



AGENDA MATERIAL

COMMITTEE OF THE WHOLE

MEETING DATE: MONDAY, FEBRUARY 7, 2022

LOCATION: S. H. BLAKE MEMORIAL AUDITORIUM
(Council Chambers)

TIME: 6:30 P.M.



MEETING: Committee of the Whole

DATE: Monday, February 7, 2022

Reference No. COW - 7/53

CLOSED SESSION via Microsoft Teams at 5:30 p.m.

Committee of the Whole - Closed Session

Chair: Councillor Aldo Ruberto

Closed Session Agenda will be distributed to Members of Council and EMT only.

OPEN SESSION in S.H. Blake Memorial Auditorium at 6:30 p.m.

Committee of the Whole - Operations Session

Vice-Chair: Councillor Albert Aiello

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - February 7, 2022 - Committee of the Whole **(Page 6)**

WITH RESPECT to the February 7, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

ITEMS ARISING FROM CLOSED SESSION

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

Earthcare Advisory Committee Minutes

Minutes of Meetings 07-2021, 08-2021, 09-2021 and 10-2021 of the Earthcare Advisory Committee held on September 7, 2021, October 12, 2021, November 2, 2021 and December 7, 2021, for information. **(Pages 7 – 25)**

REPORTS OF MUNICIPAL OFFICERS

Recommended Single Source Award

Report R 21/2022 (Infrastructure & Operations - Engineering & Operations) relative to the above noted. **(Distributed Separately)**

Pending the passage of the resolution at the Committee of the Whole meeting, the resolution will be presented for ratification at the City Council meeting to be held later in the evening and will require a two-thirds vote.

PETITIONS AND COMMUNICATIONS

Monument to Injured Workers and Potential Policy Development Request

Memorandum from Councillor Andrew Foulds, dated December 2, 2021 containing two motions relative to the above noted. **(Pages 27 – 30)**

Motion 1 – Injured Workers Monument

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to the monument to injured workers owned by the Thunder Bay Labour Council, we recommend that Administration continue to work with the Injured Workers Group and the Thunder Bay Labour Council relative to reaching an agreement and develop a potential partnership to move and house the monument to injured workers on city lands;

AND THAT Administration report back to City Council on the outcome of this work including any financial impacts on or before April 4, 2022;

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

Motion 2 – Potential Policy Development

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to potential policy development request, we recommend that Administration begin the work associated with a potential policy relative to donations to house monuments, art installations and statues on municipal lands which would include information about staff time, financial implications for upkeep, cleaning and repair and other considerations:

AND THAT this item be added to City Council's Outstanding List for Administration to report back on or before June 6, 2022;

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

OUTSTANDING ITEMS

Outstanding List for Operations as of January 25, 2022

Memorandum from City Clerk Krista Power, dated January 25, 2022 providing the Operations Outstanding Items List, for information. **(Pages 31 – 33)**

OPEN SESSION in the S.H. Blake Memorial Auditorium

Committee of the Whole - Community Services Session
Chair: Councillor Shelby Ch'ng

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

The District of Thunder Bay Social Services Administration Board Minutes

Minutes of Meetings 21/2021 and 22/2021 (Closed) of The District of Thunder Bay Social Services Administration Board held on December 16, 2021, for information. **(Pages 34 – 49)**

Sister Cities Advisory Committee Minutes

Minutes of Meeting 07-2021 of the Sister Cities Advisory Committee held on November 3, 2021, for information. **(Pages 50 – 54)**

Thunder Bay District Health Unit - Board of Health Minutes

Minutes of Thunder Bay District Health Unit - Board of Health Meeting held on December 15, 2021, for information. **(Pages 55 – 60)**

Waterfront Development Committee Minutes

Minutes of meeting 01-2021 of the Waterfront Development Committee held on December 12, 2021, for information **(Pages 61 – 64)**

REPORTS OF MUNICIPAL OFFICERS

Victoriaville Centre Demolition and Victoria Avenue Reconstruction - Prime Consultant Contract Award

Report R 13/2022 (Development & Emergency Services - Realty Services) recommending that Request for Proposal 2021-67 - Prime Consulting Services for Victoriaville Centre Demolition and Design be awarded to Kontzamanis Graumann Smith MacMillan Inc. **(Pages 65 – 68)**

WITH RESPECT to Report R 13 /2022 (Development & Emergency Services - Realty Services), we recommend that Request for Proposal 2021-67 - Prime Consulting Services for Victoriaville Centre Demolition and Design be awarded to Kontzamanis Graumann Smith MacMillan Inc. up to the amount of \$1,117,339.00 inclusive of all taxes and a contingency allowance;

AND THAT the Manager, Supply Management be authorized to issue any purchase orders related to this project;

AND THAT Realty Services report the circumstances to City Council should a negative variance in the contract value occur;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to these matters;

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

PETITIONS AND COMMUNICATIONS

Follow up with TBDSSAB

At the November 22, 2021 Committee of the Whole meeting, a resolution was passed recommending that City Manager Norm Gale be directed to connect with CEO Bill Bradica relative to the position papers and relevant information that may benefit from further advocacy and that the CEO and Chair of TBDSSAB be invited to attend and/or present at a Committee of the Whole meeting and/or an Inter-Governmental Affairs meeting on how City Council may assist with the challenges that residents in TBDSSAB buildings and in other facilities are currently facing.

Memorandum from City Manager Norm Gale, dated January 27, 2022 relative to the above noted, for information. **(Pages 69 – 70)**

Receipt of Report from Integrity Commissioner

Memorandum from City Clerk Krista Power, dated January 25, 2022 containing two recommendations relative to the above noted. **(Pages 71 – 90)**

WITH RESPECT to the Report received from Principles Integrity dated January 21, 2022 relative to the conduct of Councillor Aldo Ruberto that the following sanctions be considered as per the appended report:

“[98] It is therefore recommended:

1. That Council pass the following resolution:

That having been found to have breached the Code of Conduct for the City of Thunder Bay, the remuneration paid to Councillor Aldo Ruberto be suspended for a period of 5 days commencing with the next pay period.”

And:

WITH RESPECT to the Report received from Principles Integrity relative to the conduct of Councillor Aldo Ruberto that the following work be considered as per the appended report:

“[99] It is also recommended:

2. That the City consider developing general social media guidance and cautions for Members of Council, including with regard to their responsibilities regarding blocking on open social media sites.”

Closed Session Meeting Investigation

Memorandum from City Clerk Krista Power, dated January 26, 2022 relative to the above noted, for information. **(Pages 91 – 94)**

NEW BUSINESS

OUTSTANDING ITEMS

Outstanding List for Community Services as of January 25, 2022

Memorandum from City Clerk Krista Power, dated January 25, 2022 providing the Community Services Outstanding Items List, for information. **(Pages 95 – 96)**

ADJOURNMENT

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda

SUMMARY

Confirmation of Agenda - February 7, 2022 - Committee of the Whole

RECOMMENDATION

WITH RESPECT to the February 7, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Earthcare Advisory Committee Minutes

SUMMARY

Minutes of Meetings 07-2021, 08-2021, 09-2021 and 10-2021 of the Earthcare Advisory Committee held on September 7, 2021, October 12, 2021, November 2, 2021 and December 7, 2021, for information.

ATTACHMENTS

1. Minutes - Earthcare Advisory Committee - September 7, 2021
2. Minutes - Earthcare Advisory Committee - October 12, 2021
3. Minutes - Earthcare Advisory Committee - November 2, 2021
4. Minutes - Earthcare Advisory Committee - December 7, 2021

DATE: September 7 , 2021**MEETING NO.:** 07-2021**TIME:** 4:02 P.M.**PLACE:** Microsoft Teams Meeting**CHAIR:** Ms. S. Costigan

PRESENT:

Councillor A. Foulds
Ms. M. Wanlin
Ms. S. Costigan
Ms. J. Todd
Ms. C. Strutt
Mr. W. Vander Ploeg
Ms. S. Stiles

OFFICIALS:

Ms. A. Coomes, Sustainability Coordinator
Ms. S. Stevenson, Net Zero Strategy Coordinator
Mr. J. Porter, Climate Adaptation Coordinator
Ms. M. Warywoda, Director – Environment Division
Ms. L. Grace – Administrative Assistant - Environment

GUESTS:

Ms. Kyla Moore
Mr. Scott Butcher – Meaglow Ltd.

1.0 WELCOME AND DISCLOSURES OF INTEREST

The Chair, Ms. S. Costigan, called the meeting to order at 4:02 p.m. There were no disclosures of interest declared at that time.

2.0 APPROVAL OF AGENDA

MOVED BY: Councillor A. Foulds
SECONDED BY: Ms. J. Todd

That the Agenda for Meeting No. 07-2021 of the EarthCare Advisory Committee, held September 7, 2021, including any additional information and new business, be confirmed.

CARRIED

3.0 PRESENTATIONS

3.1 Ms. Kyla Moore presented on “Re-Imagining the Yard Maintenance By-Law”, requesting a revision to the current by-law to allow natural gardens and boulevard gardens. Ms. Moore requested that the EarthCare Advisory Committee endorse the by-law revision with a memo to Council. Discussion took place after the presentation. There will be a deputation to Council on September 20, 2021.

A motion was made as follows:

THAT a memo be written to Council in support in principle to allow for a thoughtful revision of the Yard Maintenance Bylaw to support urban naturalization, and boulevard gardening in relation to the Sustainability Plan, Net Zero Strategy, and Climate Adaptation Strategy.

MOVED BY: Councillor A. Foulds

SECONDED BY: Ms. J. Todd

CARRIED.

- 3.2 Mr. Scott Butcher – Meaglow Ltd. gave a presentation on water mist tower technology that can cool urban areas. He is currently in talks with Confederation College to do a pilot project. Discussion followed.

4.0 MINUTES OF PREVIOUS MEETING

The Minutes of Meeting No. 06-2021 of the EarthCare Advisory Committee, held on June 1, 2021, to be confirmed.

MOVED BY: Ms. M. Wanlin

SECONDED BY: Ms. J. Todd

THAT the Minutes of Meeting No. 06-2021 of the EarthCare Advisory Committee, held June 1, 2021, be confirmed.

CARRIED.

5.0 BUSINESS ARISING FROM PREVIOUS MINUTES

The Committee discussed the phasing out of gas fired power plants now that the Net Zero Strategy has been adopted by Council. It was decided to defer this item to the next meeting. Ms. A Coomes, Mr. J. Porter and Ms. S. Stevenson to compose a memo to be discussed at the next meeting.

6.0 SUSTAINABILITY UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope

- a. Review and propose updates to the Sustainability Plan to further the community's commitments to sustainability and climate adaptation.
 - i. Report to Council went on July 19, 2021
 - ii. Ad-hoc working group will convene at the end of September to map out what stakeholder engagement will look like this fall.

- iii. EarthCare was able to have an Intern for the month of August thanks to the Thunder Bay Indian Friendship Centre through their Apatiswan Program.
- iv. Dr. Rebecca Schiff from Lakehead University is doing a Voluntary Local Review of Sustainable Development Goal indicators for Thunder Bay that could help to identify KPI's for the Sustainability Plan.

2. SERVE: Advance service excellence through a citizen focus and best use of technology

b. Working Groups/Partner projects:

- i. Greening – Adelaide Monarch Garden signs are going in. This group will be applying to CGB for small QR code signs to go in pollinator gardens identifying plants. Reviewing bylaw for biodiversity.
- ii. Great Lakes Plastic Cleanup – The Seabin has been working in the water at Prince Arthurs Landing all summer. A cleanup day was held in August to help clean the park and educate about what the bin is doing. Daily monitoring of the waste is being tracked through the app and five detailed characterizations of the waste collected will be conducted by Michael D.- Rennie Canada Research Chair in Freshwater Ecology and Fisheries and Associate Professor and his graduate student at Lakehead University.
- iii. Water Working Group – Participated in EcoSuperior's Climate Change forum over the summer. Samuel Pegg will be stepping down as Chair.
- iv. Walkability group - WOW Tbay program is ramping up for the start of school. There will be a social media campaign to promote active school travel. October is walk to school month

Lakehead University has declared the 2021/2022 academic year a Year of Climate Action. The YOCA kicked off in late August with the Lake Superior Climate Action Field School. We will be participating in A Sustainable City Workshop on incorporating climate mitigation and adaptation into citywide infrastructure and operations led by EarthCare Thunder Bay.

