findlay

THAT the Audit Committee Mandate and Charter, as amended, attached as Appendix 1, be adopted.

29. Moved in Amendment by Councillor Kovach
Seconded by Councillor Burcher

THAT "III Operating Procedures" be amended by deleting "The Chair may exercise their opinion to vote on any motion" and replacing it with "The Chair shall always vote on any motion."

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Counc. K. Wettstein
Ms. M. Neubauer

30. Moved by Councillor Wettstein
Seconded by Councillor Findlay
THAT the Audit Committee Mandate and Charter, as amended, and attached as Appendix 1, be adopted.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Councillor Piper presented Clause 1 that was extracted from the Community Development & Environmental Services Committee Fifth Consent Report.

Request for City to Purchase 168 Fife Road for Parkland

Mr. J. Riddell

31. Moved by Councillor Piper
Seconded by Councillor Bell
THAT Report 09-53 regarding the request for the City to purchase the property at 168 Fife Road for the purpose of developing a new public park, from Community Design and Development Services, dated July 20, 2009, be received;

AND THAT City Council take no action with respect to the request for the City to purchase the property municipally known as 168 Fife Road, legally described as Part of Lot B, Concession 2, Division E, in the City of Guelph, for the purpose of developing a new public park.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Kovach (1)

Carried

Councillor Piper presented Clause 6 that was extracted from the Community Development & Environmental Services Committee Fifth Consent Report.

Bicycle Policy

Mr. J. Riddell

32. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the Community Design and Development Services Report 09-61, on 'Bicycle Policy', dated July 20, 2009, be received;

AND THAT Council approve a policy to provide demarcated bike lanes instead of bike routes as part of reconstruction of arterial roadways that are not identified in the Official Plan as having either bike lanes or bike routes;

AND THAT Council authorize staff to undertake retrofit construction to include bike lanes in sections of roadways that are designated to include bike lanes but are not scheduled for full reconstruction in the near term.

VOTING FOR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Mr. J. Riddell

33. Moved by Councillor Salisbury
Seconded by Councillor Hofland

THAT Council direct staff to explore best practices with regard to bicycle friendly intersection design for inclusion in the City's bicycle policy.

VOTING FOR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Councillor Beard presented Clause 2 that was extracted from the Finance, Administration & Corporate Services Committee Fourth Consent Report.

**Business License By-law Review Process –
Corporate Administrative Cost Recovery**

It was requested that the clauses be voted on separately.

Mrs. L.A. Giles 34. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT the information report of the Director of Information Services/City Clerk regarding the Business Licence By-law Review Process dated July 13, 2009 be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles 35. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT an interim corporate administrative charge in the amount of 20% be included in all Business licensing fees.

VOTING IN FAVOUR: Councillors Bell, Findlay, Kovach, Piper, Wettstein and Mayor Farbridge (6)

VOTING AGAINST: Councillors Beard, Burcher, Farrelly, Hofland and Salisbury, (5)

Carried

Councillor Beard presented Clause 3 that was extracted from the Finance, Administration & Corporate Services Committee Fourth Consent Report.

Proposed New business Licensing By-law

Mrs. L.A. Giles 36. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT staff be directed to prepare a new Business licensing By-law for Council approval in September 2009, incorporating all the changes to the current by-law as noted in the report to the Finance, Administration and Corporate Services Committee from the Director of Information Services/City Clerk dated June 9, 2009 based on cost recovery with an annual fee review, with the exception of a citizen appeals committee.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Councillor Beard presented Clause 4 that was extracted from the Finance, Administration & Corporate Services Committee Fourth Consent Report.

Operating Budget Variance Report as at December 31, 2008 (subject to year end audit)

Ms. M. Neubauer 37. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT the Finance report 09-27 dated July 13, 2009 entitled "Operating Budget Variance Report as at December 31st, 2008" be received;

AND THAT the following surplus and deficit allocations be approved:

Tax Supported Surplus of \$2,406,932

- \$502,769 be allocated to the Police Relocation reserve
- \$91,605 be allocated to the Library Relocation reserve
- \$1,200,000 be allocated to the Parkland Dedication reserve fund
- \$612,558 be allocated to the Tax Rate Stabilization reserve

Userpay

- Water deficit of \$706,880 be funded \$576,931 from the Water Rate Stabilization reserve and \$129,949 from the Water Capital reserve
- Wastewater deficit of \$1,967,001 be funded completely from the Wastewater Rate Stabilization reserve
- Parking deficit of \$677,980 be funded \$353,372 from the Parking Rate Stabilization reserve and \$324,608 from the Parking Capital reserve.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Extracted Items from the Consent Agenda

