



# MINUTES

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## GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

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**WEDNESDAY, DECEMBER 8, 2010 - 9:00 A.M.**

COUNCIL CHAMBER – 2<sup>nd</sup> FLOOR – CIVIC CENTRE  
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

MEMBERS PRESENT:      Councillor Jim Tovey                      Ward 1  
                                 Councillor Pat Mullin                      Ward 2  
                                 Councillor Chris Fonseca                      Ward 3  
                                 Councillor Frank Dale                      Ward 4  
                                 Councillor Eve Adams                      Ward 5  
                                 Councillor Ron Starr                      Ward 6  
                                 Councillor Nando Iannicca                      Ward 7  
                                 Councillor Pat Saito                      Ward 9  
                                 Councillor Sue McFadden                      Ward 10  
                                 Councillor George Carlson                      Ward 11 (Chair)  
                                 Mayor Hazel McCallion                      (Arrived at 9:05)

MEMBERS ABSENT:      Councillor Katie Mahoney                      Ward 8

STAFF PRESENT:      Janice Baker, City Manager and CAO  
                                 Marilyn Ball, Director of Development & Design  
                                 Martin Powell, Commissioner of Transportation & Works  
                                 Paul Mitcham, Commissioner of Community Services  
                                 Brenda Breault, Commissioner of Corporate Services and  
                                 Treasurer  
                                 Mary Ellen Bench, Director of Legal Services and City  
                                 Solicitor  
                                 Grant Bivol, Manager, Legislative Services & Deputy Clerk  
                                 Sacha Smith, Legislative Coordinator, Office of the City Clerk



CALL TO ORDER – 9:00 A.M.

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

APPROVAL OF THE AGENDA

The Chair advised that a Memorandum from the Director of Legislative Services and City Clerk dated December 8, 2010 with respect to an anonymous letter regarding the 2010 election should be added to the agenda. Councillor Nando Iannicca moved approval of the Agenda as amended. This motion was voted upon and carried.

PRESENTATIONS - Nil

DEPUTATIONS

- A. Item 1 John Lohuis, Director, Recreation & Parks and Brenda Osborne, Manager, Environmental Management

This matter was dealt with under item 1.

MATTERS CONSIDERED

1. Living Green Master Plan

Corporate Report dated November 25, 2010 from the Commissioner of Community Services providing an update on the Living Green Master Plan.

Mr. Lohuis and Ms. Osborne provided a brief update on the Living Green Master Plan and advised on the workplan, public engagement sessions, progress and next steps.

Members of Committee spoke to the matter in support of the information provided and thanked staff and the role of the Environmental Advisory Committee in the progress of the draft plan. Councillor Pat Saito requested that staff include in the final report a section that shows any inconsistencies between what is being proposed for Mississauga's environmental strategy and the Region of Peel's environmental strategy as this would help to show the Region what we have initiated at the City. Discussion ensued.

Councillor Frank Dale requested that staff review the feasibility of implementing living green walls for the noise walls at the northwest corner of Central Parkway and Rathburn Road. Councillor Eve Adams requested that staff review the feasibility of including "green" opportunities of being profitable and encourage "green" jobs for youth.

RECOMMENDATION

That the report dated November 25, 2010, from the Commissioner of Community Services, entitled Living Green Master Plan be received for information.

Received (Councillor N. Iannicca)  
Recommendation GC-0644-2010

2. 2010 Fire Master Plan

Corporate Report dated November 15, 2010 from the Commissioner of Community Services regarding the 2010 Fire Master Plan.

Members of Committee enquired about the Fire Master Plan. Paul Mitcham, Brenda Breault and John McDougall responded to questions. Councillor Sue McFadden referred to recommendation #4 in the Plan and advised that she strongly supports that emergency staff be increased to 2 based on the benchmarks with other municipalities. Discussion ensued with respect to the Plan, fire prevention and opportunities to amalgamate fire and paramedic services. Councillor McFadden requested that a report come forward with respect to out of service fire trucks due to the lack of firefighters.