7.0 CLIMATE ADAPTATION UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

- a. Implemented a COVID-19 severe weather response plan for vulnerable populations, city role focused on communication, following up on cold weather plan that was implemented over the past winter season. Will be pursuing directions for a more sustainable plan in the month to come.

2. **SERVE: Advance service excellence through a citizen focus and best use of technology**
 - a. Engaged the LSSLN Climate action field school, working on downtown development
 - b. Will be supporting the Indigenous Relations and Inclusion office for Orange Shirt day on September 30, including a cedar planting.
3. **GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and well-being & RENEW: Focus on essential infrastructure, revitalize our cores and enhance our Image Routes**
 - a. RPWCO Roadmap for assessing climate vulnerabilities will be piloted in Thunder Bay
 - b. Climate-related emergency exercise project planning is underway, engaging some of the broader emergency partnerships formed in COVID-19 response
 - c. Approved application for Advancing adaptation partnership program with ICLEI Canada. Will be connecting with other Ontario municipalities working on climate adaptation, and receiving funds and supports from ICLEI Canada to implement a community focused adaptation project

8.0 NET ZERO STRATEGY UPDATE

1. **LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.**
 - a. **Net-Zero Strategy**
 - i. Approved by Council on June 7, 2021. Final Strategy is available on the City's Reports, Studies, Policies and Plans webpage or on the project's Get Involved page.
 - b. **Community Efficiency Financing Feasibility Study**
 - i. The City of Thunder Bay has received \$116,800 in funding from the Federation of Canadian Municipalities to complete a Community Efficiency Financing Feasibility Study to support the creation and launch of home-energy upgrade financing programs for low-rise residential energy projects.
 - ii. The purpose of the feasibility study is to identify the opportunities and challenges that may arise during the development of a residential energy efficiency financing program for homeowners in the City of Thunder Bay. This study will conclude with a recommendation to EMT and City Council on whether to proceed with the program design stage for a local retrofit program, as well as identify a recommended financing model.
 - iii. The project will consist of four phases:

- Phase 1: Goal Setting and Capacity Building [**Jul 2021 – Oct 2021**]
- Phase 2: Landscape Assessment [**Nov 2021 – Dec 2021**]
- Phase 3: Stakeholder Engagement [**Nov 2021 – Mar 2022**]
- Phase 4: Program Approach [**Apr 2022 – June 2022**]

c. Climate Lens for Municipal Decision Making

- i. Initiated development of a climate lens tool for municipal decision-making. Preliminary research on existing tools in use across Ontario.
- ii. Delivered presentation to Engineering Division introducing climate lens concept and potential implications on capital projects.
- iii. Next steps:
 - Project plan for developing, piloting, and implementing a climate lens – including background, municipal scan, and rationale [**Sept 2021**].

2. SERVE: Advance service excellence through a citizen focus and best use of technology.

a. August Engagement:

- i. Climate Action Field School – Lake Superior Living Labs Network
- ii. Developed and delivered a workshop for the LSSLN Climate Action Field School on August 22. Participants learned how to: (1) differentiate between climate mitigation and adaptation, (2) apply a sustainability lens to city planning, (3) identify several ways a municipality can influence sustainable decision-making, and (4) participate in municipal decision-making.

9.0 WORKING GROUP UPDATE FOR LIAISONS

Discussed working groups and their relationship to the Sustainability Plan.

10.0 UPCOMING EVENTS – None

11.0 NEW BUSINESS - None

12.0 NEXT MEETING

Committee meetings are held on the first Tuesday of each month, except July and August, at 4:00 p.m. via Microsoft Teams, unless otherwise notified.

The 2021 meeting schedule is as follows:

- October 5, 2021
- November 2, 2021
- December 7, 2021

13.0 ADJOURNMENT

The meeting was adjourned at 5:32 p.m.

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DATE: October 12 , 2021**MEETING NO.:** 08-2021**TIME:** 4:02 P.M.**PLACE:** Microsoft Teams Meeting**CHAIR:** Councillor Andrew Foulds

PRESENT:

Councillor Andrew Foulds
Margaret Wanlin
Shannon Costigan
Jane Todd
Courtney Strutt
William Vander Ploeg

OFFICIALS:

Amy Coomes, Sustainability Coordinator
Summer Stevenson, Net Zero Strategy Coordinator
Jacob Porter, Climate Adaptation Coordinator
Michelle Warywoda, Director – Environment Division
Lynae Grace – Administrative Assistant - Environment

1.0 WELCOME AND DISCLOSURES OF INTEREST

The Chair, Councillor Andrew Foulds, called the meeting to order at 4:02 p.m. There were no disclosures of interest declared at that time.

2.0 APPROVAL OF AGENDA

MOVED BY: Margaret Wanlin
SECONDED BY: Jane Todd

That the Agenda for Meeting No. 08-2021 of the EarthCare Advisory Committee, held October 12, 2021, including any additional information and new business, be confirmed.

3.0 NEW BUSINESS

- 3.1 Draft memo – Joining the Race to Zero – a United Nations Climate Change Campaign to rally leadership and support from businesses, cities, regions, investors for a healthy, resilient, zero carbon recovery that prevents future threats, creates decent jobs, and unlocks inclusive, sustainable growth.

The Committee discussed and made amendments to the draft memo and the following motion was made:

MOVED BY: Margaret Wanlin
SECONDED BY: Shannon Costigan

THAT the memo “Joining the Race to Zero”, as amended be presented to Council at the November 1, 2021 meeting.

CARRIED.

4.0 NEXT MEETING

Committee meetings are held on the first Tuesday of each month, except July and August, at 4:00 p.m. via Microsoft Teams, unless otherwise notified.

The 2021 meeting schedule is as follows:

- November 2, 2021
- December 7, 2021

5.0 ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

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DATE: November 2 , 2021**MEETING NO.:** 09-2021**TIME:** 4:01 P.M.**PLACE:** Microsoft Teams Meeting**CHAIR:** Councillor Andrew Foulds

PRESENT:

Councillor Andrew Foulds
Margaret Wanlin
Shannon Costigan
Jane Todd
Courtney Strutt
William Vander Ploeg

OFFICIALS:

Amy Coomes, Sustainability Coordinator
Summer Stevenson, Net Zero Strategy Coordinator
Jacob Porter, Climate Adaptation Coordinator
Michelle Warywoda, Director – Environment Division
Lynae Grace – Administrative Assistant - Environment

GUESTS:

Emily Spitzer, Hydro One
Sarah Cohanin, Hydro One
Alex Moskalyk, Hydro One
Leslie McEachern, Director – Planning Services
Division

1.0 WELCOME AND DISCLOSURES OF INTEREST

The Chair, Councillor Andrew Foulds, called the meeting to order at 4:01 p.m. There were no disclosures of interest declared at that time.

2.0 APPROVAL OF AGENDA

MOVED BY: Jane Todd
SECONDED BY: Shannon Costigan

That the Agenda for Meeting No. 09-2021 of the EarthCare Advisory Committee, held November 2, 2021, including any additional information and new business, be confirmed.

CARRIED

3.0 PRESENTATIONS

3.1 Hydro One gave a presentation on the Wassigan Transmission Line Project with a request for support for the project from the EAC. A question and answer period followed. Item was deferred to the December meeting.

- 3.2 Leslie McEachern, Director – Planning Services Division, presented the first draft of the new zoning by-law model for the City. They would like feedback from the EAC before it goes back to Council. EAC will provide requested feedback after the January meeting.

4.0 MINUTES OF PREVIOUS MEETING

THAT the Minutes of Meeting No. 07-2021 of the EarthCare Advisory Committee, held September 7, 2021, to be confirmed.

MOVED BY: Margaret Wanlin
SECONDED BY: Shannon Costigan

CARRIED.

THAT the Minutes of Meeting No. 08-2021 of the EarthCare Advisory Committee, held October 12, 2021, be confirmed.

MOVED BY: Jane Todd
SECONDED BY: Courtney Strutt

CARRIED.

5.0 BUSINESS ARISING FROM PREVIOUS MINUTES

- 5.1 Gas-fired electricity generation draft memo – deferred to a future meeting.

6.0 SUSTAINABILITY UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope

- a. Review and propose updates to the Sustainability Plan to further the Community's commitments to sustainability and climate adaptation
 - i. City Council voted to join the Race to Zero on November 1st.
 - ii. The draft community survey for the Sustainability Plan renewal was sent to the group.
 - iii. Dr. Galway from LU has proposed to help with workshops or convening a youth council to support youth/young adult involvement and voices in the Sustainability Plan process
 - iv. Work has begun on the Climate Lens for Corporate Reports and the guidance document.

2. SERVE: Advance service excellence through a citizen focus and best use of technology

- a. Working Groups/Partner projects:

- i. Greening – The province did an inspection of Lymantria dispar dispar, commonly known as the gypsy moth has unfortunately, there are high trap captures at many locations, indicating the probability of an established population.
 - a. Signs now has been in contact about the educational sign to go in at the Adelaide Monarch garden. It should be in the ground in the next two weeks.
- ii. Lakehead University – EV show was a success with many citizens coming out to see and learn about the vehicles;
- iii. There is an upcoming Digital Water Gathering occurring from November 10th-12th, 2021. Information also available on the Omushkego website: <https://water.omushkego.com>
- iv. Walkability / WOW- Silva at the TBDHU has retired and our very own Walkability Chair Joanna Carastathis is the new Healthy Living Manager Starting November 1. She will be stepping down as Chair of the Walkability Committee, but will be hiring a Health Promotion Planner for the Healthy Living team, soon. This person will resume the role as Chair of the Walkability Committee.
- v. Climate Adaptation – the CA working group will meet on November 8th.

3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and well being

- a. CEDC will officially launch the Plug-in Thunder Bay funding program on October 20th. This program will support business owners, property owners, our academic institutions, indigenous groups and institutions, and many others cover up to 50% of costs to purchase and install EV charging stations. Through this funding, CEDC has the opportunity to support \$1 million in electric vehicle infrastructure locally.

7.0 CLIMATE ADAPTATION UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

- a. Implemented a COVID-19 severe weather response plan for vulnerable populations, City role will be focused on coordination this year, federal reaching home funds through the Lakehead social planning council

2. SERVE: Advance service excellence through a citizen focus and best use of technology

- a. Presented to Amethyst sector emergency managers on October 12th
- b. Presented to city council yesterday
- c. November 16 harm reduction conference

3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and well-being & RENEW: Focus on essential infrastructure, revitalize our cores and enhance our Image Routes

- a. RPWCO Roadmap for assessing climate vulnerabilities will be piloted in Thunder Bay
- b. Climate-related emergency exercise project planning is underway, engaging some of the broader emergency partnerships formed in COVID-19 response
- c. Participating in Advancing adaptation partnership program with ICLEI Canada. Will be connecting with other Ontario municipalities working on climate adaptation, and receiving funds and supports from ICLEI Canada to implement a community focused adaptation project
- d. Supporting ICLEI Canada on a related application that could support additional long term implementation

8.0 NET ZERO STRATEGY UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

- a. **Community Efficiency Financing Feasibility Study**
 - i. RFP closes on November 4, 2021. Proposal reviewers have been selected and evaluations will take place mid-November.
 - ii. Completed scan of existing and upcoming financing programs administered by municipalities across Canada (Best Practices Review). A report synthesizing the scan is expected to be complete this month.
- b. **Climate Lens for Municipal Decision Making**
 - i. Work underway on the guidance document for municipal administration.
- c. **SSO Project**

2. SERVE: Advance service excellence through a citizen focus and best use of technology.

- i. **October Engagement:**
 - Delivered presentation on the development of the Net-Zero Strategy to the City of Thunder Bay Leadership Team.
 - Supported the October 16th Electric Vehicle Day at Lakehead University. Over 200 attendees!
- ii. **Upcoming November Engagement:**
 - IESO Northwest Working Group – Emerging Local Initiatives Discussion on November 18

3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and wellbeing & RENEW: Focus on essential infrastructure, revitalize our cores and enhance our Image Routes

9.0 WORKING GROUP UPDATE FOR LIAISONS – see Sustainability Update

10.0 UPCOMING EVENTS – see Sustainability, Climate Adaptation, and Net Zero Updates

11.0 NEW BUSINESS - None

12.0 NEXT MEETING

Committee meetings are held on the first Tuesday of each month, except July and August, at 4:00 p.m. via Microsoft Teams, unless otherwise notified.

