



**MEETING:** City Council

**DATE:** Monday, October 15, 2018

*Reference No.* CC - 31/49

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**OPEN SESSION in the S.H. Blake Memorial Auditorium immediately following  
Committee of the Whole**

City Council  
Chair: Mayor K. Hobbs

**OPENING CEREMONIES**

Prayer or One Minute of Silence

**DISCLOSURES OF INTEREST**

**CONFIRMATION OF AGENDA**

Confirmation of Agenda - October 15, 2018 - City Council

With respect to the October 15, 2018 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

**MINUTES OF PREVIOUS MEETINGS**

**City Council Minutes**

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council on September 24, 2018.
2. The Thunder Bay City Council - Special Session held on October 1, 2018. (Distributed Separately)

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council held on September 24, 2018;
2. The Thunder Bay City Council – Special Session meeting held on October 1, 2018.

## **REPORTS OF COMMITTEES**

### **Committee of the Whole Minutes**

The Minutes of the following Committee of the Whole meetings, to be adopted:

1. September 24, 2018 Committee of the Whole.
2. October 1, 2018 Committee of the Whole. (Distributed Separately)

THAT the Minutes of the following Committee of the Whole meetings, be adopted:

1. September 24, 2018 Committee of the Whole;
2. October 1, 2018 Committee of the Whole.

## **BY-LAWS**

### **BL 95/2018 - Authorization to Submit an Application to the Ontario Infrastructure and Lands Corp**

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

### **BL 96/2018 - Authorization to Submit an Application to the Ontario Infrastructure and Lands Corp**

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

### **BL 97/2018 - Authorization to Submit an Application to the Ontario Infrastructure and Lands Corp**

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

**By-law Resolution - October 15, 2018 City Council**

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 95/2018

2. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 96/2018

3. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 97/2018

**NEW BUSINESS**

**NOTICE OF MOTION**

**CONFIRMING BY-LAW**

**BL 99/2018 - Confirming By-law - October 15, 2018**

A By-law to confirm the proceedings of a meeting of Council, this 15th day of October, 2018.

**Confirming By-law Resolution - October 15, 2018 - City Council**

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 15th day of October, 2018.

By-law Number: BL 99/2018

## **ADJOURNMENT**

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**MEETING DATE**     10/15/2018 (mm/dd/yyyy)

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**SUBJECT**             Confirmation of Agenda

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***SUMMARY***

Confirmation of Agenda - October 15, 2018 - City Council

***RECOMMENDATION***

With respect to the October 15, 2018 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

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**MEETING DATE** 10/15/2018 (mm/dd/yyyy)

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**SUBJECT** City Council Minutes

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**SUMMARY**

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council on September 24, 2018.
2. The Thunder Bay City Council - Special Session held on October 1, 2018. (Distributed Separately)

**RECOMMENDATION**

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council held on September 24, 2018;
2. The Thunder Bay City Council – Special Session meeting held on October 1, 2018.

**ATTACHMENTS**

1. September 24 2018 City Council Minutes



**MEETING:** City Council

**DATE:** Monday, September 24, 2018

*Reference No.* CC - 29/49

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**OPEN SESSION in the S.H. Blake Memorial Auditorium at 8:00 p.m.**

City Council

Chair: Mayor K. Hobbs

**PRESENT:**

Mayor K. Hobbs  
Councillor I. Angus  
Councillor S. Ch'ng  
Councillor A. Foulds  
Councillor T. Giertuga  
Councillor L. Hebert  
Councillor R. Johnson  
Councillor B. McKinnon  
Councillor P. Pugh  
Councillor F. Pullia  
Councillor A. Ruberto  
Councillor L. Rydholm  
Councillor J. Virdiramo

**OFFICIALS:**

Mr. J. Hannam, City Clerk  
Mr. N. Gale, City Manager  
Mr. S. Tim, Deputy City Solicitor  
Ms. K. Robertson, General Manager – Community  
Services  
Mr. C. Campbell, Manager – Central Support  
Mr. J. DePeuter, Manager – Realty Services  
Ms. D. Paris, Director – Financial Services  
Mrs. L. Smith, Committee Coordinator

**OPENING CEREMONIES**

One Minute of Silence

**DISCLOSURES OF INTEREST**

Aside from those disclosures already recorded in the previous minutes as presented here, no additional disclosures of interest were announced.

## **CONFIRMATION OF AGENDA**

Confirmation of Agenda - September 24, 2018 - City Council

MOVED BY: Councillor Brian McKinnon  
SECONDED BY: Councillor Rebecca Johnson

With respect to the September 24, 2018 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

## **MINUTES OF PREVIOUS MEETINGS**

### **City Council Minutes**

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council held on September 10, 2018.
2. The Thunder Bay City Council (Public Meeting) held on September 17, 2018, were distributed separately on Monday, September 24, 2018.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Brian McKinnon

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council meeting held on September 10, 2018;
2. The Thunder Bay City Council (Public Meeting) held on September 17, 2018.

CARRIED

## **REPORTS OF COMMITTEES**

### **Committee of the Whole Minutes**

The Minutes of the following Committee of the Whole meetings, to be adopted:

1. September 10, 2018 Committee of the Whole.
2. September 17, 2018 Committee of the Whole, were distributed separately on Monday, September 24, 2018.



MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Councillor Larry Hebert

THAT the Minutes of the following Committee of the Whole meetings, be adopted:

1. September 10, 2018 Committee of the Whole;
2. September 17, 2018 Committee of the Whole.

CARRIED

### **Ratifying Resolutions**

#### **Nepotism Report**

Report No. 2018CLS.034 (Engineering & Operations) relative to the above noted was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution previously adopted by Committee of the Whole held earlier in the evening relative to the above noted required ratification by Council. Under Council's policy a two-thirds vote of Council was necessary.

MOVED BY: Councillor Linda Rydholm  
SECONDED BY: Councillor Iain Angus

THAT with respect to Report No. 2018CLS.034 (Engineering & Operations), we recommend that Nepotism Policy Request #NP-01-18 for the Infrastructure & Operations Department be approved.

CARRIED

#### **Surplus Real Property Declaration - 5 Locations**

Report No. 2018CLS.031 (Realty Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution previously adopted by Committee of the Whole held earlier in the evening relative to the above noted required ratification by Council. Under Council's policy a two-thirds vote of Council was necessary.