RECOMMENDATION

1. That the Fire Master Plan Executive Summary attached as Appendix 1 to the Corporate Report dated November 15, 2010 from the Commissioner of Community Services be received for information.
2. That the 2010 Fire Master Plan Implementation Guide attached as Appendix 2 to the Corporate Report dated November 15, 2010 from the Commissioner of Community Services be received for information and that items contained within be further considered through the corporate business planning and annual capital and operating budget processes for Council's approval.

Approved (Mayor H. McCallion)  
Recommendation GC-0645-2010

3. Corporate Policy and Procedure – Administration of Recreation Fees (04-01-02)

Corporate Report dated November 11, 2010 from the Commissioner of Community Services proposing changes to the Corporate Policy Administration of Recreation Fees (04-01-02).

RECOMMENDATION

1. That the report dated November 11, 2010 from the Commissioner of Community Services regarding the revised Corporate Policy Administration of Recreation Fees (04-01-02) be approval.
2. That the revised Administration of Recreation Fees Policy takes effect January 1, 2011.

Approved (Councillor N. Iannicca)  
Recommendation GC-0646-2010

4. Flooding Remediation and Action Plan Program Update (Wards 1, 3, 4, 5, 6, & 7)

Corporate Report dated November 23, 2010 from the Commissioner of Transportation and Works providing an update on Flooding Remediation and Action Plan Program.

The Mayor and Councillors Frank Dale and Nando Iannicca spoke to the recommendations in the report and the subsidy program provided to residents affected by the August 4, 2009 storm. Councillor Sue McFadden advised that some residents have experienced flooding in the area of the Lisgar Trail. Martin Powell, Commissioner of Transportation and Works advised that testing is being done to discover what has changed in the area. Discussion ensued.

RECOMMENDATION

1. That the City of Mississauga expand Phase 1 of the Flooding Remediation and Action Plan to include a subsidy for sump pumps for those homes which were flooded during the August 4, 2009 storm event through a one-third cost sharing arrangement among the City of Mississauga, the Region of Peel and the homeowner, with a maximum contribution of \$2,000 per household to be provided by the City of Mississauga.
2. That the Commissioner of Transportation and Works be authorized to act on the City's behalf to coordinate a cost sharing arrangement for the sump pump subsidy with the Region of Peel.
3. That a copy of the report dated November 23, 2010 from the Commissioner of Transportation and Works titled *Flooding Remediation and Action Plan Program Update* be forwarded to the Region of Peel and Credit Valley Conservation for information.

4. That all necessary by-laws be enacted.

Approved (Councillor F. Dale)  
Recommendation GC-0647-2010

5. Amendments to Storm Sewer Use By-law 259-05

Corporate Report dated November 12, 2010 from the Commissioner of Transportation and Works proposing an amendment to the Storm Sewer Use By-law.

Councillor Pat Saito enquired about the set fines and possible prosecution under the *Provincial Offences Act*. Jeff Smylie, Environmental Engineer and the City Solicitor responded to questions. Discussion ensued with respect to laying charges and the monitoring of discharge matter in the sewer system.

RECOMMENDATION

1. That a by-law be enacted to amend Storm Sewer Use By-law 295-05, revising the penalty provision to include a reference to the *Provincial Offences Act* and to increase the maximum fines for a person charged under the by-law to \$25,000 for a first offence and \$50,000 for subsequent offences.
2. That Council authorize Legal Services to seek approval from the Ministry of the Attorney General for the appropriate set fines under the Storm Sewer Use By-law 295-05, as amended.

Approved (Councillor P. Saito)  
Recommendation GC-0648-2010

6. Expropriation of lands required for the City of Mississauga's Bus Rapid Transit Project (Wards 3 & 5)

Corporate Report dated November 22, 2010 from the Commissioner of Transportation and Works regarding the expropriation of lands required for the Bus Rapid Transit Project.

Councillor Eve Adams noted her disappointment with GE Canada during the proposed expropriation of land on their property for the Bus Rapid Transit Project.