The 2021 meeting schedule is as follows:

- December 7, 2021 – Location TBA

13.0 ADJOURNMENT

The meeting was adjourned at 5:41 p.m.

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DATE: December 7 , 2021**MEETING NO.: 10-2021****TIME:** 4:04 P.M.**PLACE:** Microsoft Teams Meeting**CHAIR:** Councillor Andrew Foulds

PRESENT:

Councillor Andrew Foulds
Margaret Wanlin
Shannon Costigan
Jane Todd
Courtney Strutt
William Vander Ploeg

OFFICIALS:

Amy Coomes, Sustainability Coordinator
Summer Stevenson, Net Zero Strategy Coordinator
Jacob Porter, Climate Adaptation Coordinator
Michelle Warywoda, Director – Environment Division
Lynae Grace – Administrative Assistant - Environment

1.0 WELCOME AND DISCLOSURES OF INTEREST

Shannon Costigan – Vice Chair, chaired the meeting. Meeting was called to order at 4:04 p.m., and was begun as an information session due to lack of quorum. Quorum was achieved at 4:14 p.m. There were no disclosures of interest at that time.

2.0 APPROVAL OF AGENDA

MOVED BY: Jane Todd
SECONDED BY: Councillor Andrew Foulds

That the Agenda for Meeting No. 10-2021 of the EarthCare Advisory Committee, held December 7, 2021, including any additional information and new business, be confirmed.

CARRIED

3.0 PRESENTATIONS - None**4.0 MINUTES OF PREVIOUS MEETING**

THAT the Minutes of Meeting No. 09-2021 of the EarthCare Advisory Committee, held November 2, 2021, to be confirmed.

MOVED BY: Margaret Wanlin
SECONDED BY: Councillor Andrew Foulds

CARRIED.

5.0 BUSINESS ARISING FROM PREVIOUS MINUTES

- 5.1 Waasigan Transmission Line – determined that now was not the time to offer a memo of support. Item deferred to an undetermined future date.

6.0 NET ZERO UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

- a. Community Efficiency Financing Feasibility Study
 - i. RFP closes on November 4, 2021. Proposal reviewers have been selected and evaluations will take place mid-November.
 - ii. Completed scan of existing and upcoming financing programs administered by municipalities across Canada (Best Practices Review). A report synthesizing the scan is expected to be complete this month.
- b. Climate Lens for Municipal Decision Making
 - i. Work underway on the guidance document for municipal administration.
- c. SSO Project

2. SERVE: Advance service excellence through a citizen focus and best use of technology.

- i. October Engagement:
 - Delivered presentation on the development of the Net-Zero Strategy to the City of Thunder Bay Leadership Team.
 - Supported the October 16th Electric Vehicle Day at Lakehead University. Over 200 attendees!
- ii. Upcoming November Engagement:
 - IESO Northwest Working Group – Emerging Local Initiatives Discussion on November 18

3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and wellbeing & RENEW: Focus on essential infrastructure, revitalize our cores and enhance our Image Routes

7.0 SUSTAINABILITY UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope

- a. Review and propose updates to the Sustainability Plan to further the Community's commitments to sustainability and climate adaptation
 - i. City Council voted to join the Race to Zero on November 1st.
 - ii. The draft community survey for the Sustainability Plan renewal was sent to the group.

- iii. Dr. Galway from LU has proposed to help with workshops or convening a youth council to support youth/young adult involvement and voices in the Sustainability Plan process
 - iv. Work has begun on the Climate Lens for Corporate Reports and the guidance document.
- 2. SERVE: Advance service excellence through a citizen focus and best use of technology**
- a. Working Groups/Partner projects:
 - i. Greening – The province did an inspection of Lymantria dispar dispar, commonly known as the gypsy moth has unfortunately, there are high trap captures at many locations, indicating the probability of an established population.
 - Signs now has been in contact about the educational sign to go in at the Adelaide Monarch garden. It should be in the ground in the next two weeks.
 - ii. Lakehead University – EV show was a success with many citizens coming out to see and learn about the vehicles;
 - iii. There is an upcoming Digital Water Gathering occurring from November 10th-12th, 2021. Information also available on the Omushkego website: <https://water.omushkego.com>
 - iv. Walkability / WOW- Silva at the TBDHU has retired and our very own Walkability Chair Joanna Carastathis is the new Healthy Living Manager Starting November 1. She will be stepping down as Chair of the Walkability Committee, but will be hiring a Health Promotion Planner for the Healthy Living team, soon. This person will resume the role as Chair of the Walkability Committee.
 - v. Climate Adaptation – the CA working group will meet on November 8th.
- 3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and well being**
- i. CEDC will officially launch the Plug-in Thunder Bay funding program on October 20th. This program will support business owners, property owners, our academic institutions, indigenous groups and institutions, and many others cover up to 50% of costs to purchase and install EV charging stations. Through this funding, CEDC has the opportunity to support \$1 million in electric vehicle infrastructure.

Discussed failure to adopt a tree nursery at City Council on Dec. 6, resulting in the following motion:

THAT a memo be sent to City Council in support of a local tree nursery as identified in the Climate Adaptation Strategy.

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Jane Todd

CARRIED.

8.0 CLIMATE ADAPTATION UPDATE

1. LEAD: Provide civic leadership to advance mutual respect, equal opportunity and hope.

1. Implemented a COVID-19 severe weather response plan for vulnerable populations, City role will be focused on coordination this year, federal reaching home funds through the Lakehead social planning council

2. SERVE: Advance service excellence through a citizen focus and best use of technology

1. Presented to Amethyst sector emergency managers on October 12th
2. Presented to city council yesterday
3. November 16th harm reduction conference

3. GROW: Focus on city building and social infrastructure to strengthen our economy, lifestyle and well-being & RENEW: Focus on essential infrastructure, revitalize our cores and enhance our Image Routes

1. RPWCO Roadmap for assessing climate vulnerabilities will be piloted in Thunder Bay
2. Climate-related emergency exercise project planning is underway, engaging some of the broader emergency partnerships formed in COVID-19 response
3. Participating in Advancing adaptation partnership program with ICLEI Canada. Will be connecting with other Ontario municipalities working on climate adaptation, and receiving funds and supports from ICLEI Canada to implement a community focused adaptation project
4. Supporting ICLEI Canada on a related application that could support additional long term implementation.

Councillor Foulds suggested some strategies, i.e. press conferences, to educate the Public about what the City is doing to mitigate flooding. Michelle Warywoda to get information on current strategies from Kerri Marshall, Manager of Infrastructure and Operations.

9.0 WORKING GROUP UPDATE FOR LIAISONS – see Sustainability Update

Climate Adaptation Working Group met twice in the last month, and are looking for new projects.

10.0 UPCOMING EVENTS – see Sustainability, Climate Adaptation, and Net Zero Updates

11.0 NEW BUSINESS

- 11.1 Discussed the need for a strategy for orientation of new EAC members.

12.0 NEXT MEETING

Committee meetings are held on the first Tuesday of each month, except July and August, at 4:00 p.m. via Microsoft Teams, unless otherwise notified.

The 2022 meeting schedule is as follows:

- February 1, 2022
- March 1, 2022
- April 5, 2022
- May 3, 2022
- June 7, 2022
- September 6, 2022
- October 4, 2022
- November 1, 2022
- December 6, 2022

13.0 ADJOURNMENT

The meeting was adjourned at 5:27 p.m.

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MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Recommended Single Source Award

SUMMARY

Report R 21/2022 (Infrastructure & Operations - Engineering & Operations) relative to the above noted. **(Distributed Separately)**

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Monument to Injured Workers and Potential Policy Development Request

SUMMARY

Memorandum from Councillor Andrew Foulds, dated December 2, 2021 containing two motions relative to the above noted.

RECOMMENDATION

Motion 1 – Injured Workers Monument

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to the monument to injured workers owned by the Thunder Bay Labour Council, we recommend that Administration continue to work with the Injured Workers Group and the Thunder Bay Labour Council relative to reaching an agreement and develop a potential partnership to move and house the monument to injured workers on city lands;

AND THAT Administration report back to City Council on the outcome of this work including any financial impacts on or before April 4, 2022;

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

Motion 2 – Potential Policy Development

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to potential policy development request, we recommend that Administration begin the work associated with a potential policy relative to donations to house monuments, art installations and statues on municipal lands which would include information about staff time, financial implications for upkeep, cleaning and repair and other considerations:

AND THAT this item be added to City Council's Outstanding List for Administration to report back on or before June 6, 2022;

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

ATTACHMENTS

1. Memorandum - Councillor A. Foulds - Monument to Injured Workers and Potential Policy Development Request

Memorandum

TO: Krista Power, City Clerk

FROM: Councillor Andrew Foulds

DATE: December 2, 2021

SUBJECT: Monument to Injured Workers and Potential Policy Development Request
Committee of the Whole – February 7, 2022

This memorandum is relative to a request for Administration to work with outside organizations relative to the monument to injured workers formerly housed at the Finnish Labour Temple owned by the Thunder Bay Labour Council. Further, I have proposed the development of a policy with respect to installations donated or shared and housed on municipal lands to better assist City Council and administration going forward.

I have particular interest in the housing of the monument to injured workers as City Council previously passed a resolution to erect a plaque at City Hall commemorating those who have been injured or died as a result of a workplace accident. My understanding from staff in the Parks and Open Spaces Section is that there are challenges for the city when in receipt of a donation of a monument, art installation or other large piece of infrastructure which leads me to the second motion before City Council. I believe that a framework or policy on how the city will receive, place, fund and care for these important items is crucial to properly honouring and preserving the installations for years to come.

As such the following motions are presented for consideration:

Motion 1 – Injured Workers Monument

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to the monument to injured workers owned by the Thunder Bay Labour Council, we recommend that Administration continue to work with the Injured Workers Group and the Thunder Bay Labour Council relative to reaching an agreement and develop a potential partnership to move and house the monument to injured workers on city lands;

AND THAT Administration report back to City Council on the outcome of this work including any financial impacts on or before April 4, 2022;

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

Motion 2 – Potential Policy Development

WITH RESPECT to the Memorandum from Councillor Andrew Foulds dated December 2, 2021 relative to potential policy development request, we recommend that Administration begin the work associated with a potential policy relative to donations to house monuments, art installations and statues on municipal lands which would include information about staff time, financial implications for upkeep, cleaning and repair and other considerations:

AND THAT this item be added to City Council's Outstanding List for Administration to report back on or before June 6, 2022;

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

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Outstanding List for Operations as of January 25, 2022

SUMMARY

Memorandum from City Clerk Krista Power, dated January 25, 2022 providing the Operations Outstanding Items List, for information.

ATTACHMENTS

1. Memorandum - K. Power - Outstanding List Operations

Memorandum

Office of the City Clerk
Fax: 623-5468
Telephone: 625-2230

TO: Mayor & Council

FROM: Krista Power, City Clerk

DATE: January 25, 2022

SUBJECT: Outstanding List for Operations as of January 25, 2022
Committee of the Whole – February 7, 2022

The following items are on the outstanding list for February 7, 2022:

2009-015-INO	Infrastructure & Operations	Temporary Street Closures for Special Events	No date included in original resolution	May-02-2022
2014-002-INO	Infrastructure & Operations / Engineering & Operations	Residential Wattage Reduction Report	No date included in original resolution	May-05-2025
2017-029-INO	Infrastructure & Operations / Engineering - Parks & Open Spaces	Request to Save Trees on City Property	No date included in original resolution	May-02-2022
2020-047-INO	Infrastructure & Operations / Engineering & Operations	Electric Scooter Pilot Participation	Dec-01-2026	Feb-01-2027
2020-048-INO	Infrastructure & Operations / Engineering & Operations	Automated Speed Enforcement (Photo Radar) - Request for Report	Nov-30-2021	Apr-04-2022
2021-104-INO	Infrastructure & Operations / Engineering & Operations	Standard for Trails and Walking Paths – Line Painting	Mar-07-2022	May-02-2022
2021-105-INO	Infrastructure & Operations / Engineering & Operations	Boulevard Dam Electrical Power Production	Mar-07-2022	May-02-2022

2021-108-INO	Infrastructure & Operations/Engineering & Operations	Tactile Walking Indicators	Jan-15-2024	Mar-04-2024
2021-111-INO	Infrastructure & Operations	School Bus Stop Arm Cameras	Sept-23-2022	Dec-12-2022
2021-112-INO	Infrastructure & Operations	Neebing River - Request for Report	May-2-2022	Jul-18-2022

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT The District of Thunder Bay Social Services Administration Board
Minutes

SUMMARY

Minutes of Meetings 21/2021 and 22/2021 (Closed) of The District of Thunder Bay Social Services Administration Board held on December 16, 2021, for information.