MOVED BY: Councillor Aldo Ruberto  
SECONDED BY: Councillor Paul Pugh

WITH respect to Report No. 2018CLS.031 (Realty Services), we recommend that the properties and easement interests described in this Report be declared surplus to the City's requirements pursuant to the City's policies, and be disposed of in accordance with the method set out in this Report;

THAT public notice of the proposed disposals be given in the manner set out in this Report;

AND THAT the City's interest in the 12<sup>th</sup> Avenue road allowance between Gorham Street and Memorial Avenue, described as Part of 12<sup>th</sup> Avenue, Plan M-42, McIntyre, between Memorial Avenue and East Limit of Part 1 on Reference Plan 55R-12292 (C208), once closed, be sold to the abutting property owner of 920, 932 & 940 Memorial Avenue for lot consolidation purposes at the appraised market value of \$155,000.00;

AND THAT the City's interest in the parking lot municipally known as 213 Miles Street East, described as Lots 29 to 32, Block E, Registered Plan W-62 (C209), be sold to Thunder Bay District Social Services Administration Board, the adjacent property owner of 248 May Street (Paterson Court) for the purchase price of \$49,350.00, which includes the applicable 25% non-profit discount pursuant to Corporate Policy No. 09-04-65;

AND THAT the City grant an easement interest over a portion of Block C, Part of Lot 1 and 2, Plan 429, East of Lands described in MCI3829, municipally known as 980 Carrick Street (C211), for utility purposes at the request of Shaw Cablesystems Limited at the appraised market value (\$625.00);

AND THAT the City's interest in the lane allowance, once closed, located between Queen Street and the closed portion of Hester Street described as Part of Lane, Registered Plan 147 McIntyre (C210), and adjacent to 326/330 Memorial Avenue, be closed and sold to the abutting property owner of 326/330 Memorial Avenue (OPSEU) for lot consolidation and enlargement purposes at appraised market value;

AND THAT the City's easement interest over a portion of Block 65, Part Lot PA, Registered, municipally known as 545 Cumberland Street North (E87), be released and transferred to the property owner;

AND THAT the General Manager of Development and Emergency Services be authorized to execute all required documentation in form and content satisfactory to the City Solicitor;

AND THAT any necessary by-laws be presented to Council for ratification.

CARRIED

## **Committee Appointment**

Confidential memorandum from Mr. J. Hannam, City Clerk, dated September 18, 2018, relative to the above noted, was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution previously adopted by Committee of the Whole held earlier in the evening relative to the above noted required ratification by Council. Under Council's policy a two-thirds vote of Council was necessary.

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Paul Pugh

THAT with respect to the appointment of a Compliance Audit Committee, in accordance with Section 88.37 of the Municipal Elections Act, 1996, we recommend that the following individuals be appointed for the 2018-2022 term of City Council:

Mrs. Elaine Bahlleda

Mr. Fred Stille

Mr. Yves Fricot

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

## **NOTICE OF MOTION**

### **Notice of Motion to Amend - By-law 17/2018**

At the December 11, 2017 Committee of the Whole meeting, a resolution was passed relative to Report No. 153/2017 (Licensing and Enforcement), and adopted by City Council on December 18, 2017. At the May 14, 2018 City Council meeting By-law Number 17/2018 was enacted and passed.

Memorandum from Councillor L. Hebert, dated September 14, 2018, requesting that a Notice of Motion to Amend regarding By-law 17/2018 - A By-law to Regulate Vehicle for Hire and Designated Driver Services, be introduced at the September 24, 2018 City Council meeting, for debate at the October 29, 2018 City Council meeting.

THAT the Resolution relative to the By-law 17/2018, a by-law to regulate Vehicle for Hire and Designated Driver Services be amended by changing Schedule A – Fees by amending item 6. to change the fee from \$100 to \$50 and to extend the renewal period from 1 year to 2 years ;

	License Type	Amount
6.	Vehicle License Renewal All Classes (2 year)	\$50.00

## **CONFIRMING BY-LAW**

### **BL 86/2018 - Confirming By-law September 24, 2018**

A By-law to confirm the proceedings of a meeting of Council, this 24th day of September, 2018.

### **Confirming By-law Resolution - September 24, 2018 - City Council**

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Iain Angus

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 24th day of September, 2018.

By-law Number: BL 86/2018

CARRIED

## **ADJOURNMENT**

The meeting adjourned at 8:04 p.m.

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Mayor

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City Clerk

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**MEETING DATE**     10/15/2018 (mm/dd/yyyy)

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**SUBJECT**             Committee of the Whole Minutes

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***SUMMARY***

The Minutes of the following Committee of the Whole meetings, to be adopted:

1. September 24, 2018 Committee of the Whole.
2. October 1, 2018 Committee of the Whole. (Distributed Separately)

***RECOMMENDATION***

THAT the Minutes of the following Committee of the Whole meetings, be adopted:

1. September 24, 2018 Committee of the Whole;
2. October 1, 2018 Committee of the Whole.

***ATTACHMENTS***

1. September 24, 2018 Committee of the Whole Minutes



**MEETING:** Committee of the Whole

**DATE:** Monday, September 24, 2018

*Reference No. COW - 41/49*

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**CLOSED SESSION in the McNaughton Room at 5:31 p.m.**

Committee of the Whole - Closed Session  
Chair: Councillor F. Pullia

**PRESENT:**

**OFFICIALS:**

Mayor K. Hobbs  
Councillor I. Angus  
Councillor S. Ch'ng  
Councillor A. Foulds  
Councillor T. Giertuga  
Councillor L. Hebert  
Councillor R. Johnson  
Councillor B. McKinnon  
Councillor P. Pugh  
Councillor F. Pullia  
Councillor A. Ruberto  
Councillor L. Rydholm  
Councillor J. Virdiramo

Mr. J. Hannam, City Clerk  
Mr. N. Gale, City Manager  
Mr. S. Tim, Deputy City Solicitor

**DISCLOSURES OF INTEREST**

**REPORTS OF MUNICIPAL OFFICERS**

**Nepotism Report**

Mr. B. Adams, Manager – Roads Section entered the meeting room.

Report No. 2018CLS.034 (Engineering & Operations) relative to the above noted.

Mr. B. Adams, Manager – Roads Section provided an overview and responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the recommendation relative to Report No. 2018CLS.034 (Engineering & Operations) would be presented at the September 24, 2018 Committee of the Whole meeting.

Mr. B. Adams left the meeting room.

### **Surplus Real Property Declaration - 5 Locations**

Mr. J. DePeuter, Manager – Realty Services entered the meeting room.

Report No. 2018CLS.031 (Realty Services) relative to the above noted.

Mr. J. DePeuter, Manager – Realty Services provided an overview and responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the recommendation relative to Report No. 2018CLS.031 (Realty Services) would be presented at the September 24, 2018 Committee of the Whole meeting.

### **Potential Land Sale**

Report No. 2018CLS.033 (Realty Services) relative to the above noted.