Guelph Hydro Inc. amendment to the Shareholders Agreement

Ms. L.E. Payne
Ms. J. Urisk
Mrs. L.A. Giles

38. Moved by Councillor Kovach
Seconded by Councillor Wettstein
THAT the request from Guelph Hydro Inc. to amend the Shareholders Agreement by removing the reference to "the President and CEO" from being members of the Board of Directors and add an additional Director, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Councillors Laidlaw and Hofland – request to attend the AMO Conference

Counc. Laidlaw
Counc. Hofland
Mrs. L.A. Giles
Ms. M. Neubauer

39. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT Councillors Laidlaw and Hofland be authorized to exceed their 2009 expense allocation in order to attend the AMO Conference in Ottawa.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

40. Moved by Councillor Beard
Seconded by Councillor Farrelly
THAT the Committee rise with leave to sit again.

Carried

41. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

42. Moved by Councillor Kovach
Seconded by Councillor Findlay
THAT By-laws Numbered (2009)-18818 to (2009)-18846,
inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher,
Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury,
Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 12:15 o'clock a.m., Tuesday
July 28, 2009.

Minutes read and confirmed September 28, 2009.

.....
Mayor

.....
Clerk

Committee Mandate and Charter Audit Committee

A. Mandate of the Audit Committee:

1. Mandate

The Committee's mandate defines its core areas of management and responsibility. Established by Procedural Bylaw (1996) 15200 for Standing Committees, it is the mandate of the Audit Committee to ensure that appropriate policies, principles, procedures and roles are established to ensure:

- I. The recommendation of the appointment of the external auditor and the appropriate fees;
- II. Management's financial reporting practices are assessed objectively, financial statements are properly audited and any problems identified in the audit are satisfactorily resolved;
- III. The annual financial statements, including the selection of appropriate accounting policies and practices, are approved by Council;
- IV. The audit results are reviewed and recommendations to management are followed-up; and
- V. Management has established and is maintaining a comprehensive risk and control framework.

2. Composition of the Committee

- I. The Committee will be comprised of four members of Guelph City Council and the Mayor.
- II. The Director of Finance or other specialists may be called upon to conduct research, communications or any other Committee identified requirements.

B. Charter of the Audit Committee:

The Committee's Charter outlines how the Committee will satisfy the requirements set forth by Council in its mandate. This Charter is comprised of:

- Operating principles;
- Responsibilities and duties; and
- Operating procedures

I. Operating Principles

All Committee work will be carried out in accordance with provisions of the Municipal Act and the Committee will fulfill its responsibilities within the context of the following principles:

i) Committee Values

The Council's Code of Conduct, transparency and accountability will guide Committee efforts and promote interaction with the highest ethical standards and professionalism while ensuring that the best interests of the community are met. The Council endorsed corporate values of wellness, integrity and excellence will also be observed.

ii) Communications

The Committee Chair will act as the primary spokesperson for any related inquiries.

iii) Meeting Agenda

Committee meeting agendas shall be the responsibility of the Chair of the Committee in consultation with Committee members and staff.

iv) Notice of Meetings

Public notice of all committee meetings will be provided on the City's electronic general calendar at least 72 hours prior to a meeting; by posting a notice in City Hall at least 72 hours prior to the meeting; and by publication in a local paper at least 72 hours prior to the meeting.

It is recognized that some items consistent with Section 239 in the Municipal Act may require a meeting to be closed to the public. The holding of any closed meetings and the general nature of the matter to be considered will be made public to ensure full transparency.

v) Committee Expectations and Information Needs

Meeting minutes will be recorded and distributed to Committee members with each meeting agenda.

All decisions that lead to the formulation of recommendations for Council consideration will take place at the Committee meetings only and not through electronic or other outside exchanges.

All pertinent information will be shared with all Committee members in advance of meetings. This can include but not be limited to meeting minutes, any supplemental information, public input, media requests etc.

vi) Reporting to Council

The Committee will report to Council with recommendations for approval.

II. Responsibilities and Duties

Specific roles and responsibilities for the Committee as a whole, Chair and Committee members include:

Committee:

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with City staff.
- Review with management and the external auditors the result of the audit, including any difficulties encountered and all other matters required to be communicated to the Committee under Generally Accepted Auditing Standards.
- Resolve any disagreements between management and the external auditors regarding financial reporting.
- At the conclusion of the audit, consult with the external auditors, without the presence of management, regarding internal financial controls, compliance and the fullness and accuracy of the City's financial statements.
- Ensure the timely presentation of the external auditors' annual audit report to Council.

Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions, highly judgmental areas and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review the representation letter provided by management to the external auditors.
- Prior to the presentation of the annual financial statements to Council, review the financial statements and consider whether they are complete, consistent with information known to Committee members and reflect appropriate accounting principles.
- Recommend to Council the approval and distribution of the annual financial statements.