ATTACHMENTS

1. TBDSSAB - Minutes (Open Session) - December 16, 2021
2. TBDSSAB - Minutes (Closed Session) - December 16, 2021



**MINUTES OF BOARD (REGULAR SESSION) MEETING NO. 21/2021
OF
THE DISTRICT OF THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD**

DATE OF MEETING: December 16, 2021

TIME OF MEETING: 10:00 a.m.

LOCATION OF MEETING: Microsoft Teams & 3rd Floor Boardroom
TBDSSAB Headquarters
231 May Street South
Thunder Bay, ON

CHAIR: Lucy Kloosterhuis

PRESENT:

Albert Aiello
Shelby Ch'ng
Jody Davis
James Foulds
Rebecca Johnson
Kevin Holland
Lucy Kloosterhuis
Ray Lake
Elaine Mannisto
Aldo Ruberto
Wendy Wright

OFFICIALS:

William (Bill) Bradica, Chief Administrative
Georgina Daniels, Director, Corporate Services Division
Ken Ranta, Director, Integrated Social Services Division
Glenda Flank, Recording Secretary

GUESTS:

Crystal Simeoni, Manager, Housing Programs
Keri Greaves, Manager, Finance
Roxanne Brunelle-Crupi, Manager, Human Resources
Aaron Park, Supervisor, Research and Social Policy
Carole Lem, Communications & Engagement Officer
Larissa Jones, Communications Assistant

REGRETS:

Kim Brown
Andrew Foulds
Brian Hamilton

Note: For the purposes of the Minutes references to TBDSSAB or the Board refers to The District of Thunder Bay Social Services Administration Board of Directors as relevant to specific agenda items; references to TBDHC or the Board refers to the Directors of Thunder Bay District Housing Corporation as relevant to specific agenda items. References to CAO refer jointly to the Chief Administrative Officer of TBDSSAB and Senior Administrator of TBDHC.

BOARD MEETING

REGRETS

Lucy Kloosterhuis, Chair advised that Kim Brown, Andrew Foulds and Brian Hamilton, Board Members sent their regrets for the meeting.

DISCLOSURES OF INTEREST

None.

NEW BUSINESS

William Bradica, CAO advised the Board that as Kim Brown, Vice Chair provided regrets for this Board Meeting and stated that she would be unable to act as Vice-Chair from now until December 31, 2021 it would be necessary to appoint an acting Vice-Chair at this time.

The Chair called for nominations for Vice Chair. Kevin Holland was nominated for the position of Vice Chair and accepted the nomination. Albert Aiello was nominated for the position of Vice Chair and declined the nomination. There were no further nominations.

Resolution No. 86A

Moved by: Elaine Mannisto
Seconded by: Jody Davis

THAT the position of Alternate Vice-Chair of The District of Thunder Bay Social Services Administration Board for the period December 16 to December 31, 2021, be filled by Kevin Holland.

CARRIED

CONFIRMATION OF BOARD MEETING AGENDA

Resolution No. 21/87

Moved by: Albert Aiello
Seconded by: James Foulds

THAT with respect to the agenda for the Board Regular and Closed Session meetings of The District of Thunder Bay Social Services Administration Board for December 16, 2021, we approve the agendas as printed;

AND THAT we approve any additional information and new business.

CARRIED

MINUTES OF PREVIOUS MEETINGS

Board Meetings

Minutes of Meeting Nos. 17/2021 and 18/2020 (Regular and Closed Session) held on November 17, 2021, and Board Meeting Nos. 19/2021 & 20/2021 (Regular and Closed Session) held on November 19, 2021, of TBDSSAB, were presented for confirmation.

Resolution No. 21/88

Moved by: Kevin Holland
Seconded by: Albert Aiello

THAT the Minutes of Board Meeting Nos. 17/2021 & 18/2021 (Regular & Closed Session) held on November 17, 2021, and Board Meeting Nos. 19/2021 & 20/2021 (Regular & Closed Session) held on November 18, 2021, of TBDSSAB, be confirmed as amended.

CARRIED

Committee Meetings

Draft Minutes of the November 30, 2021 Governance and Procedural By-law Review Committee meeting were presented to the Board, for information only.

PRESENTATION

Indigenous Representation on The District of Thunder Bay Social Services Administration Board

William Bradica, CAO introduced Cindy Crowe, Executive Director, Blue Sky Community Healing Centre to the Board and advised that the presentation regarding the rationale for Indigenous representation on The District of Thunder Bay Social Services Administration Board being provided was related to one of the 2022 Rural Ontario Municipal Association (ROMA) Briefing papers being presented to the Board for approval later in the Regular Session Meeting Agenda.

Cindy Crowe, Executive Director, Blue Sky Community Healing Centre provided the presentation outlining the first steps to obtaining Indigenous representation on the TBDSSAB Board as identified in the 2023 Strategic Plan and responded to questions.

William Bradica, CAO responded to questions and provided further information and clarification.

Lucy Kloosterhuis, Chair thanked Cindy Crowe, Executive Director, Blue Sky Community Healing Centre for the presentation to the Board

At 10:43 a.m., Cindy Crowe, Executive Director, Blue Sky Community Healing Centre left the meeting.

CLOSED SESSION

Administration recommended that the Board adjourn to a closed meeting relative to receipt of information with respect to a matter which a council, board, committee or other body may hold a closed meeting under another statute and with respect to solicitor-client privilege.

Resolution No. 21/89

Moved by: Albert Aiello
Seconded by: Rebecca Johnson

THAT the Board adjourns to Closed Session relative to receipt of information with respect to which a council, board, committee or other body may hold a closed meeting under another statute regarding the Operational Review of Thunder Bay Emergency Shelter Inc. and with respect to solicitor-client privilege regarding City of Thunder Bay Pin Hole Leak - Legal Matter No. 01-2020.

CARRIED

REPORTS OF ADMINISTRATION

TBDSSAB Proposed 2022 Operating and Capital Budget

Report No. 2021-61 (Corporate Services Division) was presented to the Board to provide the proposed 2022 TBDSSAB Operating and Capital Budget, for consideration.

Resolution No. 21/90

Moved by: Albert Aiello
Seconded by: Elaine Mannisto

THAT with respect to Report No. 2021-55 and Report No. 2021-61 (Corporate Services Division), we, The District of Thunder Bay Social Services Administration Board (TBDSSAB or the Board), approve the proposed 2022 Operating Budget in the amount of \$99,102,600, as presented in Report No. 2021-61;

AND THAT we, the Board, approve the proposed 2022 Capital Budget in the amount of \$4,237,900, as presented in Report No. 2021-55, with up to \$2,805,800 financed from the Housing Portfolio Capital Reserve Fund, up to \$65,000 financed from the Office Building Capital Reserve Fund, and up to \$1,367,100 financed from the Canada-Ontario Community Housing Initiative;

AND THAT \$199,100 be transferred from Operations to the Office Building Reserve Fund;

AND THAT up to \$300,000 of transfers to community housing providers be financed from the Levy Stabilization Reserve Fund;

AND THAT up to \$10,000 of costs related to end of community housing operating agreements be financed from the Community Housing Reserve Fund;

AND THAT \$2,750,400 be transferred from Operations to the Housing Portfolio Capital Reserve Fund, and up to \$385,000 of move-out repairs be financed from the Housing Portfolio Capital Reserve Fund;

AND THAT any actual income earned on unrestricted funds, in excess of \$100,000, be transferred to the Levy Stabilization Reserve Fund;

AND THAT the necessary By-law be presented to the Board, for consideration.

CARRIED

Transfer of Investment in Affordable
Housing Agreement – 410 East Victoria
Avenue, Thunder Bay

Report No. 2021-62 (Integrated Social Services Division) was presented to the Board to provide information on the potential sale of an Investment in Affordable Housing funded property, and to provide Administration's recommendation for consent of the assignment of the IAH Contribution Agreement, for consideration.

Resolution No. 21/91

Moved by: Shelby Ch'ng
Seconded by: Kevin Holland

THAT with respect to Report No. 2021-62 (Integrated Social Services Division) we, The District of Thunder Bay Social Services Administration Board, consent to the transfer of the Investment in Affordable Housing for Ontario Program - Rental Housing Component Service Manager Contribution Agreement from 2649700 Ontario Inc. to 2834908 Ontario Ltd.;

AND THAT we authorize the Chief Administrative Officer to execute any related documentation required;

AND THAT a copy of the resolution be provided to the Ministry of Municipal Affairs and Housing.

CARRIED

Social Services Relief Fund Phase 3
Update

Report No. 2021-63 (Integrated Social Services Division) relative to providing the Board with updated information regarding the Ministry of Municipal Affairs and Housing Social Services Relief Fund Phase 3, was presented for information only.

Ken Ranta, Director, Integrated Social Services Division responded to questions.

At 11:31 a.m. Keri Greaves, Manager, Finance and Crystal Simeoni, Manager, Housing Programs left the meeting.

**Governance and Procedural By-law
Review**

Report No. 2021-64 (CAO Division) was presented to provide the Board with the revised Governance & Procedural By-law and related policies and procedures, for review and consideration.

William Bradica, CAO responded to questions.

Resolution No. 21/92

Moved by: James Foulds
Seconded by: Aldo Ruberto

THAT with respect to Report No. 2021-64 (CAO Division), we, The District of Thunder Bay Social Services Administration Board (TBDSSAB or the Board), approve that By-law No. 01-2017 Governance and Procedural By-law as amended be revoked and replaced with By-law No. 02-2021 Governance and Procedural By-law, as presented in Report No. 2021-64;

AND THAT we, the Board, approve the revised Board Committees and Advisory Tables Policy;

AND THAT we, the Board, approve the Report Preparation and Submission Policy;

AND THAT the necessary By-law be presented to the Board, for consideration.

CARRIED

At 11:32 a.m. Aaron Park, Supervisor, Research and Social Policy joined the meeting.

**2022 Rural Ontario Municipal
Association Conference Briefings
Package**

Report No. 2021-65 (CAO Division) was presented to the Board to provide the 2022 Rural Ontario Municipal Association (ROMA) Briefings Package, for review and consideration.

An additional information package was presented to the Board providing an attachment to the ROMA Brief Re: DSSAB Legislation and Governance, for review and consideration.

William Bradica, CAO and Ken Ranta, Director, Integrated Social Services Division responded to questions.

Resolution No. 21/93

Moved by: Elaine Mannisto
Seconded by: Wendy Wright

THAT with respect to Report No. 2021-65 (CAO Division), we, The District of Thunder Bay Social Services Administration Board (the Board), approve the delegation briefings package for the Rural Ontario Municipalities Association (ROMA) 2022 conference as presented;

AND THAT we direct the Chief Administrative Officer (CAO) to send the delegation package to the appropriate provincial Ministries;

AND THAT the Briefings Package be circulated to all member municipalities, the Northern Ontario Service Deliverers' Association, the Ontario Municipal Social Services Association, the Northwestern Ontario Municipal Association, the Rural Ontario Municipal Association and the Association of Municipalities of Ontario.

AND THAT the CAO attend the virtual 2022 ROMA conference to provide support to the Board Chair and other Board members in their meetings with provincial officials regarding these issues.

CARRIED

At 11:34 a.m. Aaron Park, Supervisor, Research and Social Policy left the meeting.

Nominations Process for 2022 Board
Executive, Committees & Tables

Memorandum from William Bradica, CAO dated December 5, 2021 (CAO Division) was presented to provide the Board with information on the nomination process for 2022 being recommended by Administration for the Inaugural meeting to be held January 13, 2022, for consideration.

William Bradica, CAO advised that Administration recommends that the Board make nominations at this meeting following the approval of Resolution No. 21/94.

Resolution No. 21/94

Moved by: Albert Aiello
Seconded by: Jody Davis

THAT with respect to the nomination process for Board executive, Committee and Table positions, the Board directs the Chief Administrative Office as Secretary to prepare a secret electronic ballot for any Board positions for the 2022 year that require to be voted on;

AND THAT the electronic ballot be circulated to Board members after January 1, 2022 with a return date prior to the January Board meeting date;

AND THAT we appoint Georgina Daniels, Director Corporate Services and Ken Ranta, Director Integrated Social Services as scrutineers to count the electronic ballots;

AND THAT in the case where a tie vote results, we direct the Secretary to prepare and circulate electronically to Board members a confidential secret ballot in that case;

AND THAT the results of each required election be presented to the Board at the 2022 Inaugural Board meeting.

