



CITY OF WINDSOR MINUTES 07/29/2019

Special Meeting of Council

Date: Monday, July 29, 2019

Time: 6:40 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 6 - Councillor Gignac

Ward 7 - Councillor Kusmierczyk

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

Members Absent

Ward 5 - Councillor Sleiman

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the special meeting to order at 6:40 o'clock p.m.

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Moved by: Councillor Francis
Seconded by: Councillor Gignac

That Rule 3.3 (c) of the Procedure By-Law 98-2011 **BE WAIVED** to allow for the Mayor to call a special meeting without 24 hours notice.
Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. COMMITTEE OF THE WHOLE

Moved by: Councillor Costante
Seconded by: Councillor Kusmierczyk

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
- (d) hearing presentations and delegations;
- (e) consideration of business items;
- (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
- (g) consideration of by-law 94-2019.

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

None presented.

8. CONSENT AGENDA

None.

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9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS

None presented.

11. REGULAR BUSINESS ITEMS

11.1. Disaster Mitigation and Adaptation Fund (Special Intake)

Moved by: Councillor Gignac

Seconded by Councillor Francis

Decision Number: CR 386/2019 CSC 335

That in order to undertake a major project aimed at reducing the likelihood of future flooding, City Council approve the following recommendations:

1. That City Council **APPROVE** the Chief Administrative Officer to submit an Expression of Interest, and Full Application for the \$80,484,001 project identified in this report, to Infrastructure Canada (INFC) for the Disaster Mitigation and Adaptation Fund (DMAF) subject to the documents being satisfactory in technical content by the City Engineer and financial content by the City Treasurer; and,
2. That City Council **SUPPORT** the matching funding for the City's portion of the project, as \$5,000,000 each year from 2020 to 2030 from the Sewer Master Plan Implementation Project (ENG-002-19); and,
3. That in the event the City receives written confirmation of the Grant funding being awarded to the City, then City Council **APPROVES** the following:
 - a) That City Council **APPROVE** the use of funding identified in the Sewer Master Plan Implementation Project (ENG-002-19) as the City's matching portion for the DMAF grant, with funding specifically identified as follows:
 1. **PRECOMMITMENT** of \$5,000,000 each year from 2020 to 2023 so that these funds are available for immediate use; and,

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2. Placeholder funding of \$5,000,000 each year from 2024 to 2030 be **APPROVED** and that once funding for each year is within 5 years it **BE DEEMED** precommitted and available for immediate use.
- b) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any agreements, declarations or approvals required resulting from receiving grant funding approval for the DMAF program and being satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- c) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
- d) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors/proponent/bidder satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- e) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Solicitor for legal content and in financial content to the City Treasurer.

Carried.

Report Number: SCM 252/2019 and C 145/2019
Clerk's File: EI/13569

12. CONSIDERATION OF COMMITTEE REPORTS

None presented.

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13. BY-LAWS (First and Second Readings)

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Gignac

That the following By-law No. 94-2019 be introduced and read a first and second time:

94-2019 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 29th DAY OF JULY, 2019

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Francis

Seconded by: Councillor Costante

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) Communication Items (as presented)
- 2) Consent Agenda (as presented)
- 3) Items Deferred
Items Referred
- 4) Consideration of the Balance of Business Items (as presented)
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as presented)

Carried.

15. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor McKenzie

Seconded by: Councillor Kusmierczyk

That the following By-law No. 94-2019, having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

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16. ADJOURNMENT

That this Special Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 6:41 o'clock p.m.

Mayor

City Clerk

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CR 386/2019 CSC 335 Item 6.6 Table

The table below outlines the eligible and ineligible costs for the various projects recommended for the grant submission.

Task	Total Costs	Eligible Costs	Ineligible Costs	DMAF Funding (40% of Eligible Costs)	City Funding
St Rose Pump Station	30,459,908	27,859,908	2,600,000 ¹	11,143,963	19,315,945
Ford Pump Station	21,173,272	18,573,272	2,600,000 ¹	7,429,309	13,743,963
Sewer Infrastructure	5,789,100	4,895,081	894,019 ²	1,958,032	3,831,068
St Rose Sewer	15,151,500	15,151,500	-	6,060,600	9,090,900
Landform Barrier	5,421,572	1,261,114	4,160,458 ³	504,446	4,917,126
Internal Costs	2,488,649	-	2,488,649 ⁴	-	2,488,649
Total	80,484,001	67,740,874	12,743,127	27,096,350	53,387,651

Notes on Ineligible Costs :

1. These are all land acquisition costs and are therefore considered ineligible.
2. Dillon was awarded the original engineering work for the Riverside Vista project. The scope for this project has been expanded and as a result, additional engineering work is needed. Due to Dillon's prior experience with the area, Administration recommends that this work be sole sourced to Dillon. The guidelines of the DMAF program require that tenders be awarded on a competitive basis, so these costs are considered ineligible.
3. This is a combination of land acquisition costs (\$3.975M) and engineering work (\$185k) also being sole sourced to Dillon. These expenses are all considered ineligible.
4. All internal staffing costs are considered ineligible.