Mr. J. DePeuter, Manager – Realty Services provided an overview and responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the recommendation relative to Report No. 2018CLS.033 (Realty Services) would be presented at the October 1, 2018 Committee of the Whole meeting.

Mr. J. DePeuter left the meeting room.

### **NEW BUSINESS**

#### **Committee Appointments**

Confidential memorandum from Mr. J. Hannam, City Clerk, dated September 18, 2018 relative to the above noted.

Mr. J. Hannam, City Clerk provided an overview and responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the recommendation relative to the confidential memorandum from Mr. J. Hannam, City Clerk, dated September 18, 2018, would be presented at the September 24, 2018 Committee of the Whole meeting.

### **Personnel Matter**

Mr. N. Gale, City Manager provided a verbal update relative to the above noted, and responded to questions.

### **OPEN SESSION in S.H. Blake Memorial Auditorium at 6:32 p.m.**

Committee of the Whole - Administrative Services Session  
Chair: Councillor F. Pullia

#### **PRESENT:**

Mayor K. Hobbs  
Councillor I. Angus  
Councillor S. Ch'ng  
Councillor A. Foulds  
Councillor T. Giertuga  
Councillor L. Hebert  
Councillor R. Johnson  
Councillor B. McKinnon  
Councillor P. Pugh  
Councillor F. Pullia  
Councillor A. Ruberto  
Councillor L. Rydholm  
Councillor J. Virdiramo

#### **OFFICIALS:**

Mr. J. Hannam, City Clerk  
Mr. N. Gale, City Manager  
Mr. S. Tim, Deputy City Solicitor  
Ms. K. Robertson, General Manager – Community Services  
Mr. C. Campbell, Manager – Central Support  
Mr. J. DePeuter, Manager – Realty Services  
Ms. D. Paris, Director – Financial Services  
Ms. K. Bernardi, Manager – Corporate Safety  
Mr. D. Paxton, Deputy Fire Chief  
Mrs. L. Smith, Committee Coordinator

### **DISCLOSURES OF INTEREST**

Mayor K. Hobbs disclosed an interest relative to Report No. R 114/2018 (Corporate Services & Long Term Care – Financial Services) – Community Partnership Funding, with respect to Magnus Theatre, as a family member is employed with Magnus Theatre.



## **CONFIRMATION OF AGENDA**

Confirmation of Agenda - September 24, 2018 - Committee of the Whole

MOVED BY: Councillor Andrew Foulds  
SECONDED BY: Councillor Larry Hebert

With respect to the September 24, 2018 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

## **REPORTS OF COMMITTEES**

### **Crime Prevention Council**

Minutes of Meeting No. 3-2018 of the Crime Prevention Council held on May 22, 2018, for information.

### **Inter-Governmental Affairs Committee**

Minutes of Meetings No. 06-2018 and No. 07-2018 of the Inter-Governmental Affairs Committee held on June 18, 2018 and August 13, 2018, respectively, for information.

## **REPORTS OF MUNICIPAL OFFICERS**

### **Nepotism Report**

Report No. 2018CLS.034 (Engineering & Operations) relative to the above noted was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution relative to the above noted would be presented for ratification at the City Council meeting to be held later in the evening and would require a two-thirds vote.

MOVED BY: Councillor Joe Virdiramo  
SECONDED BY: Councillor Iain Angus

THAT with respect to Report No. 2018CLS.034 (Engineering & Operations), we recommend that Nepotism Policy Request #NP-01-18 for the Infrastructure & Operations Department be approved.

CARRIED

### **Surplus Real Property Declaration - 5 Locations**

Report No. 2018CLS.031 (Realty Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution relative to the above noted would be presented for ratification at the City Council meeting to be held later in the evening and would require a two-thirds vote.

MOVED BY: Councillor Iain Angus  
SECONDED BY: Councillor Joe Virdiramo

WITH respect to Report No. 2018CLS.031 (Realty Services), we recommend that the properties and easement interests described in this Report be declared surplus to the City's requirements pursuant to the City's policies, and be disposed of in accordance with the method set out in this Report;

THAT public notice of the proposed disposals be given in the manner set out in this Report;

AND THAT the City's interest in the 12<sup>th</sup> Avenue road allowance between Gorham Street and Memorial Avenue, described as Part of 12<sup>th</sup> Avenue, Plan M-42, McIntyre, between Memorial Avenue and East Limit of Part 1 on Reference Plan 55R-12292 (C208), once closed, be sold to the abutting property owner of 920, 932 & 940 Memorial Avenue for lot consolidation purposes at the appraised market value of \$155,000.00;

AND THAT the City's interest in the parking lot municipally known as 213 Miles Street East, described as Lots 29 to 32, Block E, Registered Plan W-62 (C209), be sold to Thunder Bay District Social Services Administration Board, the adjacent property owner of 248 May Street (Paterson Court) for the purchase price of \$49,350.00, which includes the applicable 25% non-profit discount pursuant to Corporate Policy No. 09-04-65;

AND THAT the City grant an easement interest over a portion of Block C, Part of Lot 1 and 2, Plan 429, East of Lands described in MCI3829, municipally known as 980 Carrick Street (C211), for utility purposes at the request of Shaw Cablesystems Limited at the appraised market value (\$625.00);

AND THAT the City's interest in the lane allowance, once closed, located between Queen Street and the closed portion of Hester Street described as Part of Lane, Registered Plan 147 McIntyre (C210), and adjacent to 326/330 Memorial Avenue, be closed and sold to the abutting property owner of 326/330 Memorial Avenue (OPSEU) for lot consolidation and enlargement purposes at appraised market value;

AND THAT the City's easement interest over a portion of Block 65, Part Lot PA, Registered, municipally known as 545 Cumberland Street North (E87), be released and transferred to the property owner;

Committee of the Whole - Meeting Date 09/24/2018

AND THAT the General Manager of Development and Emergency Services be authorized to execute all required documentation in form and content satisfactory to the City Solicitor;

AND THAT any necessary by-laws be presented to Council for ratification.

CARRIED

### **Committee Appointment**

Confidential memorandum from Mr. J. Hannam, City Clerk, dated September 18, 2018, relative to the above noted, was previously presented in Closed Session held earlier in the evening.

The City Clerk advised that the resolution relative to the above noted would be presented for ratification at the City Council meeting to be held later in the evening and would require a two-thirds vote.