CARRIED

William Bradica, Secretary, called for nominations for the position of Chair of TBDSSAB. Lucy Kloosterhuis was nominated and accepted the nomination. There were no further nominations.

William Bradica, Secretary, called for nominations for the position of Vice-Chair of TBDSSAB. Kevin Holland was nominated and accepted the nomination. There were no further nominations.

William Bradica, Secretary, called for nominations for the five Audit Committee positions. Albert Aiello, Kevin Holland, Ray Lake, Jody Davis and James Foulds were nominated and accepted the nominations. No further nominations were made.

William Bradica, Secretary, called for nominations for the two Child Care and Early Years Advisory Table Advisory Table positions. Elaine Mannisto and Lucy Kloosterhuis were nominated and accepted the nominations. No further nominations were made.

William Bradica, Secretary, called for nominations for the two Community Homelessness Prevention Initiative Advisory Table positions. Kevin Holland and Aldo Ruberto were nominated and accepted the nominations. No further nominations were made.

CORRESPONDENCE

BY-LAWS

First and Final Reading

Resolution No. 21/95

Moved by: Albert Aiello
Seconded by: Kevin Holland

THAT the following By-law be introduced and now be given First and Final Reading, engrossed, signed by the Chair and Chief Administrative Officer, sealed and numbered:

A By-law to adopt The District of Thunder Bay Social Services Administration Board Operating and Capital Budgets for the year 2022.

Explanation: A By-law to adopt The District of Thunder Bay Social Services Administration Board Operating and Capital Budgets for the year 2022.

Authorization: Board Meeting 2021Dec16.

BY-LAW NUMBER 02-2021

CARRIED

Resolution No. 21/96

Moved by: Aldo Ruberto
Seconded by: Ray Lake

THAT the following By-law be introduced and now be given First and Final Reading, engrossed, signed by the Chair and Chief Administrative Officer, sealed and numbered:

A By-law to repeal and replace By-law No. 01-2017 Governance and Procedural By-law as amended relating to the transaction of affairs of The District of Thunder Bay Social Services Administration Board and the conduct of meetings.

Explanation: A By-law to repeal and replace By-law No. 01-2017 Governance and Procedural By-law as amended.

Authorization: Board Meeting 2021Dec16.

BY-LAW NUMBER 03-2021

CARRIED

NEXT MEETING

The next meeting of The District of Thunder Bay Social Services Administration Board will be held on Thursday, January 13, 2022 at 10:00 a.m., via Microsoft Teams and in the 3rd Floor Boardroom, TBDSSAB Headquarters, 231 May Street South, Thunder Bay, Ontario.

ADJOURNMENT

Resolution No. 21/97

Moved by: Elaine Mannisto
Seconded by: James Foulds

THAT Board Meeting No. 21/2021 of The District of Thunder Bay Social Services Administration Board, held on December 16, 2021, be adjourned at 11:54 a.m.

CARRIED


Chair


Chief Administrative Officer



**THE DISTRICT OF THUNDER BAY
SOCIAL SERVICES ADMINISTRATION BOARD**

BOARD MINUTES

**MINUTES OF BOARD (CLOSED SESSION) MEETING NO. 22/2021
OF**

THE DISTRICT OF THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD

DATE OF MEETING: December 16, 2021

TIME OF MEETING: 10:44 a.m.

LOCATION OF MEETING: Microsoft Teams &
3rd Floor Boardroom
TBDSSAB Headquarters
231 May Street South
Thunder Bay, ON

CHAIR: Lucy Kloosterhuis

PRESENT:

Albert Aiello
Shelby Ch'ng
Jody Davis
James Foulds
Kevin Holland
Rebecca Johnson
Lucy Kloosterhuis
Ray Lake
Elaine Mannisto
Aldo Ruberto
Wendy Wright

REGRETS:

Kim Brown
Andrew Foulds
Brian Hamilton

OFFICIALS:

William Bradica, Chief Administrative Officer
Ken Ranta, Director, Integrated Social Services Division
Georgina Daniels, Director, Corporate Service Division
Glenda Flank, Recording Secretary

GUESTS:

Keri Greaves, Manager, Finance
Barry Caland, Manager, Infrastructure & Asset
Management
Crystal Simeoni, Manager, Housing Programs
Morgan McKay, Technical Services Officer
Larissa Jones, Communications Assistant

Note: For the purposes of the Minutes references to TBDSSAB or the Board refers to The District of Thunder Bay Social Services Administration Board of Directors as relevant to specific agenda item; references to TBDHC or the Board refers to the Directors of Thunder Bay District Housing Corporation as relevant to specific agenda item. References to CAO refer jointly to the Chief Administrative Officer of TBDSSAB and Senior Administrator of TBDHC.

BOARD MEETING

DISCLOSURES OF INTEREST

Aldo Ruberto, Albert Aiello and Shelby Ch'ng, Board Members disclosed a perceived conflict of interest as they are members of Council for the City of Thunder Bay. William Bradica, CAO declared a perceived conflict of interest as he is the Chair of the Board of Directors for HSC Insurance Inc.

REPORTS OF ADMINISTRATION

Operational Review – Report for Thunder Bay Emergency Shelter Inc.

Report No. 2021CS-11 (Integrated Social Services Division) was presented to the Board providing information regarding the Operational Review completed for Thunder Bay Emergency Shelter, for information only.

Ken Ranta provided a brief introduction regarding the Operational Review and responded to questions.

Crystal Simeoni, Manager, Housing Programs provided an overview of the Review process and responded to questions.

At 11:03 a.m. Rebecca Johnson, Board Member left the meeting.

William Bradica, CAO provided clarification and responded to questions.

Georgina Daniels, Director Corporate Services Division responded to questions.

At 11:16 a.m. Aldo Ruberto, Albert Aiello, Shelby Ch'ng, Board Members and William Bradica, CAO, Keri Greaves, Manager Finance, Crystal Simeoni, Manager, Housing Programs and Morgan McKay, Technical Services Officer left the meeting.

Ken Ranta, Director, Integrated Social Services Division assumed the position of Secretary

City of Thunder Bay Pin Hole Leak – Legal Issue No. 01-2020

A verbal update from Georgina Daniels, Director, Corporate Services Division was provided, presenting the current information regarding Legal Issue No. 01-202, for information of the Board.

At 11:24 a.m. Aldo Ruberto, Albert Aiello and Shelby Ch'ng, Board Members and William Bradica, CAO returned to the meeting. William Bradica, CAO assumed the position of Secretary.

ADJOURNMENT

Resolution No. 21/CS10

Moved by: Jody Davis
Seconded by: Ray Lake

THAT the Board (Closed Session) Meeting No. 22/2021 of The District of Thunder Bay Social Services Administration Board, held on December 16, 2021, be adjourned at 11:24 a.m., to reconvene in Open Session to consider the remaining agenda items.

CARRIED


Chair


Chief Administrative Officer



MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Sister Cities Advisory Committee Minutes

SUMMARY

Minutes of Meeting 07-2021 of the Sister Cities Advisory Committee held on , 2021, for information.

ATTACHMENTS

1. Sister Cities Advisory Committee - November 3, 2021

DATE: WEDNESDAY, NOVEMBER 3, 2021 **MEETING NO. 07-2021**
TIME: 5:33 P.M.
PLACE: VIRTUAL MEETING – MS TEAMS
CHAIR: MATTHEW VILLELLA

**PRESENT (ELECTRONIC
PARTICIPATION) :**

Mayor Bill Mauro
Councillor Peng You
Andrew Ault
Hiroko Bekki-Moller
Matthew Villella
Chris Krumpholz
Stephen Margarit
Carol Pollard
Piero Pucci, CEDC
Richard Longtin, Lakehead University
Miriam Wall, Confederation College

**OFFICIALS (ELECTRONIC
PARTICIPATION):**

Krista Power, City Clerk
Tracie Smith, Director – Strategic Initiatives &
Engagement
Tina Larocque, Coordinator – Boards, Committees
and Special Projects

1.0 DISCLOSURES OF INTEREST

There were none at this time.

2.0 AGENDA APPROVAL

MOVED BY: Hiroko Bekki-Moller
SECONDED BY: Richard Longtin

WITH RESPECT to the November 3, 2021 Sister Cities Advisory Committee meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3.0 MINUTES OF PREVIOUS MEETING

Minutes of Meeting No. 06-2021 of the Sister Cities Advisory Committee, held on October 6, 2021, to be confirmed.

MOVED BY: Carol Pollard
SECONDED BY: Richard Longtin

THAT the Minutes of Meeting No. 06-2021 held on October 6, 2021, be confirmed.

CARRIED

4.0 SISTER CITIES EVALUATION

The Committee discussed the evaluation process, what they have learned and what areas they could improve. Committee members commented that the Committee should focus on improving our current relationships, and to be strategic when researching other possible sister cities relationships.

It was consensus that a subcommittee be created to bring back information on 3-4 potential sister cities to review at the next meeting. The Committee will consist of Richard, Miriam, Piero, Andrew Ault and Krista.

The Chair noted that Andrew Ault did an excellent job with the PowerPoint presentation and evaluation and thanked him for all of his work on it.

5.0 ENGAGEMENT WITH OUR SISTER CITIES

The Committee discussed and generated ideas on how to engage with our current Sister Cities. The Committee agreed that the relationships between the cities should mutually benefit each other and the Committee needs to find ways to help each other with challenges and opportunities.

The Committee discussed ideas such as Virtual meetings with our Sister Cities, Themed Round Tables, creating an On-line Virtual Art Exhibit showcasing the art work at City Hall. This project can create cultural awareness and could possibly become a legacy project.

It was consensus of the Committee that the City Clerk's Office will create a list of the art work at City hall that can be possibly used for the Virtual Art Exhibit.

The City Clerk advised that small delegations are arriving in Thunder Bay, with the visit from the Ambassador from Finland to Canada, Mr. Roy Eriksson on Tuesday, October 26, 2021. K. Power also advised of the potential upcoming visit from Mr. Takuya Sasayama, Consul-General, Consulate-General of Japan in Toronto arriving late November 2021.

It was noted that this was a great opportunity for the Lakehead University, Confederation College and CEDC be take part in the meeting.

A discussion was held relative to the Sister City Park in Duluth, as there is vacant land with Thunder Bay signage. The Chair noted that there was a funding issue and therefore there has not be a statute. Mayor Bill Mauro and Councillor Peng you advised that they will bring this matter in front of council to discuss source funding for a statute.

It was consensus of the Committee that they will be moving forward in the New Year by:

1. The Chair will reach out to our Sister City in Duluth.
2. Hiroko will work with the City Clerk's office on a virtual art exhibit and assist with coordinating a virtual meeting with Gifu.
3. The Chair and Chris will work with Little Canada.

It was also consensus of the Committee that the subcommittee will report back to the next meeting and will provide information regarding potential sister cities.

6.0 COMMITTEE WORKPLAN

The Chair will be meeting with City Clerk's Office to work on some of the tasks that need to be completed.

7.0 COMMITTEE COMMUNICATION PLAN

A discussion was held relative to a project idea with the Thunder Bay museum and City of Thunder Bay archives with the history of Sister Cities in Thunder Bay, adding highlights of artifacts to give our story of the impact of Sister Cities. The City Clerk advised that it could be a travelling art show.

A discussion was held relative to promoting the work of Sister Cities through the website and social media, it would enhance Sister Cities profile in the community.

It was noted that the Sister Cities Committee member's profiles will be added to the website once all biographies and pictures have been received.

8.0 SISTER CITIES UPDATES

A discussion was held relative to the Finnish Delegation that arrived to City Hall on Tuesday, October 26, 2021. The Chair advised that it was a great meeting that focused on our relationship and social economic issues. The Chair advised that the event was very well organized and thanked the City Clerk's Office for arranging the meeting and luncheon.

Mayor commented that he attended the breakfast with the delegation and he wanted to thank CEDC for facilitating that meeting, it was a job well done.

The City Clerk advised that pictures of this delegation were posted on the City of Thunder Bay's social media: Facebook, Instagram and Twitter. The City Clerk thanked Corporate Communications and Community Engagement with their assistance on this.

9.0 NEXT MEETING

The next meeting is scheduled for Wednesday, December 1, 2021, 5:30 pm via MS TEAMS.

