



Council Meeting Minutes  
Tuesday, June 21, 2011  
9:30 a.m.  
Council Chambers, Town Hall

Mayor M. Morrison (Left at 9:35 a.m. – Other Municipal Business)  
D. Beffort  
N. deBoer  
P. Foley  
G. McClure (Arrived at 9:38 a.m.)  
R. Mezzapelli (Absent – Personal Business)  
R. Paterak (left at 11:49 a.m.)  
A. Thompson (Absent – Other Municipal Business)  
R. Whitehead

Director of Public Works: C. Campbell  
Legislative Administrator: B. Karrandjas  
Director/Chief Financial Officer/Deputy CAO: R. Kaufman  
Director of Administration/Town Clerk: K. Landry  
Treasurer: F. Wong

Other Staff Present Specific Items Only  
Manager of Parks/Landscape Architect: B. Baird  
Director of Development Approval & Planning Policy: M. Hall  
Manager of Engineering Services: J. Hasselbacher  
Town Counsel/Director: N. Koltun  
Manager of CCRW: W. Rowland  
Senior Manager, Capital Projects & Property Management: R. Trudeau  
Manager of Purchasing & Risk Management: A. Valentino  
Business Manager of Arenas & Pools: G. Young

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order at 9:30 a.m.

2. **PRAYER AND O CANADA**

Councillor Beffort opened the meeting with a prayer.

3. **APPROVAL OF AGENDA**

Moved by R. Paterak - Seconded by N. deBoer

2011-392

That the agenda for the June 21, 2011 Council Meeting be approved.

Carried.

4. **DISCLOSURE OF PECUNIARY INTEREST** – None stated.

5. **COUNCIL WORKSHOP**

Moved by N. deBoer - Seconded by R. Paterak

2011-393

That Council convene into Council Workshop.

Carried.

Councillor Beffort assumed the role of Chair.

1. Conservation Requirements for Bridges and Culvert Replacements.

Carolyn Woodland, Director, Planning & Development presented the following information:

Conservation Authorities Act

- Established in 1946 with the following legislated mandate:
  - Based on a watershed area of jurisdiction
  - Initiated by the municipalities located in the watershed who could request the minister to form an authority represented by municipally appointed members
  - Responsible to the province of Ontario
- Authority has the power to:
  - study the watershed,

- determine a scheme to conserve, restore or develop natural resources of the watershed
- control waters to prevent floods or pollution

#### Regulatory Role –Conservation Authorities Act

- The main objectives of Ontario Regulation 166/06 are to ensure public safety and protect property with respect to natural hazards and to safeguard watershed health by preventing pollution and destruction of sensitive environmental areas such as wetlands, shorelines and watercourses
- Section 28 of the Conservation Authorities Act was updated in 1998 to provide consistency among all conservation authority Regulations and complementary to provincial policies
- “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation” (i.e. Generic Regulation) approved by the Province in 1994 – Regulation content requirements
- May 2006, individual Section 28(1) Regulations for all 36 Conservation Authorities approved by Minister of Natural Resources

#### Regulated Activities

Permission from Conservation Authorities for:

- Development within a regulated area
- Interference and alterations to watercourses, wetlands and shorelines

TESTS: Flooding, Erosion, Pollution, Conservation of Land and Dynamic Beaches

The Conservation Authorities Regulation is “applicable law” under Building Code Act

#### Impacts of Road Stream Crossings

- Flooding
- Erosion (Geomorphology)
- Long Term Maintenance
- Vehicular Conflicts (public safety and road kill)
- Habitat (Fish and terrestrial wildlife barriers)
- Loss of biodiversity

#### TRCA Stream Corridor Policy

Services (Crossings) should be carefully sited and designed to:

- Prevent risk associated with flooding, erosion or slope instability;
- Protect or rehabilitate existing landforms, features, and functions; and
- Provide for aquatic, terrestrial and human access.