MOVED BY: Councillor Andrew Foulds  
SECONDED BY: Councillor Trevor Giertuga

THAT with respect to the appointment of a Compliance Audit Committee, in accordance with Section 88.37 of the Municipal Elections Act, 1996, we recommend that the following individuals be appointed for the 2018-2022 term of City Council:

Mrs. Elaine Bahlleda

Mr. Fred Stille

Mr. Yves Fricot

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **Community Partnership Funding**

Report No. 114/2018 (Corporate Services & Long Term Care - Financial Services) seeks approval from City Council to provide funding of \$108,087 to Magnus Theatre towards Phase 3 of the Restoration Project which includes repairs and upgrades to the historically designated facility, The Dr. S. Penny Petrone Centre for the Performing Arts, located at 10 South Algoma Street. Approval is also sought for a provision of land by way of gift of a portion of 105 Junot Avenue South at a value of \$220,000 to Ontario Aboriginal Housing Services for a youth transitional home being built for Indigenous youth who are homeless.

MOVED BY: Councillor Larry Hebert  
SECONDED BY: Councillor Rebecca Johnson

With respect to Report No. 114/2018 (Corporate Services & Long Term Care – Financial Services) we recommend that City Council approve funding in the amount of \$108,087 for Magnus Theatre pursuant to an application submitted under the Community Partnership Policy;

AND THAT a provision of land by way of gift of a portion of the City owned land at 105 Junot Avenue South at a value of \$220,000 to Ontario Aboriginal Housing Services also be approved pursuant to an application submitted under the Community Partnership Policy;

AND THAT the provision of land to Ontario Aboriginal Housing Services be subject to securing the professional architect or engineering reports to support the Project as identified in the application;

AND THAT the funding to Ontario Aboriginal Housing Services be contingent on securing the balance of the required funding for the Project from the sources identified in the application;

AND THAT Realty Services report back to City Council to authorize the execution of the required agreement of purchase and sale with Ontario Aboriginal Housing Services;

AND THAT The City of Thunder Bay enter into formal partnership agreements with both Magnus Theatre and Ontario Aboriginal Housing Services in accordance with the requirements of the Community Partnership Policy;

AND THAT the Mayor and Clerk be authorized to execute the contracts in the form and content satisfactory to the City Solicitor and City Treasurer;

AND THAT any necessary by-laws be presented to City Council for ratification.

### **Report No. R 114/2018 - Magnus Theatre**

It was requested that the resolution be voted on in separate parts, relative to Magnus Theatre and Ontario Aboriginal Housing Services.

Mayor K. Hobbs disclosed an interest and refrained from discussing or voting on the following resolution.

MOVED BY: Councillor Larry Hebert  
SECONDED BY: Councillor Rebecca Johnson

With respect to Report No. 114/2018 (Corporate Services & Long Term Care – Financial Services) we recommend that City Council approve funding in the amount of \$108,087 for Magnus Theatre pursuant to an application submitted under the Community Partnership Policy;

AND THAT The City of Thunder Bay enter into formal partnership agreements with Magnus Theatre in accordance with the requirements of the Community Partnership Policy;

AND THAT the Mayor and Clerk be authorized to execute the contracts in the form and content satisfactory to the City Solicitor and City Treasurer;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

**Report No. R 114/2018 - Ontario Aboriginal Housing Services**

MOVED BY: Councillor Larry Hebert

SECONDED BY: Councillor Rebecca Johnson

With respect to Report No. 114/2018 (Corporate Services & Long Term Care – Financial Services) we recommend a provision of land by way of gift of a portion of the City owned land at 105 Junot Avenue South at a value of \$220,000 to Ontario Aboriginal Housing Services be approved pursuant to an application submitted under the Community Partnership Policy;

AND THAT the provision of land to Ontario Aboriginal Housing Services be subject to securing the professional architect or engineering reports to support the Project as identified in the application;

AND THAT the funding to Ontario Aboriginal Housing Services be contingent on securing the balance of the required funding for the Project from the sources identified in the application;

AND THAT Realty Services report back to City Council to authorize the execution of the required agreement of purchase and sale with Ontario Aboriginal Housing Services;

AND THAT The City of Thunder Bay enter into formal partnership agreements with Ontario Aboriginal Housing Services in accordance with the requirements of the Community Partnership Policy;

AND THAT the Mayor and Clerk be authorized to execute the contracts in the form and content satisfactory to the City Solicitor and City Treasurer;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

**Request for Appropriation to DEV-FIR-180004-01-01: Rescue Vehicles**

Report No. R 131/2018 (Development & Emergency Services - Thunder Bay Fire Rescue) recommending to reallocate \$25,000.00 from the Fire Equipment Reserve Fund in order to make sufficient funds available for purchase of rescue vessels.

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Larry Hebert

With respect to Report No. R131/2018 (Development and Emergency Services – Thunder Bay Fire Rescue), we recommend that City Council approve the reallocation of funds as outlined in this report, in order to make sufficient funds available for the purchase of rescue vessels;

AND THAT Appropriation Change Order No. 23 be approved;

AND THAT the necessary by-laws be presented to Council for ratification.

CARRIED

**Habitat for Humanity Thunder Bay**

At the June 25, 2018 Committee of the Whole meeting, Habitat for Humanity provided a deputation, and a resolution was passed requesting that Administration report back, no later than September 30, 2018, on the potential opportunities for the City of Thunder Bay to work with Habitat for Humanity to acquire lands for the future builds.

Memorandum from Mr. J. DePeuter, Manager - Realty Services, dated September 10, 2018, providing information in response to the resolution relative to Habitat for Humanity Thunder Bay.

**2017 Corporate Safety Report**

Report No. R 125/2018 (City Manager's Office - Human Resources & Corporate Safety) provides an overview of the activities and initiatives undertaken in 2017 by the Human Resources & Corporate Safety Division and provides information to support a recommendation to amend Policy #06-01-15 (Occupational Health & Safety Policy) to reflect the City of Thunder Bay's commitment to both the physical and psychological safety of employees through the implementation of the National Standard of Canada for Psychological Health and Safety in the Workplace.

Colour copy of Report No. R 125/2018 (City Manager's Office – Human Resources & Corporate Safety) – 2017 Corporate Safety Report, as contained in the Agenda, was distributed to members of Council only on Monday, September 24, 2018.

MOVED BY: Councillor Trevor Giertuga  
SECONDED BY: Councillor Paul Pugh

With respect to Report No. R 125/2018 (City Manager's Office - Human Resources & Corporate Safety) we recommend that City Council approve the updated Occupational Health and Safety Policy attached as Appendix "A" and outlined in this Report, and that it replace the previous version found within the Corporate Policy Manual, being No. 06-01-15;

AND THAT City Council reaffirm its commitment to implementing, maintaining and continually improving an occupational health and safety program guided by the elements of Occupational Health and Safety Assessment Series (OHSAS) 18001;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **Review of Committees of Council**

Report No. 133/2018 (City Manager's Office - Office of the City Clerk) presents a review of the existing committees, boards and councils established by City Council, and makes recommendations with respect to their continuation in the 2018-2022 term of Council.