RECOMMENDATION

1. That a by-law be enacted for the purpose of authorizing the City of Mississauga, the expropriating authority, to expropriate the property rights required for the City of Mississauga's Bus Rapid Transit (BRT) Project, in accordance with the *Expropriations Act*, R.S.O., 1990, c.E.26, as amended, as outlined in Appendix 1 of the report to General Committee dated November 22, 2010, from the Transportation and Works Department.
2. That authority be granted to staff on behalf of the City of Mississauga to take the necessary steps to comply with *Expropriations Act*, R.S.O., 1990, c.E.26, as amended, including but not limited to, the preparation and registration of Expropriation Plans, and the service of Notices of Expropriation, Notice of Election as to a Date for Compensation and Notice of Possession.
3. That the City Clerk be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City.
4. That pursuant to the Minutes of Settlement, dated October 21<sup>st</sup>, 2010, between the Corporation of the City of Mississauga and GE Canada Real Estate Equity Holding Company (GE) regarding the GE properties at 5055 Satellite Drive and 2400 Skymark Avenue, that a permanent easement placed on title will include Terms and Conditions that will provide GE with the right to use the easement lands for the purpose of a surface parking lot as set out in Appendix 2; and, the City will provide for on street parking for GE along Satellite Drive and Skymark Avenue during the installation of utilities on the GE properties during construction of the City's BRT project; and, the City will pay professional fees in the amount of \$4,500.00 plus disbursements to Brodie & Associates, Landscape Architects Inc. relating to the preparation of a landscape plan for the GE properties .

Approved (Mayor H. McCallion)  
Recommendation GC-0649-2010

7. Highway Obstruction By-law

Corporate Report dated November 22, 2010 from the Commissioner of Transportation and Works with respect to the Highway Obstruction By-law.

Councillor Pat Saito requested clarification on the proposed amendment to the Highway Obstruction By-law. Jamie Hinton, Acting Director, Enforcements explained the

parameters of the by-law with respect to basketball nets on roadways or boulevards. Councillor Sue McFadden noted that discretion should be used when laying fines or removing sporting equipment as the City promotes physical activity.

#### RECOMMENDATION

1. That Council enact a by-law to repeal and replace the current Obstructing Highways By-law 23-79, as amended, with a new Highway Obstruction By-law, as approved to form and content by Legal Services.
2. That Legal Services seek the relevant set fines under the *Provincial Offences Act* (POA) through the Ministry of the Attorney General.

Approved (Councillor P. Saito)

Recommendation GC-0650-2010

#### 8. 2010 Year End Financial Forecast and Budget Adjustments Third Quarter Operating Forecast and Adjustments

Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer regarding the 2010 Year End Financial Forecast and Budget Adjustments – Third Quarter Operating Forecast and Adjustments.

Mayor Hazel McCallion declared a conflict of interest on items in the report that referred to the Judicial Inquiry and noted that she would not vote on the recommendations in the report.

Members of committee enquired about budget for Transit with respect to absenteeism, and revenue from recreation user fees. Staff responded to questions. It was noted that staff should review fixed recreation fees for seniors and the availability of room rentals for cultural groups.

#### RECOMMENDATION

1. That up to \$4.0 million of the 2010 year end surplus be transferred to the Reserve for Contingency (Account #305125) as outlined in the Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer.
2. That any remaining surplus above \$4.0 million be transferred to the Capital Reserve Fund (Account # 33121) to provide for future capital infrastructure requirements as outlined in the Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer.

3. That \$477, 900 be reallocated to the 2011 Operating Budget Reserve as outlined in Appendix 2 attached to the Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer and that the appropriate adjustments be made.
4. That the budget adjustments listed in Appendix 3 attached to the Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer, be approved.
5. That normal year end program transfers to and from reserves and reserve funds, based on actual 2010 performance, be authorized as required for insurance claims, labour related transfers including: recoveries from Capital Projects, Workers' Compensation payments, transactions associated with Economic Development programs such as Mississauga Business Enterprise Centre (MBEC), grants, various arts initiatives, sick leave payments, parking surplus, ongoing capital maintenance costs of the BraeBen Golf Course joint agreement with the Region of Peel, ongoing capital maintenance costs of the Courtney Park Turf/ Synthetic Track joint agreement with the Dufferin Peel Catholic School Board, fluctuations in utilities usage or diesel prices, zoning by-law review, legal and study costs, tax related transfers, site plan inspection and rezoning and subdivision fees, winter maintenance, Tangible Capital Assets, accessibility training, recovery of temporary closure of Erin Meadows pool, transfer of operating surplus or deficits related to Infrastructure Stimulus Funding (ISF) and Recreation Infrastructure Canada (RInC) funded projects, Riverwood Sponsorship, transfer from the Provincial Gas Tax Reserve Fund, election costs, phasing in of revenue shortfalls related to building permits and transit revenues and replacement of trees damaged in accidents in accordance with previously approved Council policy and/or direction.