*(TRCA Valley and Stream Corridor Management Program, October 1994)*

#### TRCA Stream Crossings Objectives

- Minimize the total number of crossing in valley and stream corridors
- Situate crossings, where required, at appropriate locations
- Improve existing watercourse crossings where possible
- Ensure no significant increase in upstream and downstream flooding
- Protects or enhance the physical and ecological function of the watercourse and valley corridor
- Protect all natural features to the extent possible and provide restoration where protection is not possible
- Implement adequate erosion and sediment control during and after construction

#### Design Considerations (Flooding)

- Ensure safe passage of flood flows
- Ensure no increase in flood risk upstream or downstream of the crossing - Hydraulic Analysis may be required
- Where abutments or piers are approved in the floodplain, the structure should be designed so that overtopping can occur safely

#### Design Considerations (Geomorphology)

- Streams naturally move, objective of geomorphology requirements are to avoid long term maintenance cost for repair and remediation
- Accommodate 100 years of natural channel evolution
- Bridge or structural abutments should be located outside the meander belt or the 100 year erosion limit of a watercourse

#### Design Considerations (Ecology)

- Maintain or improve connectivity of the natural heritage system for terrestrial and aquatic species
- Minimize obstruction of the valley and stream corridor cross section
- Open-bottom structures to maintain natural substrates for fish habitat if needed

#### New Crossings

- Should meet requirements for flood, geomorphology and ecology
- Emphasis should be made at the planning stage (Environmental Assessment) to locate crossings in suitable locations (cross perpendicular, avoid meandering reaches, avoid sensitive natural features such as wetlands and woodlots)
- Avoid the need for stream re-alignments and/or armoring

#### Replacement Crossings

- Should strive to meet requirements for flood, geomorphology and ecology
- Avoid the need for stream re-alignments and/or armoring
- More flexibility to optimize size from a cost benefit perspective as the location is fixed

#### Crossing Extensions, Rehabilitation and Emergency Works

- Should match existing size at a minimum
- If the extension is going to exacerbate existing problems (flooding, erosion, fish passage), a replacement may be required
- Forward looking, take advantage of opportunities to improve existing conditions (i.e flooding), a replacement should be considered

#### Erosion and Sediment Control (ESC)

- Ensure adequate ESC before, during and after construction
- Conform to TRCA's Erosion and Sediment Control Guidelines for Urban Construction
- Compliance Monitoring
- TRCA administers workshops and professional training on ESC including certification of inspectors on construction sites

#### Use TRCA Guidance

##### Checklists

- Complete Submission Checklist for OR166/06 Applications for Infrastructure Projects
- Borehole Investigations - Complete Submission Checklist for Infrastructure Projects - OR 166/06
- Guidelines for Submission of Technical Reports for Infrastructure Projects - OR 166/06
- Guidelines for Standard Notes on Infrastructure Project OR 166/06 Submissions

##### Guidelines

- Watercourse Crossing Design and Submission Requirements
- Culvert Replacements and Extensions - Complete Submission Checklist for Infrastructure Projects - OR 166/06

#### Case Study – Sneath Road Heritage Bridge Rehabilitation

- The rehabilitation of Sneath Road Heritage Bridge included the removal and replacement of structural elements of the bridge, such as, the deck stringers and cross beams. In addition to these works, the bridge abutments would also be repaired.
- Through the review process TRCA staff ensured there would be no impact to:
  - Flooding
  - Pollution
  - Erosion
  - Conservation of Land

#### Other Approvals or Guidance

- Fisheries and Oceans Canada
  - Operation statement (OPS) for culvert extensions
  - TRCA has a level 3 agreement (TRCA reviews on behalf of Department of Fisheries and Oceans)
  - Timing Windows
- Ministry of Natural Resources
  - Endangered Species Act (reidside dace)
  - Draft Habitat Regulation is meander belt plus 30 metres
- Ministry of Transportation
- Transport Canada, Navigable Waters

NOTE: Staff to work with TRCA to begin to discuss a review of Caledon Special Policy Areas. Funding requirements for this review should be identified in the 2012 budget.

NOTE: It was suggested that Town staff meet with TRCA staff at the beginning of each year to identify projects for the upcoming year.

NOTE: Council suggested that the Conservation Authorities prepare a brochure regarding conservation requirements and processes that can be distributed to local residents for their information.