MOVED BY: Councillor Aldo Ruberto  
SECONDED BY: Councillor Paul Pugh

With respect to Report No. 133/2018 (City Manager's Office - Office of the City Clerk) we recommend that City Council approve the continuation, merger, and establishment of Advisory and Special Purpose Committees as outlined in the Report;

AND THAT Administration be directed to proceed with the recruitment of persons to fill the various committee seats on the committees, boards and council of the City of Thunder Bay;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **PETITIONS AND COMMUNICATIONS**

#### **Healthy Canteen Project**

Memorandum from Councillor F. Pullia, dated September 14, 2018, containing a motion relative to the Healthy Canteen Project.

At the request of the Chair, Councillor L. Rydholm assumed the Chair during the discussion of this item.



MOVED BY: Councillor Frank Pullia  
SECONDED BY: Councillor Larry Hebert

With respect to the report on the Delaney fuel stop Canteen Project (the Project), presented by the Healthy Kids Community Challenge to Committee of the Whole on June 18, 2018, we recommend that City Council endorse the goals of the Project;

AND THAT Administration be directed to expand the Project to introduce more healthy food menu items to all City run canteens and concessions, utilizing the 4 year phased approach outlined in the Project's Executive Summary;

AND THAT Administration report annually on the outcomes of this initiative.

CARRIED

#### **Establishment of Closed Session - December 4, 2018**

Confidential memorandum from Ms. K. Power, Deputy City Clerk, dated September 7, 2018 relative to establishing a Committee of the Whole - Closed Session on Tuesday, December 4, 2018, was distributed separately on Monday, September 17, 2018 to members of Council, EMT and Deputy City Solicitor only.

MOVED BY: Councillor Linda Rydholm  
SECONDED BY: Councillor Brian McKinnon

THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, December 4, 2018 at 4:30 p.m. in order to receive information relative to personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

#### **NEW BUSINESS**

##### **Establishment of Closed Session - October 1, 2018**

Confidential memorandum from Ms. K. Power, Deputy City Clerk, dated September 24, 2018, relative to the establishment of a Committee of the Whole - Closed Session meeting on October 1, 2018, was distributed separately on Monday, September 24, 2018 to members of Council, EMT and Deputy City Solicitor only.



MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Mayor Keith Hobbs

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, October 1, 2018 at 5:30 p.m. in order to receive information relative to labour relations or employee negotiations; and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

CARRIED

## **ADJOURNMENT**

The meeting adjourned at 7:59 p.m.

## *Memorandum*

Corporate By-law Number BL 95/2018

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Jana Roy  
Corporate Services & Long Term Care - Financial Services

**DATE:** 09/06/2018

**SUBJECT:** BL 95/2018 - Authorization to Submit an Application to the Ontario  
Infrastructure and Lands Corp

**MEETING DATE:** City Council - (10/15/2018)

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**By-law Description:** A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

**Authorization:** Report No. R 1/2018 (Financial Services) - Committee of the Whole - January 31, 2018

**By-law Explanation:** The purpose of this by-law is to authorize submission of an application to finance 2018 Municipal Roads, Bridge, Public Transit, Recreation and Municipal Other infrastructure capital works and to authorize temporary and long-term borrowing through the issue of debentures to OILC.

**Schedules and Attachments:**

Attachment A – Capital Works to be Financed

Attachment B – Application to OILC – available in originating department

**Amended/Repealed By-law Number(s):**



## THE CORPORATION OF THE CITY OF THUNDER BAY BY-LAW NUMBER BL 95/2018

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

### Recitals

1. The Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.
2. The Council of the Municipality has passed the by-laws enumerated in column (1) of Schedule "A" attached to and forming part of this By-law ("Schedule "A") authorizing the capital works described in column (2) of Schedule "A" (individually a "Project", collectively the "Projects") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A".
3. Before the Council of the Municipality approved each Project in accordance with Section 4 of Ontario Regulation 403/02, the Council of the Municipality had its Treasurer update its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Limit"), and, on the basis of the authorized expenditure for each Project as set out in column (3) of Schedule "A" ("Authorized Expenditure"), the Treasurer calculated the estimated annual amount payable in respect of each Project and determined that the estimated annual amount payable in respect of each Project does not exceed the Updated Limit, and accordingly the approval of the Ontario Municipal Board under the Ontario Municipal Board Act (Ontario), as amended, was not required before any such Project was authorized by Council.
4. Subsection 405(1) of the Act provides that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if,
  - (a) The municipality is an upper-tier municipality, a lower-tier municipality in a county or a single-tier municipality and it has approved the issue of debentures for the work;
  - (b) The municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work; or

(c) The municipality has approved the issue of debentures for another municipality or school board under section 404;

5. Subsection 405(4) of the Act provides that a municipality may delegate the power set out in subsection 405(1) to the head of council, to the treasurer, or to both of them.

6. Subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt.

7. The Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act.

8. OILC has invited Ontario municipalities wishing to obtain temporary and long term debt financing in order to meet capital expenditures incurred after December 31, 2003 in connection with eligible capital projects to make application to OILC for such financing by completing and submitting an application on the form provided by OILC (the "Application").

9. The Municipality has submitted an Application to OILC to request financing for the projects by way of long-term borrowing through the issue of debentures to OILC and by way of temporary borrowing from OILC pending the issue of such debentures.

10. OILC has accepted and has approved the municipality's Application.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. The Council of the Municipality hereby confirms, ratifies and approves the completion by the Treasurer of an Application and the submission by such authorized official of an Application, duly executed by such authorized official, to OILC for the financing of the Projects in the maximum aggregate principal amount of \$7,284,400 (SEVEN MILLION, TWO HUNDRED AND EIGHTY-FOUR THOUSAND, FOUR HUNDRED DOLLARS) substantially in the form of Schedule "B" hereto and forming part of this By-law, with such changes thereon as such authorized official approved.

2. (a) Construction of each Project in the amount of the respective estimated Authorized Expenditure set out in column (3) of Schedule "A" is hereby approved and authorized;

(b) Any one or more of the Mayor and the Treasurer are hereby authorized to conclude contracts on behalf of the Municipality for the construction of the Projects in accordance with the Municipality's usual protocol;

(c) Where applicable, the Engineer of the Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer is necessary for the construction of the Projects;

(d) Where applicable, the construction of the Projects shall be carried on and executed under the superintendence and according to the direction and orders of such Engineer.

