

SV/  
Windsor, Ontario May 30, 2011

A meeting of the **Executive Committee** is held this day commencing at 6:00 o'clock p.m. in Council Chambers there being present the following members:

Mayor Francis  
Councillor Dilkens  
Councillor Gignac  
Councillor Halberstadt  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra  
Councillor Payne  
Councillor Sleiman  
Councillor Valentinis

Absent:

Councillor Hatfield

1. **Call to Order**

Mayor Francis calls the meeting of the Executive Committee of Council to order at 6:00 o'clock p.m.

2. **Disclosure of Pecuniary Interest and the General Nature Thereof**

Councillor Jones discloses an interest and abstains from voting on Item No. 4 being the report of the City Treasurer entitled "Contributory Pension Plan for Transit Windsor", as an immediate family member is employed by Transit Windsor.

3. **Requests for Deferrals**

None requested.

4. **Presentations and Delegations**

**Audit Committee Report No. 49**

**Chris Schnurr, Resident of Ward 4**

Chris Schnurr, resident of Ward 4, appears before the Executive Committee to speak in opposition to Report No. 49 of the Audit Committee which allows for the approval of the engagement letter with KPMG to spend up to \$80,000 for the resourcing of the AGO for completing the WFCU Centre audit, stating that should Council proceed with this, it is imperative that the firm must report to the Auditor General who must also be responsible for the completion of this audit to ensure its independence.

**5. Business Items****Audit Committee Report No. 49**

Moved by Councillor Marra, Seconded by Councillor Sleiman,  
**EC6/2011** That the Audit Committee **CONFIRM and RATIFY** the Committee Chairperson's approval of the engagement letter with KPMG to spend up to \$80,000 for the resourcing of the AGO for completing the WFCU Centre audit and if additional resourcing work is requested that KPMG **BE REQUESTED** to advise of that request; and further,

That the reporting mechanism for this audit be consistent with the audit for the 400 Building was handled.

Carried.

Councillor Halberstadt voting nay.

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At the request of Councillor Gignac, a recorded vote is taken.

Aye votes: Councillors Gignac, Sleiman, Payne, Marra, Valentinis, Jones,  
Dilkens and Mayor Francis.

Nay votes: Councillor Halberstadt.

Absent: Councillor Hatfield.

Abstain: None.

**Item 1 – Response to Council Direction to Proceed with Application with FCM  
International Program and Request to Participate in Korean Government Overseas  
Research Fellowship Program**

**EC2/2011** Moved by Councillor Jones, Seconded by Councillor Halberstadt,

**THAT** City Council **RECEIVE FOR INFORMATION** Administration's response to Council's request to participate with FCM International program in Mali, Vietnam and Bolivia; and

**THAT** City Council **APPROVE** the City of Windsor's participation in the Korean Government's Overseas Research Fellowship Program.

Carried.

Report Number 15281 MMF2011 1

**Item 2 – Request from the Windsor Utilities Commission (WUC) for a Contribution to their Water Rate Assistance Program (WRAP)**

Moved by Councillor Marra, Seconded by Councillor Gignac,  
**EC3/11** That Council **APPROVE** a contribution of \$37,500 from the sewer surcharge reserve fund to the Windsor Utilities Commission's Water Rate Assistance Program (WRAP).

Carried.

Report Number 15292 MB2011 2

**Item 3 – Operating Budget Variance Report as of April 30, 2011**

Moved by Councillor Payne, Seconded by Councillor Marra,  
**EC4/11** THAT Council **RECEIVE FOR INFORMATION** the 2011 Operating Budget Variance Report as at April 30<sup>th</sup>, dated May 19, 2011 from the CFO & City Treasurer and;

THAT the CAO in concert with the CFO & City Treasurer **BE DIRECTED** to continue monitoring the 2011 Operating Budget and continue to seek further means of offsetting the projected variances.

Carried.

