

Minutes of the Corporate Services Committee meeting held in the Committee Meeting Room, Council Building on Monday, February 25, 2019 at 9:30 a.m.

Present: Councillor Hurst, Vice-Chair
Councillor Giberson, Member
Councillor Nicholson, Member
Mayor Carter, Ex Officio (left the meeting at 10:10 a.m.)

Also

Present: Councillor Kerr (left the meeting at 11:00 a.m.)
Councillor McConkey (entered the meeting at 9:35 a.m.)
M. Medeiros, Deputy City Clerk
T. Adams, Commissioner, Corporate Services Department
A. Brouwer, City Clerk
J. Conlin, Director, Municipal Law Enforcement and Licensing Services
K. Man, Manager, Policy and Research
K. Feagan, Manager, Municipal Law Enforcement Services

Absent: Councillor Marks, Chair
Councillor Neal, Member

Public Agenda

Additional Agenda Items

None.

Declarations of Pecuniary Interest

None.

Presentations

None.

Delegations

Moved by Councillor Nicholson,
"That the delegation of Jeff Davis be heard." Carried

Jeff Davis addressed the Corporate Services Committee concerning the Municipal Freedom of Information and Protection of Privacy Act (M.F.I.P.P.A.) overview and Freedom of Information requests.

Councillor McConkey entered the meeting during the delegation.

Moved by Councillor Nicholson,
"That the delegation's time be extended." Carried on a 2/3 vote of members present

Jeff Davis continued to address the Corporate Services Committee concerning the M.F.I.P.P.A. overview and Freedom of Information requests.

The Committee questioned Jeff Davis.

Mayor Carter left the meeting.

Correspondence Requiring Action

Moved by Councillor Giberson,
“That Correspondence CORP-19-20 from Jeff Davis concerning Report CORP-19-13 regarding the M.F.I.P.P.A. overview and Freedom of Information requests be lifted from the table.” Carried

CORP-19-20 Jeff Davis Submitting Comments in Opposition to Report CORP-19-13 regarding M.F.I.P.P.A. Overview and Freedom of Information Requests

Moved by Councillor Giberson,
“That Correspondence CORP-19-20 from Jeff Davis concerning Report CORP-19-13 regarding the Municipal Freedom of Information and Protection of Privacy Act overview and Freedom of Information requests be received for information.” Carried

Referrals From Council and Standing Committees

CORP-19-15 Termination of Administrative or Procedural Directions

“That administrative or procedural directions given by a Council without passage of a motion at City Council shall terminate at the end of the term of Council.”

Moved by Councillor Nicholson,
“That the Corporate Services Committee recommend to City Council:

That administrative or procedural directions given by a Council without passage of a motion at City Council shall terminate at the end of the term of Council.” Referred by the following motion

Moved by Councillor Giberson,
“That City Council Referral CORP-19-15 concerning the termination of administrative or procedural directions be referred to staff for a report.” Carried

Councillor Kerr left the meeting.

Reports from Advisory Committees

None.

Reports/Motions Requiring Action

None.

Public Consent Agenda

Moved by Councillor Giberson,
“That all items listed under the heading of Public Consent Agenda for the Corporate Services Committee meeting of February 25, 2019 be adopted as recommended except Reports CORP-19-02, CORP-19-22, CORP-19-23 and CORP-19-24.” Carried

Correspondence

None.

Reports

CORP-19-02 Updated Media Relations Guidelines Manual and Media Events, Groundbreaking, Grand Opening and Opening Ceremonies Guidelines Manual

Recommendation (Deferred – See Page 6)

That the Corporate Services Committee recommend to City Council:

1. That City Council reconsider its decision of September 24, 2018 concerning the Media Relations Guidelines Manual and the Media Events, Groundbreaking, Grand Opening and Opening Ceremonies Guidelines Manual; and,
2. That the updated Media Relations Guidelines Manual and Media Events, Groundbreaking, Grand Opening and Opening Ceremonies Guidelines Manual, asset out in Attachments 1 and 2 respectively to Report CORP-19-02, dated January 9, 2019, be endorsed.

CORP-19-22 Downed Elevators and Municipal Response

Recommendation (Amended – See Page 7)

That the Corporate Services Committee recommend to City Council:

1. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to proclaim into force the remaining elements of Bill 8 related to elevating devices in all building stock.
2. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
 - a) Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in buildings whether

subjected to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and

- b) Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in a building is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.
3. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator buildings to provide an alternative mechanical means of access above the ground floor or consider requiring multi-level buildings to have two elevators as appropriate and to consult with the building and development industry during the process.
 4. That a copy of Report CORP-19-22 and the related Council resolution be sent to:
 - All Region of Durham Municipalities
 - Durham Region Members of Parliament and Members of Provincial Parliament
 - Federation of Canadian Municipalities
 - Association of Municipalities of Ontario
 - Local Health Integration Network
 - Oshawa's Accessibility Advisory Committee
 - Durham Regional Accessibility Advisory Committee
 - Large Urban Mayor's Caucus of Ontario
 - Technical Standards and Safety Authority
 - Advocacy Centre for the Elderly
 - Federal/Provincial/Territorial Ministers for Seniors
 - United Senior Citizens of Ontario
 - Oshawa Senior Citizens Centres

- Ministry of Municipal Affairs and Housing
- Ministry of Government and Consumer Services
- The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
- Ontario Building Officials Association

CORP-19-25 Property Standards By-law Modernization Review and Proposed Stakeholder Consultation Process

Recommendation (Carried – See Page 3)

That the Corporate Services Committee recommend to City Council:

That pursuant to Report CORP-19-25 dated February 20, 2019 concerning the Property Standards By-law modernization review and proposed stakeholder consultation process, staff be authorized to review Property Standards By-law 01-2002 and schedule a public meeting to be held by the Corporate Services Committee in addition to other stakeholder consultation opportunities as detailed in Section 5.2 of the report in the second quarter of 2019.