10.0 ADJOURNMENT

The meeting adjourned at 6:55 p.m.

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Thunder Bay District Health Unit - Board of Health Minutes

SUMMARY

Minutes of Thunder Bay District Health Unit - Board of Health Meeting held on December 15, 2021, for information.

ATTACHMENTS

1. Thunder Bay District Health Unit - Board of Health Minutes



BOARD OF HEALTH MEETING

MINUTES OF THE MEETING: DECEMBER 15, 2021

TIME OF MEETING: 1:00 P.M.

PLACE OF MEETING: VIDEOCONFERENCE

CHAIR: MR. JAMES MCPHERSON

BOARD MEMBERS PRESENT:

Ms. Alana Bishop
Mr. Norm Gale
Ms. Deborah Harris Shallow
Ms. Rebecca Johnson
Mr. James McPherson
Mr. Kevin Mullins
Ms. Karen O’Gorman
Mr. Don Smith
Ms. Sonja Stephenson
Mr. Greg Vallance
Mr. Jim Vezina
Ms. Michelle Warywoda

ADMINISTRATION PRESENT:

Dr. Janet DeMille, Medical Officer of Health and
Chief Executive Officer
Mr. Lance Dyll, Director – Corporate Services
Ms. Shannon Robinson, Director – Health Promotion
Ms. Kandace Belanger, Manager – Harm Reduction
and Street Outreach Programs
Ms. Sarah Stevens, Executive Assistant and
Secretary to the Board of Health
Ms. Naseem Kent, Administrative Assistant –
Corporate Services

REGRETS:

Mr. John MacEachern

1. CALL TO ORDER

The Chair called the meeting to order at 1:04 p.m.

2. ATTENDANCE AND ANNOUNCEMENTS

The Chair presented regrets from Mr. MacEachern.

3. DECLARATIONS OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. AGENDA APPROVAL

Resolution No. 97-2021

Moved By: R. Johnson

Seconded By: M. Warywoda

THAT the Agenda for the Regular Board of Health Meeting to be held on December 15, 2021, be approved as amended.

CARRIED

5. INFORMATION SESSION

5.1 Impact of COVID-19 on Opioids

Mr. Rick Thompson, Outreach Worker with Superior Points Harm Reduction, provided a presentation on the impact of the COVID-19 pandemic on opioid use in the Thunder Bay District Health Unit catchment area and responded to questions from the Board.

6. MINUTES OF THE PREVIOUS MEETINGS

6.1 Thunder Bay District Board of Health

The Minutes of the Thunder Bay District Board of Health (Regular and Closed Session) Meeting held on November 17, 2021, for approval.

Resolution No. 98-2021

Moved By: D. Smith

Seconded By: R. Johnson

THAT the Minutes of the Thunder Bay District Board of Health (Regular and Closed Session) Meeting held on November 17, 2021, be approved.

CARRIED

7. MATTERS ARISING FROM THE MINUTES

There were no matters arising from the previous minutes.

8. BOARD OF HEALTH (CLOSED SESSION) MEETING

Resolution No. 99a-2021

Moved By: M. Warywoda

Seconded By: D. Smith

THAT the Board of Health move into Closed Session to receive information relative to labour relations or employee negotiations, and relative to identifiable individuals.

CARRIED

At 1:27 p.m. the Board of Health moved into Closed Session. The following individuals left the meeting:

- Mr. Lance Dyll, Director of Corporate Services
- Ms. Kandace Belanger, Manager of Harm Reduction and Street Outreach Programs
- Ms. Naseem Kent, Administrative Assistant
- Ms. Sarah Stevens, Executive Assistant

At 1:47 p.m., the following individual also left the meeting:

- Dr. Janet DeMille, Medical Officer of Health and Chief Executive Officer

At 1:47 p.m. the following individual returned to the meeting room:

- Mr. Lance Dyll, Director of Corporate Services

At 2:04 p.m., the Board of Health moved out of Closed Session to resume regular business. The following individuals returned to the meeting:

- Dr. Janet DeMille, Medical Officer of Health and Chief Executive Officer
- Ms. Naseem Kent, Administrative Assistant
- Ms. Sarah Stevens, Executive Assistant

8.1 Closed Session Report

The Chair reported that information relative to labour relations or employee negotiations and information relative to identifiable individuals had been provided to the Board of Health during the closed session and direction was provided to Administration with respect to both matters.

8. BOARD OF HEALTH (CLOSED SESSION) MEETING (Continued)

8.2 Resolutions from the Closed Session

Resolution No. 99c-2021

Moved By: N. Gale

Seconded By: R. Johnson

THAT with respect to Report No. 46-2021 (Human Resources) we recommend that, compliant with the Board's Compensation Philosophy, the Board of Health approves the competitive market adjustment to base salary as recommended by Korn Ferry for non-union and management staff, effective January 1, 2022.

CARRIED

Resolution No. 99d-2021

Moved By: M. Warywoda

Seconded By: N. Gale

THAT with respect to MOH Compensation, we recommend that Administration proceed as directed.

CARRIED

9. DECISIONS OF THE BOARD

9.1 Annual General Meeting Date

A memorandum from Dr. J. DeMille, Medical Officer of Health and Chief Executive Officer, dated December 15, 2021, relative to setting the date for the Annual General Meeting of the Board of Health was presented.

Resolution No. 100-2021

Moved By: R. Johnson

Seconded By: D. Harris Shallow

THAT we recommend that the 2022 Annual General Meeting of the Board of Health be held on Wednesday, January 19, 2022 at 1:00 p.m.;

9. DECISIONS OF THE BOARD (Continued)

9.1 Annual General Meeting Date (Continued)

AND THAT a Regular Session Board of Health meeting be held immediately following the Annual General Meeting.

CARRIED

10. COMMUNICATIONS FOR INFORMATION

10.1 Organizational Structure

This agenda item was deferred.

10.2 Pandemic Update

Dr. J. DeMille, Medical Officer of Health and Chief Executive Officer provided a presentation to the Board of Health on the status of the COVID-19 pandemic and the vaccination rollout in the Thunder Bay District and responded to questions from the Board.

10.3 alPHA Fall Symposium

The Board of Health received a report on the Association of Local Public Health Agencies (alPHA) Fall Symposium which was held virtually on November 19, 2021, from the members that attended the conference, for information.

11. NEXT MEETING

The next regularly scheduled meeting will be held on January 19, 2022.

12. ADJOURNMENT

Resolution No. 101-2021

Moved By: S. Stephenson

Seconded By: R. Johnson

THAT the Board of Health meeting held on December 15, 2021, be adjourned at 3:02 p.m.

CARRIED

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Waterfront Development Committee Minutes

SUMMARY

Minutes of meeting 01-2021 of the Waterfront Development Committee held on December 12, 2021, for information.

ATTACHMENTS

1. Waterfront Development Committee Minutes - December 15, 2021

Minutes

WATERFRONT DEVELOPMENT COMMITTEE

MEETING NO.: 01-2021

TIME: 12:00 P.M.

DATE: Wednesday, December 15, 2021

PLACE: MS Teams

CHAIR: Councillor Aldo Ruberto

MEMBERS

Roderick Bosch
Brad DesRochers
Timothy Hardie
Councillor Brian McKinnon
Warren Philp
Councillor Aldo Ruberto
Sean Spenrath

OFFICIALS

Kerri Marshall, General Manager – Infrastructure & Operations
Kayla Dixon, Director of Engineering – Infrastructure & Operations
Dana Earle, Deputy City Clerk
Flo-Ann Track, Council & Committee Clerk

1. DISCLOSURES OF INTEREST

2. CONFIRMATION OF AGENDA

It was the consensus of the Committee that a presentation by Team Lead Warren Philp - Waterfront Trail Rotary Community Action Team, be presented under New Business.

MOVED BY: Sean Spenrath
SECONDED BY: Timothy Hardie

WITH RESPECT to the December 15, 2021 Waterfront Development Committee meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed as amended.

CARRIED

3. WELCOME & INTRODUCTIONS

General Manager – Infrastructure & Operations Kerri Marshall provided opening remarks and a roundtable of introductions followed.

4. ADMINISTRATION'S ROLE

General Manager – Infrastructure & Operations Kerri Marshall provided an overview relative to the above noted.

5. TERMS OF REFERENCE

Report R 90/2021 (Infrastructure & Operations) Waterfront Development Committee Terms of Reference, and Attachment A as appended to the Report, was provided for information.

General Manager – Infrastructure & Operations Kerri Marshall provided an overview relative to the above noted and responded to questions.

It was the consensus of the Committee to defer this item to the January 2022 meeting, date to be determined.

6. PROCEDURAL BY-LAW & CODE OF CONDUCT OVERVIEW

By-law 51/2021, A By-law to govern the proceedings of meetings of City Council and its Committees was provided for information.

The Code of Conduct for Council and its Committees was provided for information.

The Staff Accessibility Training Booklet was provided for information.

Deputy City Clerk Dana Earle provided an overview relative to the above noted and responded to questions.

Deputy City Clerk Dana Earle requested that Members complete the Staff Accessibility Training and submit the signed confirmation form via email.

7. ELECTION OF CHAIR & VICE CHAIR

Deputy City Clerk Dana Earle lead the election process for Chair and Vice Chair for the remainder of the year 2021 and 2022.

Councillor Aldo Ruberto, Councillor Brian McKinnon, Warren Philp and Timothy Hardie were nominated for the position of Chair.

Councillor Aldo Ruberto and Timothy Hardie agreed to let their names stand.

Majority of votes elected Councillor Aldo Ruberto as Chair of the Waterfront Development Committee.

Majority of votes elected Timothy Hardie as Vice Chair of the Waterfront Development Committee.

MOVED BY: Sean Spenrath
SECONDED BY: Warren Philp

WITH RESPECT to the Chair and Vice Chair positions for the Waterfront Development Committee, we recommend that, Councillor Aldo Ruberto be appointed the position of Chair, and that Timothy Hardie be appointed the positions of Vice Chair of the Committee until the end of the current term of Council, November 30, 2022.

CARRIED

The newly appointed Chair assumed the position of the Chair for the duration.

8. NEW BUSINESS

8.1. Waterfront Trail Rotary Community Action Team

Team Lead Warren Philp - Waterfront Trail Rotary Community Action Team to provide a presentation relative to the Waterfront Trail Rotary Community Action Team goals.

It was the consensus of the Committee to defer this item to the January 2022 meeting, date to be determined.

9. NEXT MEETING

January 2022, date to be determined.

10. ADJOURNMENT

The meeting adjourned at 1:10 p.m.

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Realty Services	REPORT NO.	R 13/2022
DATE PREPARED	01/28/2022	FILE NO.	
MEETING DATE	02/07/2022 (mm/dd/yyyy)		
SUBJECT	Victoriaville Centre Demolition and Victoria Avenue Reconstruction - Prime Consultant Contract Award		

RECOMMENDATION

WITH RESPECT to Report R 13 /2022 (Development & Emergency Services - Realty Services), we recommend that Request for Proposal 2021-67 - Prime Consulting Services for Victoriaville Centre Demolition and Design be awarded to Kontzamanis Graumann Smith MacMillan Inc. up to the amount of \$1,117,339.00 inclusive of all taxes and a contingency allowance;

AND THAT the Manager, Supply Management be authorized to issue any purchase orders related to this project;

AND THAT Realty Services report the circumstances to City Council should a negative variance in the contract value occur;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to these matters;

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

EXECUTIVE SUMMARY

This report recommends the award of the Prime Consulting Services for the VictoriaVille Centre Demolition and Victoria Avenue Reconstruction Project.

The contract award being recommended in this Report is consistent with the recommendations in Report No. 132/2021(Realty Services) and the Council resolution recommending the financing through the Land Development Account of the engineering, design and consulting services required in order to demolish Victoriaville and reconstruct Victoria Avenue.

A public Request for Proposal (RFP) for this work resulted in two (2) proposals being received. One proposal was determined to be non-compliant.

This Report recommends that RFP No. 2021-67 be awarded to Kontzamanis Graumann Smith MacMillan Inc. (KGS). This firm has completed similar assignments and its proposal scored well in the RFP evaluation.

DISCUSSION

A public RFP call for the Prime Consulting Services was advertised on November 1, 2021 and closed December 2, 2021. As a result of the RFP, two (2) proposals were received. One proposal was deemed to be non-compliant.