2. Stewardship Agreements.

Brian Baird, Manager of Parks/Landscape Architect presented the following information:

Purpose

To provide an analysis on the 1 sub-licence agreement and 3 stewardship agreements the Town of Caledon currently has with outdoor user groups including:

- The Bolton Wanderers Soccer Club (BWSC)
- The Bolton Tennis Club
- The Belfountain Community Tennis Association
- The Caledon East Tennis Club

The agreement with the Caledon East Tennis Club is the only one on Town of Caledon owned land.

Goal

To ensure all outdoor user groups are being treated equitably while meeting the direction of Council regarding cost recovery.

Background

- In 1998, By-Law 98-69 was passed introducing user fees for baseball and soccer facilities.
- The goal of user fees was to gradually recover 100% of the operating costs by 2005 for sport facilities less a minimum 30% subsidy for sport association youth programs.
- Capital improvements have traditionally been cost-shared 50/50 with sport groups.
- After the introduction of user fees the BWSC approached the Town of Caledon about the possibility of waiving user fees in exchange for maintaining facilities.
- First agreement with BWSC established in 2003.
- All Tennis Clubs were offered the option of entering into Stewardship Agreements with the Town in 2004.
- In a survey of other municipalities, Town staff could not find another municipality with a similar arrangement that exists between the Town of Caledon and BWSC. However, agreements with Tennis Clubs are common.

Basic Terms of Agreements:

Item	Club	Town
Utility Costs	Clubs responsible for all utility costs throughout the year	
Work (Wanderers)	<ul style="list-style-type: none"> <li>▪ Maintain, repair, replace, move and add goal posts, netting, corner flags, signs and posts</li> <li>▪ Maintain landscaping beds</li> <li>▪ Mow all grass and sports field turf in accordance with Town approval</li> <li>▪ Maintain and operate all components of the kiosk building</li> <li>▪ Grade, trim and manage all parking lots to preserve safe, reasonable surface</li> <li>▪ Perform any other operating and minor maintenance repairs excluding damage from vandalism</li> </ul>	<ul style="list-style-type: none"> <li>▪ Renewal turf care including overseeding, aeration, sod replacement, leveling and soil enrichment</li> <li>▪ Single grading and shaping of parking lot in pre-season</li> <li>▪ Maintain and repair field lights</li> <li>▪ Inspect on routine basis</li> <li>▪ Winterize the kiosk</li> </ul>
Work (Tennis)	<ul style="list-style-type: none"> <li>▪ Maintain and repair fencing</li> <li>▪ Maintain all landscaping beds</li> <li>▪ Maintain security</li> <li>▪ Maintain and operate all components of the Clubhouse excluding vandalism</li> <li>▪ Club and Town agree to share equally costs of routine repair to court surface \$2,500 or less.</li> <li>▪ More than \$2,500 will negotiate share</li> </ul>	<ul style="list-style-type: none"> <li>▪ Provide all turf care</li> <li>▪ Maintain the parking lot</li> <li>▪ Maintain and repair court lighting</li> <li>▪ Cost share on surface repair</li> <li>▪ Cost share on capital improvements</li> </ul>

Analysis of BWSC Agreement

Under current agreement, Town is responsible for pre and post season maintenance of Edelweiss Soccer Fields, Jack Garret Park and Dicks Dam Soccer Field including:

- Topdressing and over-seeding fields
- Field aeration
- Parking lot maintenance
- Sodding of goal mouths
- Opening and closing of irrigation system
- Field Lighting maintenance

BWSC uses the Bolton Fairgrounds soccer fields, Lina Marino Park, Humberview Secondary School and Brampton Christian School soccer field to administer their programs paying user fees.

Facilities Under Stewardship:

- Jack Garrett Park
- Edelweiss Park
- Dick's Dam Soccer
- Lina Marino Park, Valleywood
- Humberview Secondary School
- Bolton Fairgrounds
- Brampton Christian School

Cost/Revenue Analysis of BWSC Agreement

*Town Costs with Agreement \$22,203.00	*Town Costs Without Agreement \$64,869.60	*Caledon East Soccer Complex Costs \$68,869.60
Town Revenues With Agreement \$0.00	***Town Revenues Without Agreement \$63,162.00	****Town Revenues \$45,426.60
BWSC Subsidy Entitlement (\$24,000.00)		
**Balance \$1,797.00	Balance \$1,707.00	Balance (\$23,443.00)
*All costs are approximate. **Based on Youth participation the BWSC would be entitled to about \$24,000 subsidy.	***Revenues are based on a 100% capacity test booking including 30% subsidy for youth participation	****Facility is not booked to 100% capacity