CORP-19-23 Removal of Provisions Related to the Procedure By-law from the Public Notice By-law

Recommendation (Carried – See Page 8)

That the Corporate Services Committee recommend to City Council:

That Report CORP-18-23 dated February 20, 2019 concerning the removal of provisions related to the Procedure By-law from the Public Notice By-law be received for information.

CORP-19-24 Bill 68 Implementation Matters

Recommendation (Carried – See Page 6)

That the Corporate Services Committee recommend to City Council:

1. That Council reconsider Parts 3, 4 and 5 of CORP-18-21, approved by Council on April 30, 2018 to provide that:
 - a) The Manager, Purchasing Services be authorized to execute the required documents to piggy-back on the Region of Durham's contract for Integrity Commissioner Services, to include investigation and advisory work, effective on the date of the contract's execution and in accordance with the Purchasing By-Law; and,

- b) That staff report back with a recommended procedure and form for Members of Council and directors of the Downtown Oshawa Business Improvement Area (B.I.A.) Board of Management (“B.I.A. Board”) to access Integrity Commissioner advisory services; and,
 - c) That staff report back with a recommended public complaint procedure and form regarding alleged contraventions of the Municipal Conflict of Interest Act by Members of Council and directors of the B.I.A. Board; and,
2. That staff report back with any recommended amendments to the Council Code of Conduct (By-law 51-2015, as amended) as a result of Bill 68 amendments to the Municipal Act, or for housekeeping purposes; and,
 3. That the draft Pregnancy and Parental Leave for Members of Council Policy, included in Report CORP-19-24 as Attachment 5 be approved as presented.

CORP-19-26 Corporate Services Committee Outstanding Items List – First Quarter 2019

Recommendation (Carried – See Page 3)

That the Corporate Services Committee recommend to City Council:

That Report CORP-19-26, dated February 20, 2019 being the Corporate Services Committee’s Outstanding Items List for the first quarter of 2019 be received for information.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Giberson,
 “That the order of the agenda be altered to bring forward Report CORP-19-24 concerning Bill 68 implementation matters.” Carried on 2/3 vote of members present

Moved by Councillor Giberson,
 “That the Corporate Services Committee adopt the recommendation contained in Report CORP-19-24 concerning Bill 68 implementation matters.” Carried

Moved by Councillor Nicholson,
 “That Report CORP-19-02 concerning the Updated Media Relations Guidelines Manual and Media Events, Groundbreaking, Grand Opening and Opening Ceremonies Guidelines Manual be deferred to the Corporate Services Committee meeting on March 25, 2019.” Carried

Moved by Councillor Nicholson,
“That Report CORP-19-22 concerning downed elevators and municipal response be received for information.” Withdrawn by the following motion

Moved by Councillor Nicholson,
“That the motion to receive Report CORP-19-22 for information be withdrawn.” Carried

Moved by Councillor Nicholson,
“That the Corporate Services Committee recommend to City Council:

1. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to proclaim into force the remaining elements of Bill 8 related to elevating devices in all building stock.
2. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
 - a. Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in buildings whether subjected to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
 - b. Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in a building is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.
3. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator buildings to provide an alternative mechanical means of access above the ground floor or consider requiring multi-level buildings to have two elevators as appropriate and to consult with the building and development industry during the process.
4. That a copy of Report CORP-19-22 and the related Council resolution be sent to:
 - All Region of Durham Municipalities
 - Durham Region Members of Parliament and Members of Provincial Parliament
 - Federation of Canadian Municipalities
 - Association of Municipalities of Ontario
 - Local Health Integration Network
 - Oshawa's Accessibility Advisory Committee

- Durham Regional Accessibility Advisory Committee
 - Large Urban Mayor's Caucus of Ontario
 - Technical Standards and Safety Authority
 - Advocacy Centre for the Elderly
 - Federal/Provincial/Territorial Ministers for Seniors
 - United Senior Citizens of Ontario
 - Oshawa Senior Citizens Centres
 - Ministry of Municipal Affairs and Housing
 - Ministry of Government and Consumer Services
 - The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
 - Ontario Building Officials Association
5. That staff continue to investigate the potential of a stand-alone By-law to address elevating devices in the City of Oshawa." Carried as amended

Moved by Councillor Giberson,
"That the motion be amended to add 'Ontario Non-Profit Housing Association' to the list of recipients in Part 4." Carried

The vote on the motion Carried as amended.

Moved by Councillor Nicholson,
"That the Corporate Services Committee adopt the recommendation contained in Report CORP-19-23 concerning removal of provisions related to the Procedure By-law from the Public Notice By-law." Carried

Items To Be Introduced By Councillors

CORP-19-27 Review of the Standing Committee Schedule

Moved by Councillor Nicholson,
"That staff be requested to review the Standing Committee Schedule." Carried

Closed Meeting Agenda

Closed Correspondence Requiring Action

None.

Closed Reports/Motions Requiring Action

None.

Closed Consent Agenda

Closed Correspondence

None.

Closed Reports

None.

Closed Discussion Agenda

Matters Excluded from Closed Consent Agenda

None.

Adjournment

Moved by Councillor Giberson,
"That the meeting adjourn." Carried

The meeting adjourned at 11:21 a.m.