3. The Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Municipality a financing agreement (a "Financing Agreement") with OILC that provides for temporary and long term borrowing from OILC in respect of Post 2003 Expenditures, on the terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

4. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of a Project or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of each Project, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OILC may require (a "Note"); and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of each Project; provided that the amount of borrowings allocated to any Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

5. Subject to the terms and conditions of the Financing Agreement and such other terms and conditions as OILC may otherwise require, the Mayor and the Treasurer are hereby authorized to enter into long term borrowing in respect of the Projects and to issue debentures to OILC on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree ("Debentures"); provided that the principal amount of such Debentures issued in respect of a Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

6. In accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011 (Ontario), as security for the payment by the Municipality of any indebtedness of the Municipality to OILC incurred under the Note or any Debentures, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, or from money appropriated by the Assembly for payment to the Municipality in respect of specified matters, amounts not exceeding the amounts that the Municipality fails to pay to OILC on account of the outstanding indebtedness evidenced by the Note or any Debentures issued by the Municipality to OILC, and to pay such amounts to OILC.

7. For the purposes of meeting the obligations of the Municipality in respect of the Note and any Debentures, the Municipality shall provide for raising in each year as part of the general levy, the amounts of principal and interest payable in each year under the Note and any outstanding Debenture, to the extent that such amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

8. (a) The Mayor and/or the Treasurer are hereby authorized to execute and deliver the Note, the Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement and to cause Debentures to be issued, the Clerk and Treasurer are severally hereby authorized to generally do all things and to execute all other documents and papers in the name of the Municipality in order to perform the obligations of the Municipality under the Financing Agreement and to carry out the issuance of the Note and Debentures, and the Treasurer is authorized to affix the Municipality's municipal seal to any such documents and papers.

(b) The proceeds realized in respect of the Note and Debentures, after providing for the expenses related to their issue, if any, shall be apportioned and applied for the respective Projects and for no other purpose except as permitted by the Act.

9. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 15th day of October, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith P. Hobbs

\_\_\_\_\_  
Mayor

Krista Power

\_\_\_\_\_  
Deputy City Clerk

<b><u>By-law Number</u></b>	<b><u>Description of Capital Work</u></b>	<b><u>Estimated Expenditures</u></b>	<b><u>Loan Amount</u></b>
(1)	(2)	(3)	(4)
1/2018	Municipal Roads Infrastructure (Pavement Rehabilitation) Source: Capital Out of Revenue	\$1,400,191	\$262,191
1/2018	Municipal Roads Infrastructure (Pavement Rehabilitation) Source: Capital Out of Revenue EIRP	\$3,967,709	\$1,240,209
1/2018	Municipal Roads Infrastructure (Storm Sewers) Source: Capital Out of Revenue	\$153,878	\$23,733
1/2018	Municipal Roads Infrastructure (Storm Sewers) Source: Capital Out of Revenue EIRP	\$1,339,796	\$306,267
1/2018	Municipal Roads Infrastructure (Sidewalks) Source: Capital Out of Revenue	\$434,500	\$251,400
1/2018	Municipal Roads Infrastructure (Sidewalks) Source: Capital Out of Revenue EIRP	\$851,000	\$ 851,000
1/2018	Municipal Roads Infrastructure (Traffic & Street Lighting) Source: Capital Out of Revenue	\$90,000	\$50,000
1/2018	Municipal Roads Infrastructure (Traffic & Street Lighting) Source: Capital Out of Revenue EIRP	\$1,010,000	\$760,000
1/2018	Public Transit Infrastructure (Bus Replacement) Source: Capital Out of Revenue	\$1,530,000	\$600,000
1/2018	Recreation Infrastructure (Public Parks & Recreation Trails) Source: Capital Out of Revenue	\$100,000	\$61,000
1/2018	Recreation Infrastructure (Public Parks & Recreation Trails) Source: Capital Out of Revenue EIRP	\$50,000	\$50,000

1/2018	Municipal Other Infrastructure (Rescue Vessels) Source: Capital Out of Revenue	\$220,000	\$220,000
1/2018	Municipal Other Infrastructure (Fleet Replacement) Source: Capital Out of Revenue	\$1,507,000	\$1,507,000
1/2018	Municipal Other Infrastructure (Fuel Tank Replacement) Source: Capital Out of Revenue	\$820,000	\$240,700
1/2018	Municipal Other Infrastructure (Facilities) Source: Capital Out of Revenue	\$275,000	\$244,900
1/2018	Municipal Other Infrastructure (Facilities) Source: Capital Out of Revenue EIRP	\$145,200	\$80,200
1/2018	Municipal Bridge Infrastructure (Bridge Rehabilitation) Source: Capital Out of Revenue EIRP	\$5,334,322	\$535,800
<b>TOTAL</b>		\$19,228,596	\$7,284,400



## *Memorandum*

Corporate By-law Number BL 96/2018

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Jana Roy  
Corporate Services & Long Term Care - Financial Services

**DATE:** 09/06/2018

**SUBJECT:** BL 96/2018 - Authorization to Submit an Application to the Ontario  
Infrastructure and Lands Corp

**MEETING DATE:** City Council - (10/15/2018)

---

**By-law Description:** A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

**Authorization:** Report No. 2013.160 (Environment) - Committee of the Whole - November 4, 2013

**By-law Explanation:** The purpose of this by-law is to authorize submission of an application to finance 2018 Clean Water Infrastructure capital works and to authorize temporary and long-term borrowing through the issue of debentures to OILC.

**Schedules and Attachments:**

Attachment A – Capital Works to be Financed

Attachment B – Application to OILC – available in originating department

**Amended/Repealed By-law Number(s):**



## THE CORPORATION OF THE CITY OF THUNDER BAY BY-LAW NUMBER BL 96/2018

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

### Recitals

1. The Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.
2. The Council of the Municipality has passed the by-laws enumerated in column (1) of Schedule "A" attached to and forming part of this By-law ("Schedule "A") authorizing the capital works described in column (2) of Schedule "A" (individually a "Project", collectively the "Projects") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A".
3. Before the Council of the Municipality approved each Project in accordance with Section 4 of Ontario Regulation 403/02, the Council of the Municipality had its Treasurer update its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Limit"), and, on the basis of the authorized expenditure for each Project as set out in column (3) of Schedule "A" ("Authorized Expenditure"), the Treasurer calculated the estimated annual amount payable in respect of each Project and determined that the estimated annual amount payable in respect of each Project does not exceed the Updated Limit, and accordingly the approval of the Ontario Municipal Board under the Ontario Municipal Board Act (Ontario), as amended, was not required before any such Project was authorized by Council.
4. Subsection 405(1) of the Act provides that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if,
  - (a) The municipality is an upper-tier municipality, a lower-tier municipality in a county or a single-tier municipality and it has approved the issue of debentures for the work;
  - (b) The municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work; or