Approved (Councillor P. Saito)  
Recommendation GC-0651-2010

9. Strike-off of Taxes Deemed Uncollectible

Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer regarding taxes deemed uncollectible.

RECOMMENDATION

That the Commissioner of Corporate Services & Treasurer be authorized and directed to strike from the tax roll uncollectible taxes, penalties and interest totaling \$629,426.77 as outlined in the Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services & Treasurer.

Approved (Councillor N. Iannicca)  
Recommendation GC-0652-2010

10. Corporate Policy and Procedure – Procurement of Electricity and Natural Gas Policy

Corporate Report dated November 17, 2010 from the Commissioner of Corporate Services and Treasurer proposing the Corporate Policy and Procedure - Procurement of Electricity and Natural Gas.

RECOMMENDATION

That the proposed “Procurement of Electricity and Natural Gas” policy as outlined in the report dated November 17, 2010 from the Commissioner of Corporate Services and Treasurer and attached hereto as Appendix 1 be approved.

Approved (Councillor S. McFadden)  
Recommendation GC-0653-2010

11. Single Source Contracts to Compugen Inc. for the Purchase of HP Server Plus Components and Support of HP Hardware and Software for Five Years

Corporate Report dated November 22, 2010 from the Commissioner of Corporate Services and Treasurer regarding a Single Source Contract for the purchase of Hewlett-Packard (HP) server plus components and support of HP Hardware and software.

Councillor Pat Saito declared a possible conflict of interest as her son works for HP.

RECOMMENDATION

1. That the Purchasing Agent be authorized to execute the necessary agreements with Compugen Inc. as the Provincial reseller for HP X86 Server Agreement No: # OSS-078661 and components for five years ending June 30, 2015 for an estimated total amount of \$1,500,000 (plus tax) for the supply of Servers and add on components.

2. That the Purchasing Agent be authorized to execute the necessary agreements with Compugen Inc. to provide all HP hardware/software maintenance and support to the city for five years ending February 1, 2016 for an estimated total of \$2,000,000 (plus tax) with an option to renegotiate for an additional five years for a total of ten years of maintenance and support services.

APPROVED (Councillor R. Starr)  
Recommendation GC-0654-2010

12. Proposed Closing of Road Allowance and Surplus Land Declaration – Part of Bramalea Road South of Derry Road, Designated as Part 1 on Reference Plan 43R-32747 (Ward 5)

Corporate Report dated November 25, 2010 from the Commissioner of Corporate Services and Treasurer proposing a permanent closure of the subject Bramalea Road road allowance and surplus land declaration.

RECOMMENDATION

1. That a by-law be enacted authorizing the closure of part of the Bramalea Road road allowance, south of Derry Road, being comprised of approximately .20444 hectares (.50518 acres), and legally described as Part of the Original Road Allowance between Concessions 4 and 5, East of Hurontario Street, established as public highway by By-law 0542-2000, registered as Instrument PR 53017 and designated as Part 1 on a reference plan deposited in the Land Registry Office for the Land Titles Division of Peel (No.43) as Plan 43R-32747, in the City of Mississauga, Regional Municipality of Peel, in Ward 5.
2. That Part 1 Reference Plan 43R-32747, being comprised of approximately .20444 hectares (.50518 acres), be declared surplus to the City's requirements and, that all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website at least three weeks prior to the execution of an agreement for the sale of the subject lands.
3. That, following Council approval of the road closure, easements be granted to protect the existing services and utilities within Part 1 on Reference Plan 43R-32747.

Approved (Councillor E. Adams)  
Recommendation GC-0655-2010

13. Mississauga Appeal Tribunal Update

Corporate Report dated November 23, 2010 from the Commissioner of Corporate Services and Treasurer providing an update on the Mississauga Appeal Tribunal.