Auditor Performance and Review

- Review and confirm the independence of the external auditors by obtaining statements from the auditors on relationships between the auditors and the city, including non-audit services, and discussing the relationships with the auditors.
- Direct and review the performance evaluation process for the external auditor.
- Recommend changes to the external auditor's compensation for Council approval.

- Periodically determine whether a Request for Proposal should be issued to select an external auditing firm. As per the Ontario Municipal Act 2001 section 296 (3), the external auditor shall not be appointed for a term exceeding five years.
- Participate in the selection of an external auditing firm by reviewing the Request for Proposals and bids received, interviewing potential auditing firms and recommending the external auditor for final approval to the Council.

Compliance

- Obtain regular updates from management and other's (legal counsel, external auditors) regarding compliance with laws and regulations having a material impact on the financial statements including:
 - Tax and financial reporting laws and regulations.
 - Legal withholding requirements.
 - Environmental protection laws and regulations.
- Review by-laws and policies specifically regulating the conduct of members of council, staff and suppliers.
- Review the findings of any examinations by regulatory agencies, and any auditor observations.
- Discuss with the City Solicitor, any significant legal, compliance or regulatory matters that may have a material effect on the financial statements or the business of the City, or on the compliance policies of the City.
- Review the results of management's investigation and follow-up for any instances of non-compliance.
- Review the effectiveness of the systems established to ensure compliance.

Risk Management and Internal Control

- Understand the scope of the external auditor's review of internal financial control over financial reporting and obtain reports on significant findings and recommendations, together with management's responses and the timing of the disposition of significant findings.
- Through the use of a risk management framework, assess the financial risks to be managed by the City and any change in significant financial risks.
- Consider the effectiveness of the City's internal control system for the safeguarding assets, including information technology security and control and the adequacy of policies and procedures.
- Review management and program performance regarding efficiency, effectiveness and economy in the use of resources.
- Reviewing the effectiveness of management reporting systems regarding

administrative and program performance.

Reporting Responsibilities

- Ensure the creation of quarterly information reports to Council on progress achieved by the Committee and any concerns or issues that have been identified. The report shall be prepared by the Committee Chair with input from staff.
- Provide an open avenue of communication between the external auditors and City Council.

Adequacy of the City's Resources

- Review the nature of evolving or developing businesses managed by the City, including those changes occasioned by business or process redesign.
- As new businesses and ventures are embarked on by the City, gain comfort that all appropriate processes have been put in place to evaluate feasibility of the new business and to ensure proper resources, both human and financial, have been provided.

Other Responsibilities

- In conjunction with management and the external auditors, develop an annual work plan for the Committee that identifies priorities, objectives and timelines for key deliverables.
- Recommend to Council special investigations and funding as required. Institute and oversee special investigations as authorized by Council.
- With Council approval, retain independent counsel, accountants, or others to advise the Committee or assist in the conduct of a review.
- After consultation with the Director of Finance and the external auditors, gain a reasonable assurance, at least annually, of the quality and sufficiency of the City's accounting and financial personnel and other resources.
- Review annually the adequacy and/or need for an internal audit function.
- It is recognized that from time to time, other issues will be referred to the Committee for review and input. These items will be addressed on an as needed basis.

Chair:

The Committee Chair will be responsible for:

- Calling the meetings.

- Maintaining order and decorum during meetings, deciding questions of procedure, and generally ensuring that the Committee work proceeds smoothly according to the Committee's work plan.
- Ensuring adequate and appropriate opportunities are provided for input by the public and other key stakeholders at meetings.
- Engaging all members in the decision making process.

Committee Members:

The Committee members will be responsible for:

- Reading all agenda material, and seek clarification on any matters prior to meetings in order to make the most effective use of the Committee's time;
- Attending meetings and participate fully in all Committee work;
- Debating the issues in an open, honest and informed manner to assist the decision-making process;
- Actively contributing to reaching Committee recommendations and directions; and
- Representing and advocating on behalf of constituents, keeping in mind the entire municipality when considering and addressing issues.
- Being financially literate, with sufficient understanding of accounting, auditing, financial reporting and internal control in order to deliberate meaningfully on the types of issues likely to come before the Audit Committee;
- Having a general understanding of the City's major economic, operating and financial risks;
- Having a broad awareness of the interrelationship of the City's strategic initiatives and operations with its financial reporting;
- Understanding the difference between the oversight function of the Audit Committee and the decision making function of management; and
- Having a willingness to challenge management when necessary.

III. Operating Procedures

- i. The Committee shall meet at least four times per year, with the authority to convene additional meetings as may be necessary to exercise its responsibilities.
- ii. A quorum shall be a majority of the whole committee (3).
- iii. The Chair shall vote on any motion.
- iv. Any rule not stated herein is deemed to be provided in By-law 1996-15200 Consolidate Procedural By-law.