Registration Fee Comparison

	*BW SC	Caledon Soccer Club	Orangeville	Mississauga (Dixie)	Brampton
<b>Ages 4-6</b>	\$170	N/A	N/A	\$150	\$75
<b>Youth</b>	\$190	\$190	\$165	\$220	\$175
<b>Adult</b>	\$220	\$225	N/A	\$250	\$175

\*Offers \$20 discount for early registration

Analysis of Tennis Agreements

- 10 Tennis Facilities throughout the Town of Caledon
- 3 facilities are managed by resident tennis clubs under stewardship agreement with the Town meaning the Club covers all direct operating costs:  
 Belfountain Tennis Courts

- Caledon East Tennis Courts
- Bolton Tennis Courts
- 3 facilities are managed by resident tennis club on a seasonal permit with the Town meaning they pay for any service they request from the Town in accordance with the fees by-law:
  - Caledon Village Tennis Courts
  - Palgrave Tennis Courts
  - Inglewood Tennis Courts
- 4 facilities are operated by the Town and are free for public use:
  - Ellwood Tennis Courts
  - Mayfield Tennis Courts (joint use agreement with Mayfield SS)
  - Humberview Tennis Court
  - Mono Mills Tennis Court

Tennis Facilities Managed by Resident Clubs Under Stewardship Agreement

- Bolton Tennis
- Belfountain Tennis
- Caledon East Tennis

Tennis Facilities Managed by Resident Tennis Clubs with Seasonal Permit

- Palgrave Tennis Courts
- Inglewood Tennis Courts
- Caledon Village Tennis Courts

Public Tennis Courts

- Ellwood Tennis Courts, Bolton
- Humberview Tennis Court, Bolton
- Mayfield Tennis Courts
- Mono Mills Tennis Court

Cost/Revenue Analysis of Tennis Agreements

<u>Town Costs with Agreement</u> \$0.00	<u>*Town Costs Without Agreement</u> Ranges from \$927.47 to \$1,587.47 depending on Club.
<u>Town Revenues With Agreement</u> \$0.00	<u>Town Revenues Without Agreement</u> Cost Recovery in accordance with fees By-Law
<u>Balance</u> \$0.00	<u>Balance</u> \$0.00
*All costs are approximate. Town maintains grass around tennis facilities.	Clubs are managing facilities whether under agreement or not.

Options

<u>Option</u>	<u>Pros</u>	<u>Cons</u>
1. Status Quo	<ul style="list-style-type: none"> <li>▪ User group satisfaction and accountability for management of facilities</li> <li>▪ Facility management is being provided satisfactorily by user group while lowering Town operating costs</li> <li>▪ Achieving Town's goal of cost recovery with youth subsidy</li> </ul>	<ul style="list-style-type: none"> <li>▪ No revenues to the Town for use of facilities under agreement</li> <li>▪ Lack of accurate database of users and bookings for future facility planning</li> </ul>
2. Elimination of all Stewardship Agreements	<ul style="list-style-type: none"> <li>▪ All user groups pay for what they use in accordance with fees by-law. Equality across the board</li> <li>▪ Better data on facility needs and demands</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disgruntled user groups who seem satisfied with arrangements</li> </ul>
3. Continuation of amended agreements and require all Clubs managing Town facilities to be under a form of management agreement with the	<ul style="list-style-type: none"> <li>▪ All Tennis Clubs under a formal management agreement for exclusive use of Town facilities.</li> <li>▪ Require more accountability and better data from groups</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disgruntled user groups who seem satisfied with arrangements.</li> </ul>

Town.	managing Town facilities	
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Questions

1. What is the future of Stewardship Agreements?
2. Capital Costs of improvements/replacements. Who should pay?
3. Future Facility Planning. User demand based? Population based?

NOTE: It was suggested that a stewardship agreement would not work for the Johnston Sports Park as it is a multi-use facility.

NOTE: It was noted that a meeting would be held in the fall with the Victoria Parks community and that additional tennis courts may be warranted. It was also indicated that a BMX park was also suggested for this area previously.