- (c) The municipality has approved the issue of debentures for another municipality or school board under section 404;
5. Subsection 405(4) of the Act provides that a municipality may delegate the power set out in subsection 405(1) to the head of council, to the treasurer, or to both of them.
6. Subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt.
7. The Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act.
8. OILC has invited Ontario municipalities wishing to obtain temporary and long term debt financing in order to meet capital expenditures incurred after December 31, 2003 in connection with eligible capital projects to make application to OILC for such financing by completing and submitting an application on the form provided by OILC (the "Application").
9. The Municipality has submitted an Application to OILC to request financing for the projects by way of long-term borrowing through the issue of debentures to OILC and by way of temporary borrowing from OILC pending the issue of such debentures.
10. OILC has accepted and has approved the municipality's Application.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. The Council of the Municipality hereby confirms, ratifies and approves the completion by the Treasurer of an Application and the submission by such authorized official of an Application, duly executed by such authorized official, to OILC for the financing of the Projects in the maximum aggregate principal amount of \$4,700,000 (FOUR MILLION, AND SEVEN HUNDRED THOUSAND DOLLARS) substantially in the form of Schedule "B" hereto and forming part of this By-law, with such changes thereon as such authorized official approved.
2. (a) Construction of each Project in the amount of the respective estimated Authorized Expenditure set out in column (3) of Schedule "A" is hereby approved and authorized;
- (b) Any one or more of the Mayor and the Treasurer are hereby authorized to conclude contracts on behalf of the Municipality for the construction of the Projects in accordance with the Municipality's usual protocol;
- (c) Where applicable, the Engineer of the Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer is necessary for the construction of the Projects;

(d) Where applicable, the construction of the Projects shall be carried on and executed under the superintendence and according to the direction and orders of such Engineer.

3. The Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Municipality a financing agreement (a "Financing Agreement") with OILC that provides for temporary and long term borrowing from OILC in respect of Post 2003 Expenditures, on the terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

4. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of a Project or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of each Project, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OILC may require (a "Note"); and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of each Project; provided that the amount of borrowings allocated to any Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

5. Subject to the terms and conditions of the Financing Agreement and such other terms and conditions as OILC may otherwise require, the Mayor and the Treasurer are hereby authorized to enter into long term borrowing in respect of the Projects and to issue debentures to OILC on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree ("Debentures"); provided that the principal amount of such Debentures issued in respect of a Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

6. In accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011 (Ontario), as security for the payment by the Municipality of any indebtedness of the Municipality to OILC incurred under the Note or any Debentures, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, or from money appropriated by the Assembly for payment to the Municipality in respect of specified matters, amounts not exceeding the amounts that the Municipality fails to pay to OILC on account of the outstanding indebtedness evidenced by the Note or any Debentures issued by the Municipality to OILC, and to pay such amounts to OILC.

7. For the purposes of meeting the obligations of the Municipality in respect of the Note and any Debentures, the Municipality shall provide for raising in each year as part of the general levy, the amounts of principal and interest payable in each year under the Note and any outstanding Debenture, to the extent that such amounts have not been provided for by any other

available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

8. (a) The Mayor and/or the Treasurer are hereby authorized to execute and deliver the Note, the Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement and to cause Debentures to be issued, the Clerk and Treasurer are severally hereby authorized to generally do all things and to execute all other documents and papers in the name of the Municipality in order to perform the obligations of the Municipality under the Financing Agreement and to carry out the issuance of the Note and Debentures, and the Treasurer is authorized to affix the Municipality's municipal seal to any such documents and papers.

(b) The proceeds realized in respect of the Note and Debentures, after providing for the expenses related to their issue, if any, shall be apportioned and applied for the respective Projects and for no other purpose except as permitted by the Act.

9. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 15th day of October, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith P. Hobbs

Mayor

Krista Power

Deputy City Clerk

<b><u>By-law Number</u></b>	<b><u>Description of Capital Work</u></b>	<b><u>Estimated Expenditures</u></b>	<b><u>Loan Amount</u></b>
(1)	(2)	(3)	(4)
114-2013	Clean Water Infrastructure	\$4,907,920	\$4,700,000

## *Memorandum*

Corporate By-law Number BL 97/2018

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Jana Roy  
Corporate Services & Long Term Care - Financial Services

**DATE:** 09/06/2018

**SUBJECT:** BL 97/2018 - Authorization to Submit an Application to the Ontario  
Infrastructure and Lands Corp

**MEETING DATE:** City Council - (10/15/2018)

---

**By-law Description:** A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

**Authorization:** Report R 11/2015 (Financial Services) - Committee of the Whole - February 4, 2015.

**By-law Explanation:** The purpose of this by-law is to authorize submission of an application to finance 2018 Sewage Treatment Infrastructure capital works and to authorize temporary and long-term borrowing through the issue of debentures to OILC.

**Schedules and Attachments:**

Attachment A – Capital Works to be Financed

Attachment B – Application to OILC – available in originating department

**Amended/Repealed By-law Number(s):**



## THE CORPORATION OF THE CITY OF THUNDER BAY BY-LAW NUMBER BL 97/2018

A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

### Recitals

1. The Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.
2. The Council of the Municipality has passed the by-laws enumerated in column (1) of Schedule "A" attached to and forming part of this By-law ("Schedule "A") authorizing the capital works described in column (2) of Schedule "A" (individually a "Project", collectively the "Projects") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A".
3. Before the Council of the Municipality approved each Project in accordance with Section 4 of Ontario Regulation 403/02, the Council of the Municipality had its Treasurer update its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Limit"), and, on the basis of the authorized expenditure for each Project as set out in column (3) of Schedule "A" ("Authorized Expenditure"), the Treasurer calculated the estimated annual amount payable in respect of each Project and determined that the estimated annual amount payable in respect of each Project does not exceed the Updated Limit, and accordingly the approval of the Ontario Municipal Board under the Ontario Municipal Board Act (Ontario), as amended, was not required before any such Project was authorized by Council.
4. Subsection 405(1) of the Act provides that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if,
  - (a) The municipality is an upper-tier municipality, a lower-tier municipality in a county or a single-tier municipality and it has approved the issue of debentures for the work;
  - (b) The municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work; or