RECOMMENDATION

That the Corporate Report dated November 23, 2010 from the Commissioner of Corporate Services and Treasurer titled Mississauga Appeal Tribunal Update be received for information.

Approved (Councillor R. Starr)  
Recommendation GC-0656-2010

ADVISORY COMMITTEE REPORTS14. Mississauga Accessibility Advisory Committee Report 6-2010 – November 29, 2010

Councillor Pat Saito moved that Recommendations AAC-0030-2010 through AAC-0039-2010 as contained in the Mississauga Accessibility Advisory Committee Report 6-2010 dated November 29, 2010 be approved. This motion was voted upon and carried.

Approved (Councillor P. Saito)  
MG.26

MATTERS CONSIDERED15. Anonymous Letter Regarding the 2010 Municipal Elections

Memorandum dated December 3, 2010 from Crystal Greer, Director of Legislative Services and City Clerk with respect to an anonymous letter about the 2010 Municipal Elections and additional written comments.

Councillor Jim Tovey declared a pecuniary interest.

RECOMMENDATION

That the Memorandum dated December 3, 2010 from the Director of Legislative Services and City Clerk with respect to an anonymous letter about the 2010 Municipal Election and additional written comments be received for information.

Received (Councillor N. Iannicca)  
Recommendation GC-0667-2010

16. Anonymous Letter Regarding the 2010 Municipal Elections

Memorandum dated December 8, 2010 from Crystal Greer, Director of Legislative Services and City Clerk with respect to an anonymous letter about the 2010 Municipal Elections and the Ward 1 recount.

Members of Committee congratulated staff.

RECOMMENDATION

That the Memorandum dated December 8, 2010 from the Director of Legislative Services and City Clerk addressing allegations made in an anonymous letter about the 2010 Municipal Election be received for information.

Received (Councillor P. Saito)  
Recommendation GC-0668-2010

COUNCILLORS' ENQUIRIES

2010 Municipal Election

Mayor Hazel McCallion advised that the Municipal Property Assessment Corporation (MPAC) would appear in front of the Association of Municipalities Ontario (AMO) Board in January 2011 to explain issues with the voters list for the 2010 elections. She further noted the auditor general report questioned the implementation of the process. Recommendations from the Auditor General to improve the process may lead to an increase in property taxes.

CLOSED SESSION

Pursuant to Subsections 239 (2) and (3.1) of the Ontario Municipal Act, 2001, Councillor Eve Sue McFadden moved the following motion.

Whereas the *Municipal Act, 2001*, as amended, requires Council to pass a motion prior to closing part of a meeting to the public,

And whereas the Act required that the motion states the act of the holding of the closed meeting and the general nature to be considered at the closed meeting;

Now therefore be it resolved that a portion of the General Committee meeting to be held on December 8, 2010 shall be closed to the public to deal with the following matters:

- A. Security of the property - Civic Precinct Lands and Vicinity (verbal update)
- B. Advice that is subject to solicitor-client privilege – Ward One Recount

C. Educational Session – Council Code of Conduct

This motion was voted on and carried. At 12:05 p.m., Committee moved into closed session.

In Camera Item # 71 - Civic Precinct Lands and Vicinity (verbal update)

Janice Baker, City Manager & C.A.O. provided a verbal update regarding the civic precinct lands and vicinity. Members of Committee enquired about the matter and Ms. Baker responded to questions.

In Camera Item # 70 – Ward One Recount

No discussion regarding this matter.

In Camera Item #72 – Council Code of Conduct

Mary Ellen Bench, City Solicitor introduced the Interim Integrity Commissioner, George Rust-D'Eye to members of committee. Mr. Rust-D'Eye presented information regarding the Council Code of Conduct and the role of the Integrity Commissioner. Members of committee asked questions and Mr. Rust-D'Eye and Ms. Bench responded.

Committee moved out of closed session at 2:08 pm.

Councillor Chris Fonseca moved the following motion, which was voted on and carried:

RECOMMENDATION

That the Corporate Report dated December 1, 2010 from the City Solicitor titled “Ward One Recount” be received for information.

Received (Councillor C. Fonseca)

Recommendation GC-0669-2010

ADJOURNMENT – 2:10 p.m.