NOTE: It was suggested that further discussions take place with the respective school boards to maximize the shared use of facilities.

NOTE: It was suggested that the Town should have a preferred model for the use of Town facilities.

3. Procurement Policy and Risk Management Overview.

Amedeo Valentino, Manager of Purchasing & Risk Management presented the following information:

Who We Are

- Amedeo Valentino – Manager of Purchasing & Risk Management
- Diana Serrano – Senior Buyer
- Sandi Wiles – Purchasing Coordinator
- Nadia Stangherlin – Purchasing Clerk

Our Purpose

- Provide taxpayers with good value for their money through the efficient purchase of products and services based on an open, fair and transparent bidding process in accordance with approved government policies.

Community Based Strategic Plan

- Goal #5 – Cultivate a diverse and prosperous economy
- Goal #6 – Strong Governance and community engagement

2010 Results (January 1 to December 31, 2010)

Bids Completed	51
Budget Value	\$10,832,467
Actual Spend	\$9,782,866
Savings realized through a competitive process	\$1,049,601 or 9.6%

2011 Year to Date Results (January 1 to May 31)

Bids Issued	42
Bids Completed	11
Budget Value	\$4,138,400
Actual Award	\$3,567,445
Savings realized through a competitive process	\$570,954 or 13.7%

2011 Major Initiatives

- Vendor of Record Program
- Purchasing Card (Pcard)
- New printer lease (cost per copy option)
- Bidding on-line bid posting
- Vendor scorecard

Vendor of Record Program

A list of vendors that have won a competitive bid and will be utilized for two main purposes:

1. Emergency needs – When we need products or services quickly and there is no time to wait for a tendering process. Some examples include electricians, plumber, etc.
2. Common products and services that are being purchased by more than one department will be consolidated for cost savings and consistency. Some examples include promotional items, print services, cleaning supplies, etc.

#### Purchasing Card (P card program)

- A payment solution for the Corporation
- One credit card program with one provider
- Less manual processes and manual cheques to be made
- Web based reporting and transaction visibility
- Can be managed by transaction – Specific to user, vendor, amount spent and date used
- Liability protection included
- Revenue generating through rebates

#### New Printer Tender

- Update our current large all-in-one printers in Town Hall
- Our current lease agreement expires August 31
- Potential cost savings - we are reviewing a cost per copy agreement
- Ecologo certified machines – energy saving and use less ink

#### Guiding Purchasing Principles

- Accountability
- Transparency
- Value for money
- Quality service delivery
- Process standardization

#### What Does Purchasing Do?

- Purchasing facilitates the entire competitive bid process
- Consults with departments
- Purchasing comments on reports that go to Council
- Prepares bid documents
- Reviews bid documents with the customer group
- Posts the advertisement and bid document
- All questions are managed through the Buyer
- Vendor questions are answered through an Addendum
- Buyer facilitates the public bid opening
- Buyer reads the results to the public
- Buyer verifies vendor compliance and cost calculations
- Vendor is awarded the business
- A contract is prepared by Purchasing

#### Today's Landscape

- The Purchasing by-law and Purchasing Division is fairly new to Caledon – focus is on staff training and support
- Increase in vendor debriefing – suppliers are aware of their rights
- A lot more bid dispute resolution in the Public Sector
- Increased scrutiny from vendors and the media

#### Planning is Essential

- More public emphasis on fairness and transparency of the process
- Proper planning is key to executing a thorough and comprehensive tender or proposal
- Involve all the necessary stakeholders
- A good process will invite the best vendors to compete and therefore the best value for Taxpayers will be achieved

#### Why Good Procurement Matters

- Effective public procurement is essential for good public service and good Government
- Government must adhere to the highest professional standards when it spends money on behalf of taxpayers
- Ensure Taxpayers and suppliers have access to a fair, open and transparent procurement process

#### Competitive Purchasing: It's the Law

#### Agreement on Internal Trade (AIT)

- AIT is a domestic treaty signed by the federal, provincial and territorial governments in Canada, including the Province of Ontario
- The Province of Ontario has enacted legislation, effective 1 January 2005, to make the AIT applicable to all municipalities in Ontario
- AIT implements the principles of open competition and reciprocal non-discrimination for the benefit of Canadian suppliers from all jurisdictions within Canada