- (c) The municipality has approved the issue of debentures for another municipality or school board under section 404;
5. Subsection 405(4) of the Act provides that a municipality may delegate the power set out in subsection 405(1) to the head of council, to the treasurer, or to both of them.
6. Subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt.
7. The Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act.
8. OILC has invited Ontario municipalities wishing to obtain temporary and long term debt financing in order to meet capital expenditures incurred after December 31, 2003 in connection with eligible capital projects to make application to OILC for such financing by completing and submitting an application on the form provided by OILC (the "Application").
9. The Municipality has submitted an Application to OILC to request financing for the projects by way of long-term borrowing through the issue of debentures to OILC and by way of temporary borrowing from OILC pending the issue of such debentures.
10. OILC has accepted and has approved the municipality's Application.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. The Council of the Municipality hereby confirms, ratifies and approves the completion by the Treasurer of an Application and the submission by such authorized official of an Application, duly executed by such authorized official, to OILC for the financing of the Projects in the maximum aggregate principal amount of \$2,500,000 (TWO MILLION and FIVE HUNDRED THOUSAND DOLLARS) substantially in the form of Schedule "B" hereto and forming part of this By-law, with such changes thereon as such authorized official approved.
2. (a) Construction of each Project in the amount of the respective estimated Authorized Expenditure set out in column (3) of Schedule "A" is hereby approved and authorized;
- (b) Any one or more of the Mayor and the Treasurer are hereby authorized to conclude contracts on behalf of the Municipality for the construction of the Projects in accordance with the Municipality's usual protocol;
- (c) Where applicable, the Engineer of the Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer is necessary for the construction of the Projects;

(d) Where applicable, the construction of the Projects shall be carried on and executed under the superintendence and according to the direction and orders of such Engineer.

3. The Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Municipality a financing agreement (a "Financing Agreement") with OILC that provides for temporary and long term borrowing from OILC in respect of Post 2003 Expenditures, on the terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

4. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of a Project or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of each Project, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OILC may require (a "Note"); and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of each Project; provided that the amount of borrowings allocated to any Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

5. Subject to the terms and conditions of the Financing Agreement and such other terms and conditions as OILC may otherwise require, the Mayor and the Treasurer are hereby authorized to enter into long term borrowing in respect of the Projects and to issue debentures to OILC on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree ("Debentures"); provided that the principal amount of such Debentures issued in respect of a Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (4) of Schedule "A" in respect of such Project.

6. In accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011 (Ontario), as security for the payment by the Municipality of any indebtedness of the Municipality to OILC incurred under the Note or any Debentures, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, or from money appropriated by the Assembly for payment to the Municipality in respect of specified matters, amounts not exceeding the amounts that the Municipality fails to pay to OILC on account of the outstanding indebtedness evidenced by the Note or any Debentures issued by the Municipality to OILC, and to pay such amounts to OILC.

7. For the purposes of meeting the obligations of the Municipality in respect of the Note and any Debentures, the Municipality shall provide for raising in each year as part of the general levy, the amounts of principal and interest payable in each year under the Note and any outstanding Debenture, to the extent that such amounts have not been provided for by any other

available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

8. (a) The Mayor and/or the Treasurer are hereby authorized to execute and deliver the Note, the Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement and to cause Debentures to be issued, the Clerk and Treasurer are severally hereby authorized to generally do all things and to execute all other documents and papers in the name of the Municipality in order to perform the obligations of the Municipality under the Financing Agreement and to carry out the issuance of the Note and Debentures, and the Treasurer is authorized to affix the Municipality's municipal seal to any such documents and papers.

(b) The proceeds realized in respect of the Note and Debentures, after providing for the expenses related to their issue, if any, shall be apportioned and applied for the respective Projects and for no other purpose except as permitted by the Act.

9. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 15th day of October, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith P. Hobbs

Mayor

Krista Power

Deputy City Clerk

<b><u>By-law Number</u></b>	<b><u>Description of Capital Work</u></b>	<b><u>Estimated Expenditures</u></b>	<b><u>Loan Amount</u></b>
(1)	(2)	(3)	(4)
024/2015	Sewage Treatment Infrastructure	\$ 2,630,000	\$2,500,000

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**MEETING DATE** 10/15/2018 (mm/dd/yyyy)

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**SUBJECT** By-law Resolution - October 15, 2018 City Council

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**SUMMARY**

By-law Resolution - October 15, 2018

**RECOMMENDATION**

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 95/2018

2. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 96/2018

3. A By-law to authorize submission of an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing certain ongoing capital projects for the Corporation of the City of Thunder Bay (the "Municipality"), to authorize temporary borrowing from OILC to meet expenditures in connection with such works, and to authorize long-term borrowing for such works through the issue of debentures.

By-law Number: BL 97/2018



## *Memorandum*

Corporate By-law Number BL 99/2018

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Linda Crago  
City Manager's Office - Office of the City Clerk

**DATE:** 09/17/2018

**SUBJECT:** BL 99/2018 - Confirming By-law - October 15, 2018

**MEETING DATE:** City Council (Public Meeting) - 10/15/2018 (mm/dd/yyyy)

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**By-law Description:** A By-law to confirm the proceedings of a meeting of Council, this 15th day of October, 2018.

**Authorization:** Committee of the Whole - 2003/02/24

**By-law Explanation:** To confirm the proceedings and each motion, resolution and other action passed or taken by the Council at this meeting is, except where prior approval of the Ontario Municipal Board is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

**Schedules and Attachments:**

**Amended/Repealed By-law Number(s):**



THE CORPORATION OF THE CITY OF THUNDER BAY  
BY-LAW NUMBER BL 99/2018

A By-law to confirm the proceedings of a meeting of Council,  
this 15th day of October, 2018.

Recitals

1. Subsection 5(1) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, provides that the powers of a municipal corporation are exercised by its Council. Subsection 5(3) provides that those powers are to be exercised by by-law.
2. Council considers it appropriate to confirm and adopt its proceedings at this meeting by by-law.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF  
THUNDER BAY ENACTS AS FOLLOWS:

1. The actions of the Council at the following meeting:

15th day of October, 2018 OPEN SESSION, CITY COUNCIL MEETING

and each motion, resolution and other action passed or taken by the Council at that meeting is, except where prior approval of the Ontario Municipal Board is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Thunder Bay are authorized and directed to do all things necessary to give effect to the actions of the Council referred to in Section 1 of this By-law. In addition, the Clerk is authorized and directed to affix the corporate seal to any documents which require it.
3. This By-law shall come into force on the date it is passed.

Enacted and passed this 15th day of October, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith Hobbs

Mayor

Krista Power

Deputy City Clerk

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**MEETING DATE** 10/15/2018 (mm/dd/yyyy)

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**SUBJECT** Confirming By-law Resolution - October 15, 2018 - City Council

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**SUMMARY**

Confirming By-law Resolution - October 15, 2018 - City Council

**RECOMMENDATION**

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 15th day of October, 2018.

By-law Number: BL 99/2018