The remaining proposal was evaluated by a team of representatives from Realty Services, Facilities, Fleet & Energy Management, Engineering & Operations, Planning Services, and Supply Management which resulted in a score of 89/100.

Administration is recommending award of contract to KGS.

The following outlines the applicable costs associated with the proponent being recommended. The costs are inclusive of HST.

Prime Consultant - Design Development, Construction Documents, Tender and Construction Management	\$ 1,017,339.00
Consulting Contingency Allowance	\$ 100,000.00
Total:	\$ <u>1,117,339.00</u>

The RFP set out additional professional services anticipated to be required. These are shown below, as currently estimated (inclusive of HST).

Surveying	\$ 42,516
Environmental	\$ 144,516
Geotechnical	\$ 59,325
Infrastructure and Utility Locates	\$ 17,798
Vibration Analysis	\$ 58,082
Total	\$ <u>322,236</u>

Administration is recommending a deferral, awarding specific Phase 3 Prime Consultant work scheduled to occur in 2025 to allow for costing and required efforts to be further refined. Recommended deferred contract work is shown below (inclusive of HST).

Phase 3 – Tender Phase and Construction – Redevelopment Tender Phase and Construction	\$ 248,487
Phase 3 – Project Close Out & Warranty –	

Redevelopment Project Close
Out & Warranty

\$ 22,035

Total \$ 270,522

Sub Total \$ 1,710,097

HST Rebate

\$ (160,156)

Grand Total \$ 1,549,941

The grand total exceeds the budget of \$1,270,000 by \$279,941 which is, in part, why portions of the work are not being awarded at this time. The project team will look for cost savings as design progresses. Also the City has submitted a Stage Two application to FedNor for \$500,000 for this project phase.

FINANCIAL IMPLICATION

Prime Consultant (Inclusive of HST) \$ 1,017,339.00

Consulting Contingency (Inclusive of HST) \$ 100,000.00

Prime Consultant Total: \$ 1,117,339.00

HST Rebate \$ (110,146.52)

Total Estimated Cost: \$1,007,192.50

Administration is recommending that a \$100,000 contingency be included; the contingency shall not be expended without proper authorization by City Administration as set out in the terms of the contract documents.

There are sufficient funds in the approved project budget, funded through the Land Development Account, for this phase for the work to proceed as recommended.

CONCLUSION

It is concluded that RFP No. 2021-67 be awarded to, KGS up to the amount of \$1,117,339.00 inclusive of all taxes and a contingency.

BACKGROUND

On September 21, 2020, Council was presented with Report 106/2020 as a first report that presented the Victoriaville Centre Options Analysis – Reimagine Victoriaville. Council again received that report along with a Memo to Council on October 19, 2020 and directed Administration to proceed with the steps required to demolish Victoriaville and reconstruct Victoria Avenue seeking Council direction and approvals as required.

On October 18, 2021, Council approved Report 132/2021 that recommended Appropriation No. 26 be approved in the amount of \$1.27M for design and specialized consulting services.

On November 15, 2021, Council authorized Administration to apply to FedNor and NOHFC for grant funding in support of the project.

REFERENCE MATERIAL ATTACHED:

None.

PREPARED BY: PEDER OLSEN, PROPERTY AGENT, REALTY SERVICES

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Karen Lewis, General Manager – Development & Emergency Service	January 31, 2022

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Follow up with TBDSSAB

SUMMARY

At the November 22, 2021 Committee of the Whole meeting, a resolution was passed recommending that City Manager Norm Gale be directed to connect with CEO Bill Bradica relative to the position papers and relevant information that may benefit from further advocacy and that the CEO and Chair of TBDSSAB be invited to attend and/or present at a Committee of the Whole meeting and/or an Inter-Governmental Affairs meeting on how City Council may assist with the challenges that residents in TBDSSAB buildings and in other facilities are currently facing.

Memorandum from City Manager Norm Gale, dated January 27, 2022 relative to the above noted, for information.

ATTACHMENTS

1. Memorandum - N. Gale - TBDSSAB Follow Up

MEMORANDUM

TO: Krista Power, City Clerk

FROM: Norm Gale, City Manager

DATE: January 27, 2022

SUBJECT: Request to TBDSSAB – Outstanding Item (2021-107-ADM)
Committee of the Whole Session – February 7, 2022

Via this memo, I provide information to Council related to The District of Thunder Bay Social Services Administration Board (TBDSSAB).

As requested by Council, earlier this month I met with TBDSSAB CEO Bill Bradica. I stress, however, that CEO Bradica and I meet regularly to discuss operational matters and areas of mutual concern.

CEO Bradica advises that the best way for the City of Thunder Bay to assist the TBDSSAB as the service manager for housing is to endorse several of their position papers. These papers have been shared with me previously. CEO Bradica further advises that Council may also consider joint delegations (with the TBDSSAB) at various ministerial forums like the AMO conference.

Accordingly, I will bring this to Council's Inter-Governmental Affairs Committee for their consideration.

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Receipt of Report from Integrity Commissioner

SUMMARY

Memorandum from City Clerk Krista Power, dated January 25, 2022 containing two recommendations relative to the above noted.

RECOMMENDATION

WITH RESPECT to the Report received from Principles Integrity dated January 21, 2022 relative to the conduct of Councillor Aldo Ruberto that the following sanctions be considered as per the appended report:

“[98] It is therefore recommended:

1. That Council pass the following resolution:

That having been found to have breached the Code of Conduct for the City of Thunder Bay, the remuneration paid to Councillor Aldo Ruberto be suspended for a period of 5 days commencing with the next pay period.”

And:

WITH RESPECT to the Report received from Principles Integrity relative to the conduct of Councillor Aldo Ruberto that the following work be considered as per the appended report:

“[99] It is also recommended:

2. That the City consider developing general social media guidance and cautions for Members of Council, including with regard to their responsibilities regarding blocking on open social media sites.”

ATTACHMENTS

1. Covering Memorandum - K. Power - Integrity Commissioner Report
2. Integrity Commissioner Report - Principles Integrity

Memorandum

Office of the City Clerk
Fax: 623-5468
Telephone: 625-2230

TO: Mayor & Council

FROM: Krista Power, City Clerk

DATE: January 25, 2022

SUBJECT: Integrity Commissioner Report
Committee of the Whole – February 7, 2022

Each municipal council in Ontario is required under the Municipal Act, 2001, to appoint an Integrity Commissioner (IC) who reports to Council and is responsible for performing in an independent manner the functions assigned by the municipality with respect to the application of the Code of Conduct and of any other procedures, rules and policies of the municipality governing the ethical behaviour of members of Council and local boards.

Complaints to the IC will be investigated and reported on – those reports must be made available to the public and are to be presented in public session at the next Committee of the Whole meeting following receipt of a report. The City Clerk is responsible for receiving the report and ensuring that the report is made public.

The report provided by Principles Integrity, appointed Integrity Commissioner for the City of Thunder Bay regarding a complaint relative to Councillor Aldo Ruberto was received by my office on Tuesday, January 25, 2022. As such, the report is being presented as an item for information at Committee of the Whole on February 7, 2022.

The only requirement at this time is to receive the report, City Council has 90 days to respond to a report from the IC and has authority to provide comment, direction or request further information from the Integrity Commissioner. Mr. J. Abrams of Principles Integrity will be in attendance at the February 7, 2022 meeting to respond to any questions relative to this report.

This report provides for two recommendations for City Council's considerations. The first being that Council approve a sanction for Councillor Ruberto relative to suspension of pay. The second recommendation is relative to the development guidance documents for social media for City Council to act as a framework and a guide in the future. As per past practice, both resolutions would require approval from City Council in order to proceed.

WITH RESPECT to the Report received from Principles Integrity dated January 21, 2022 relative to the conduct of Councillor Aldo Ruberto that the following sanctions be considered as per the appended report:

“[98] It is therefore recommended:

1. That Council pass the following resolution:

That having been found to have breached the Code of Conduct for the City of Thunder Bay, the remuneration paid to Councillor Aldo Ruberto be suspended for a period of 5 days commencing with the next pay period.”

The report provides for a further recommendation that City Council consider the development of guidance documents for social media to be utilized in the future.

WITH RESPECT to the Report received from Principles Integrity relative to the conduct of Councillor Aldo Ruberto that the following work be considered as per the appended report:

“[99] It is also recommended:

2. That the City consider developing general social media guidance and cautions for Members of Council, including with regard to their responsibilities regarding blocking on open social media sites.”

Attach: Report/Principles Integrity/Councillor Aldo Ruberto, dated January 21, 2022

Recommendation Report
Code of Conduct Complaint against
City of Thunder Bay
Councillor Aldo Ruberto

January 21, 2022

Introductory Comments

- [1] Principles *Integrity* is privileged to serve as Integrity Commissioner for the City of Thunder Bay and for a number of other Ontario municipalities and locally elected bodies. The operating philosophy which guides us in our work and which appears in every formal communication with our clients to reinforce its importance to us, is this:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an integrity commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council (and local boards) meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

- [2] Our efforts in concert with our clients are therefore to help establish an ethical framework through which the public perception of Council is deservedly enhanced.
- [3] The City of Thunder Bay has as part of its ethical framework a Code of Conduct which is the policy touchstone underlying the assessments conducted in this report. It represents the standard of conduct against which all members of Council are to be measured when there is an allegation of breach of the ethical responsibilities established under the Code of Conduct. The review mechanism contemplated by the Code, one which is required in all Ontario municipalities, is an inquiry/complaints process administered by an integrity commissioner.
- [4] Integrity commissioners carry out a range of functions for municipalities (and their local boards). They assist in the development of the ethical framework, for example by suggesting content or commentary for codes of conduct. They conduct education and training for members of council and outreach for members of the community. One of the most important functions is the provision of advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that

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a person has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make recommendations, including recommending sanctions, that council for the municipality may consider imposing in giving consideration to that report.

- [5] It is important that this broad range of functions be mentioned at the outset of this investigation report. Our goal, as stated in our operating philosophy, is to help members of the community, indeed the broader municipal sector and the public, to appreciate that elected and appointed representatives generally carry out their functions with integrity. In cases where they do not, there is a proper process in place to fairly assess the facts and, if necessary, recommend appropriate sanctions. In every case, including this one, the highest objective is to make recommendations that serve the public interest, if there are recommendations to be made.
- [6] Our role differs from other 'adjudicators' whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.
- [7] Our operating philosophy dictates the format of this report. The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that. Procedural fairness also requires us to conduct a process where parties can participate in the review and resolution of a complaint.
- [8] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the Respondent to respond to the allegations, and to review and provide comment on the preliminary Findings Report.

The Complaint

- [9] On October 27, 2021 we received a complaint against Councillor Aldo Ruberto alleging that he had engaged in conduct contrary to the Council Code of Conduct.
- [10] The particulars of the complaint are that immediately following an incident when a truck drove through an area inhabited as a homeless encampment, running over a tent, Councillor Ruberto posted comments about the incident on social media. In that social media post, the Councillor posited an innocent explanation – the wind – as the cause of the incident. In response to social media posts disputing the wind explanation, he removed that post, replacing it with another post positing another innocent explanation – heart attack or stroke – as the cause of the incident.

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[11] The complaint alleges that the Councillor's comments, speculating on innocent explanations at a time the matter was under active criminal investigation by the police, constitute a breach of the Code of Conduct.

Process Followed for this Investigation

[12] In conducting this investigation, Principles *Integrity* applied the principles of procedural fairness and was guided by the complaint process set out under the Code of Conduct.

[13] This fair and balanced process includes the following elements:

- Reviewing the complaint to determine whether it is within scope and jurisdiction and in the public interest to pursue, including giving consideration to whether the complaint should be restated or narrowed, where this better reflects the public interest
- Notifying the Respondent of the complaint against him, and providing adequate disclosure of the information we possessed so that he could prepare his response
- Reviewing the Code of Conduct and documentation including on-line social media posts
- Conducting interviews as necessary of persons with relevant information
- Providing the Respondent with the additional opportunity to review and provide responses to the Integrity Commissioner's draft Findings Report, and taking any additional response into consideration prior to finalizing and submitting our Recommendation Report

Background and Context

[14] The COVID-19 Pandemic has seen a rise in homelessness and the proliferation, in cities across Canada, of tent encampments appearing in urban areas.

[15] In the early fall of 2021, such an encampment came to exist at an abandoned gas bar (known as Suny's) on Dawson Road in Thunder Bay.

[16] The homeless encampment became the subject of political protests, pitting advocates for the vulnerable homeless population against residents of the neighbourhood.