#### MUNICIPAL ACT, 2001

- Consistent with the requirements of the AIT, the Municipal Act, 2001 provides that a municipality shall adopt and maintain policies with respect to its procurement of goods and services

#### By-law 2009-151, Purchasing By-law

- Consistent with the requirements of the Municipal Act, 2001 Caledon Council enacted By-law 2009-151 setting out its policies regarding the procurement of goods and services

#### Staff Obligation

- Treat respondents fairly and equally
- Evaluate and award in accordance with criteria
- Award the business
- Lowest price in a tender or highest scoring bidder awarded in a proposal
- Information provided must be complete and accurate
- Clear provisions where complete and accurate information is not available
- Duty of full disclosure
- Duty to warn of known dangers
- Duty not to misrepresent
- If not certain – ask Purchasing for advice

#### Local Preference

- Preference is not given to any supplier, local or otherwise. Must maintain a fair, open and transparent process
- We do advertise in the local newspaper
- Service local suppliers through Town Hall
- History of working with local suppliers that are awarded contracts

#### How Council and Staff Can Respond to Vendor Solicitations

- Take down the vendor's contact information
- Let the vendor know that the Town of Caledon has a Purchasing by-law that we are bound to follow
- Unsolicited offers will not be considered
- We have a Purchasing division that can help with any questions or on how to do business with the Town
- Requested vendor interviews/meetings will be scheduled with the appropriate department staff and/or Purchasing
- A Staff member will call the vendor back

Forward the vendor information to a member of SMT for follow up

#### Typical Document Types

- Quote (RFQ) – Low value purchases and straight forward purchases up to \$50,000
- Tender (RFT) - \$50,000 and over. Price is the primary evaluation criteria. You know what you want, how you want it done and are looking for the lowest price
- Proposal (RFP) - Competition and creative input from the market. It is no longer a lowest price contract award. Awarded on highest overall score.

#### Risk Management

- The study of operations and events in order to identify areas where a loss could occur
- Proactive through planning and staff training
- On going process – strive for continuous improvement
- Increase Public safety is the goal
- Can help reduce claims, thereby lowering premiums and claim costs

#### Forms of Risk Management

##### Policies and Procedures

- Documents that describe the Towns policies for operation and the procedures necessary to fulfill the policies (standard operating procedures)

##### Inspections

- Physical review of sites and equipment

##### Maintenance

- Preventative maintenance and/or corrective actions taken

##### Documentation

- Document checks, corrective measures and reports

#### Town Insurance

- The Town of Caledon is a Member of OMEX (Ontario Municipal Insurance Exchange)
- Improved cost savings by joining a larger group insurance plan with other municipalities
- Access to industry news and trends
- Statistical data available

- Training available

**Purchasing Core Values**

<b>Communication</b>	Working with various departments to obtain and share necessary information with all stakeholders
<b>Accountability</b>	Better decision making through cross functional teams
<b>Leadership</b>	Working with various subject matter experts
<b>Excellence</b>	Better results by working together
<b>Diversity</b>	Learn from each other and make better decisions
<b>Opportunity</b>	Continuous improvement through training
<b>Number One</b>	Better place to work through collaboration, teamwork and keeping everyone informed.

NOTE: It was suggested that the Town should be participating in cooperative bidding with other municipalities.

NOTE: Members of Council requested to be notified of projects where potential donations could be solicited.

NOTE: It was suggested that "environment" should be a guiding principle in procurement.

Moved by P. Foley – Seconded by N. deBoer 2011-394

That Council rise out of Council Workshop. Carried.

**6. PUBLIC QUESTION PERIOD – No one in attendance came forward.**

**7. BY-LAWS**

Moved by P. Foley – Seconded by R. Whitehead 2011-395

That the following by-law be taken as read three times and finally passed in open council:

2011-078 To confirm the proceedings of the June 21, 2011 Council Meeting. Carried.

**8. ADJOURNMENT**

On verbal motion moved by Councillor deBoer and seconded by Councillor Whitehead, Council adjourned at 12:19 p.m.



Marolyn Morrison, Mayor  
Karen Landry, Clerk