Report Number 15290 AF2011 3

**Item 4 – Contributory Pension Plan for Transit Windsor**

Moved by Councillor Marra, Seconded by Councillor Sleiman,

**EC5/11**

- I. That the City Council **APPROVE** securing an Irrevocable Letter of Credit with Scotia Bank in the estimated amount of \$820,000, with an upset limit of \$875,000, in lieu of making the 2011 minimum required solvency special payments to the pension fund of the frozen Transit Windsor Contributory Pension Plan to have deposited with the trustee and;
- II. That City Council **AUTHORIZE** the Mayor and the City Treasurer to sign the Scotia Bank Irrevocable Letter of Credit application, in the estimated amount of \$820,000, with an upset limit of \$875,000, in lieu of making the 2011 minimum required solvency special payments to the pension fund of the frozen Transit Windsor Contributory Pension Plan, in favour of a trustee to be determined, satisfactory in content to the City Treasurer, and in form to the City Solicitor and in compliance with the Regulations made under the Pension Benefits Standards Act, 1985 and the regulations thereunder and;
- III. That City Council **APPROVE** retaining or appointing a trustee for the purpose of holding an Irrevocable Letter of Credit in trust for Transit Windsor's Contributory Pension Plan as may be deemed appropriate by the City Treasurer and, in connection therewith, to enter into a trust agreement with said trustee which trust agreement shall set out the terms and conditions for the holding of the letter of credit and;

- IV. That City Council **AUTHORIZE** the CAO and the City Clerk to sign all Administrative documents associated with securing the Irrevocable Letter of Credit, including any Trustee agreements, in lieu of making the 2011 minimum required solvency special payments to the pension fund of the frozen Transit Windsor Contributory Pension Plan,
- V. satisfactory in content to the City Treasurer, and in form to the City Solicitor and in compliance with the Regulations made under the Pension Benefits Standards Act, 1985 and the regulations thereunder and;
- VI. That the final amount of the Letter of Credit will **BE DETERMINED** by the actuaries, Mercer Canada, based on the December 31, 2010 valuation report and;
- VII. That the Irrevocable Letter of Credit **BE UPDATED AND RENEWED** annually as of December 31<sup>st</sup> of each year, and more frequently if required, for the amount identified by the actuarial annual valuation, with an upset limit of \$3,854,000, in accordance with the requirements of the Pension Benefits Standards Act, 1985 and the regulations thereunder and satisfactory to the City Treasurer and;
- VIII. That City Council **AUTHORIZE** the Mayor and the City Treasurer to sign the annual (renewal) application of an Irrevocable Letter of Credit application, with an upset limit of \$3,854,000, in lieu of making the minimum required solvency special payments to the pension fund of the frozen Transit Windsor Contributory Pension Plan, in favour of a trustee, satisfactory in content to the City Treasurer, and in form to the City Solicitor.

Carried.

Councillor Jones discloses an interest and abstains from voting on this matter.

Report Number 15293 AS2011 4

#### **Item 5 – Joint Emergency Planning Program Funding (JEPP) 2011-2010**

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,

**EC1/11** That the purchase of Hazmat monitoring equipment at a total cost of \$44,015 **BE APPROVED**. It will be funded as follows: \$22,007 from JEPP funding, \$22,008 from the Ontario Fire Service Grant Reserve Account 1768, which has a balance of \$138,877;

That the CAO and the Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology be authorized to sign the JEPP Application Funding Approval Form, which agreement shall be satisfactory as to form to the City Solicitor and Corporate Leader Economic Development and Public Safety, and as to technical content to the Fire Chief;

That the Delegation of Authority (DOA) By-Law be amended to grant authority to the CAO to approve future grant applications upon the recommendation of the Chief Financial Officer/City Treasurer/Corporate Leader Finance and Technology and the City Solicitor/Corporate Leader Economic Development and Public Safety.

Carried.

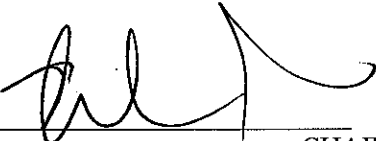
Report Number 15302 SF/10638

6. **DATE OF NEXT MEETING**

The next meeting of the Executive Committee will be held on June 28, 2011 at 5:00 o'clock p.m. in Council Chambers.

7. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 6:55 o'clock p.m.

  
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CHAIR

  
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CITY CLERK