[17] While the City grappled with a solution, tensions mounted.

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- [18] In the late afternoon of Tuesday October 5, 2021, an individual drove his truck through the encampment, knocking down and dragging a tent under his vehicle as he drove off. Witnesses subsequently interviewed by local media stated that the truck drove back and forth repeatedly over the tent, before speeding away.
- [19] Almost immediately, the police were on the scene, and the driver arrested within hours.
- [20] On Wednesday October 6, 2021 the Respondent posted the following link about the incident on his Facebook page:



- [21] Following a flurry of exchanges on social media, many denouncing the Respondent for suggesting the incident was caused by the wind, the Respondent removed his post.
- [22] In response to criticism of the first post, he posted:

“I believe in humans. I think we are all inherently good. I am disappointed by people and their actions. And in this case I was hoping I was right about what could have happened. Remember at the time of my post, it

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was early in the morning. No one knew if the guy had a stroke, heart attack, passed out etc. ...”

[23] One member of the public, a freelance journalist, reached out to the Respondent, challenging him for publicly spreading uninformed and unsubstantiated speculation on his social media, as an elected official.

[24] The Respondent responded by criticizing the reporter.

[25] In the course of the investigation the Respondent advised us that he from time to time blocks individuals on Facebook, but that he did not block the reporter.

The Council Code of Conduct and the Applicable Law:

[26] The provisions of the Thunder Bay Council Code of Conduct which are most applicable to the complaint are outlined below:

A. General Introduction

Members of Thunder Bay Council recognize their obligation to serve their constituents and the public in a conscientious and diligent manner understanding that as leaders of the community, they are held to a higher standard of behaviour and conduct.

Members recognize that ethics and integrity are at the core of public confidence in government and in the political process; that elected officials are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence, avoids the improper use of influence of their office and conflicts of interests, both apparent and real. They recognize the need to uphold both the letter and the spirit of the law including policies adopted by Council.

This Code of Conduct ensures that Members of Council share a common basis and understanding for acceptable conduct of Members of Council, in concert with and beyond the minimum standards of behaviour set out in the existing legislative framework.

This Code of Conduct is consistent with the principles of transparent and accountable government, and reflective of the City's core values.

B. Framework and Interpretation

1. This Code of Conduct applies to all Members of Council (“Members”). It is to be given broad, liberal interpretation in accordance with applicable legislation and the definitions set out herein. As a living document the Code of Conduct will be brought forward for review at the end of each term of Council, when relevant legislation is

Principles Integrity

amended, and at other times when appropriate to ensure that it remains current and continues to be a useful guide to Members of Council.

C. Guiding Principles:

1. Members of Council shall serve the public and their constituents in a conscientious and diligent manner.
2. Members of Council should be committed to performing their functions with integrity, impartiality and transparency.
3. Members of Council shall perform their duties in office and arrange their private affairs in a manner that promoted public confidence and will bear close public scrutiny.

...

Rule 10, Media Communications:

...

3. In all media communications, including social media, members will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

Commentary

While Members are encouraged to actively participate in vigorous debate, Members should understand that they are part of a democratically-elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a City account.

...

While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Members should exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of Council's decisions or another Member's perspectives.

Principles *Integrity*

Analysis:

- [27] This complaint arises at a time when communication via social media – Facebook and Twitter particularly – is commonplace.
- [28] It is not unusual to see comments on social media almost instantly reflecting events as they occur.
- [29] Elected officials, often motivated by the desire to keep their constituents informed, may post about issues and events in real time as they are unfolding.
- [30] Elected officials, however, occupy a privileged position within our democratic system which imposes accountability for their words publicly pronounced or published.
- [31] For these reasons, elected officials bear an increased responsibility to ensure the matters they are posting about do not inadvertently spread false rumours or misinformation.
- [32] Elected officials also have a responsibility to avoid commenting on matters under investigation or which are before the courts.
- [33] As an aside, elected officials who choose to engage in social media as if they are participating in a discussion in the ‘Town Square’ should not arbitrarily block other participants simply because those individuals disagree or express an opposing or different perspective.
- [34] For the reasons set out in detail below, we find that the Respondent’s activity on social media – posting unsubstantiated speculation relating to a matter under police investigation constitutes inappropriate conduct contrary to the standards expected of members of Council as reflected under the Code of Conduct.

Commenting on matters before the Court

- [35] It is recognized that elected officials have a certain status by virtue of the office they hold. Elected office is a privileged position which wields some influence.
- [36] Commenting on a court proceeding is recognized as inappropriate. While elected officials may hold their own views regarding legal proceedings, they are constrained from publicly commenting on proceedings before the courts, and this extends to matters under criminal investigation by the police.

Principles Integrity

- [37] Even the speculation as to the underlying cause of an incident which is under active police investigation is inappropriate for elected officials and members of Council to engage in. This is particularly the case where an arrest has been made and charges are proceeding, and the speculation posits reasons which would seem to provide exculpatory explanations in aid of the accused.
- [38] Under a democratic system of government, where the courts are independent of a legislative branch of the government, elected officials are constrained from opining on matters before the courts in a manner which may be perceived as attempting to influence the outcome.
- [39] The principle recognized in the jurisprudence and parliamentary convention is that elected officials should not comment, in matters before the court, where to do so may be seen as an attempt to interfere with the due course of justice or lawful process of the courts.
- [40] The rule against elected officials commenting publicly on matters before the court is referred to as the *sub judice* rule.
- [41] At the Provincial level, it has been found to contravene the Ontario Provincial Members' Integrity Act.
- [42] In a Report dated October 25, 2006, the Provincial Integrity Commissioner stated the following regarding an MPP's comments about a court proceeding:
- [23] ... all members know, or should know, that they should not comment on a matter that is the subject matter, or part of the subject matter, of a proceeding pending before a court. Indeed, there is a standing order of the Legislature which addressed that very issue as related to comments in the Legislative Assembly.
- [43] The proper practice, observed regularly when elected officials are asked to take a position on legal proceedings, is to state that they have no comment because the matter is before the courts.
- [44] This is more than a mere device to avoid answering difficult questions. It is the appropriate response for elected officials to avoid improper influence in legal proceedings.
- [45] The concept is readily recognized by elected officials at the Provincial and Federal levels. It ought to be better understood at the municipal level, as well.
- [46] It is important for Members of Council to refrain from commenting inappropriately. In essence, our system of democracy and respect for the rule of law demands the cooperation of all those who function within it.

Principles *Integrity*

- [47] We find that Respondent's comments positing innocent explanations (the wind, a stroke or heart attack) were inappropriate.
- [48] The social media post containing the comments coincided with the active criminal investigation being undertaken by the police.
- [49] The risk of such public comments by an elected official is that they may influence the legal proceedings – in this case, potentially influencing the police investigation.
- [50] Moreover, such comments publicly made may become a source of misinformation in the public realm, where it turns out (as here) that they were in error and without any factual foundation.
- [51] In this regard, the Respondent's comments posted on social media must be regarded as inappropriate in publicly disseminating unsubstantiated speculation and misinformation, and in offending the *sub judice* rule by commenting on a matter under investigation.
- [52] The Respondent has acknowledged the posts; in his defence, he advises that the first post (*'hoping it is a case of the wind blowing a tent and hitting a truck'*) was published early in the morning, before he left the house for 7 hours and not looking at his phone. But upon his return home, he saw the slew of comments and posted updated information.
- [53] The fact that available information was rapidly changing underscores the reason a member of Council ought **not** to be publicly suggesting possible explanations for an event pending police investigation.
- [54] The Respondent, while acknowledging the facts, disputes our determination that this constitutes an ethical breach.

Blocking on social media

- [55] The Councillor admitted during our investigation that he has occasionally blocked other participants on his social media in the past, although he has subsequently unblocked some of them.
- [56] He states that in the circumstances of this post, he was utilizing the journalist's Facebook timeline to make his comments and so denies that this constitutes 'blocking' on social media. We agree with that assessment.
- [57] We think it is important, in light of the complaint, to provide some general guidance on engaging in social media by members of Council.

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- [58] Social media can be perceived in many respects as an electronic version of the 'Town Square', particularly where access to a user's account is 'open' to anyone on the platform, without need for permission or approvals. This we refer to in this report as 'open social media.'
- [59] Open social media is a place where opinions and ideas are freely shared, contentious matters are addressed, and where people come together just to come together. In its best light, social media represents a democratization of communications between citizens and their elected officials.
- [60] Regrettably social media is not always a platform for healthy discussion. At times it attracts unconstructive negativism, and even hate.
- [61] The potential for unconstructive and even offensive communication over social media has resulted in the development of certain tools through which participants can control their accounts. One of the tools available on social media is the ability to 'block' another registered platform user from interacting with the user.
- [62] There is no obligation on elected officials to utilize social media, however, there is a growing number of politicians who are active on social media as a means of keeping their constituents and the public informed. Social media also enables elected officials to 'take the temperature' of the communities they serve.
- [63] Social media provides an almost instantaneous and unfiltered means of communicating with constituents and the public. Many members of councils use open social media accounts to inform their constituents of their position on issues before government and under consideration.
- [64] Blocking can prevent a participant from adding or providing input to the post.
- [65] Our investigation examined whether the freelance journalist was arbitrarily blocked from a public interest discussion hosted through the Respondent's Facebook account, and if so, whether this contravened the Code of Conduct.
- [66] The Respondent has advised that in the past, he has blocked individuals on his social media sites when he felt they were being unfairly critical, tenacious or disagreeable. He characterized the blocking of the journalist as a step he took for his own mental health.
- [67] A Member of Council may be justified in blocking participants whose comments are offensive or abusive. In our view, it is always advisable to tell the individuals why they are being blocked. It may be that the offending participant chooses to adjust their behaviour to remain in the conversation.

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- [68] It is not acceptable for Members of Council to arbitrarily block a dissenting voice in a discussion of public interest simply because views do not align with their own.
- [69] Blocking has the effect of unilaterally silencing dissenting voices, and presents the curated and potentially inaccurate or altered view of universal support for one point of view - the view expressed by the Councillor - on what may be portrayed by the Councillor as a transparent, open discussion.
- [70] It is acknowledged that members have an onus to exercise diligence to remove any abusive, hateful, racist or otherwise offensive posts from the social media they control. However, members who invite the public to comment and participate should be prepared to accept, without artificially silencing, whatever input and feedback is provided that is not offensive or abusive.
- [71] The fact that a member is using a 'personal account' may be a factor, but where the member is using open account to broadcast information to constituents, in effect as a public official, the 'Town Square' analogy applies.
- [72] In our view, Council should provide a policy framework which provides guidance to members of council, including that those who engage on open social media platforms for communicating publicly should not *arbitrarily* block participants, simply because they express criticism or an opposing perspective. Arbitrary blocking reflects a type of censoring that fails to align with the standards expected of members of Council as articulated in their Code of Conduct.
- [73] Having reviewed the social media posts brought to our attention during the course of this investigation, we find that the comments of the freelance journalist, while reflecting persistence in questioning the Respondent, would not be considered by a reasonable person to be offensive or abusive.
- [74] That said, some of the posts by the complainant in this matter, brought to our attention during the investigation, contain offensive and derogatory names and expletives which would certainly justify blocking.
- [75] The Code of Conduct provides guidance on his responsibilities in this regard in the commentary under Rule 10: Media Communications:

While Members are encouraged to actively participate in vigorous debate, Members should understand that they are part of a democratically-elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a City account.

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- [76] Notwithstanding this guidance, the responsibilities of a Member when participating in open social media are acknowledged to be evolving and we recognize that the Code of Conduct provides insufficient guidance in respect of such issues.
- [77] Though we make no finding that the Respondent inappropriately blocked the journalist on the occasion identified, his acknowledgment that he occasionally blocks persons from his own account guides us to recommend below that Council should develop a policy framework for how Members of Council engage on open social media accounts for the purpose of communicating on City business, including Twitter and Facebook.

Findings:

- [78] Municipal codes of conduct are policy documents adopted by municipal councils to guide the conduct and behaviour of their members.
- [79] Codes of conduct are not statutes like the Criminal Code or *Highway Traffic Act*, which require the application of strict and narrow legal interpretation before the commission of an offence can be found. Rather, a code of conduct is a policy document, and is to be given broad, liberal interpretation in much the same manner as an official plan or other municipal policy.
- [80] The Thunder Bay Code of Conduct does not contain a specific provision regarding commenting on law enforcement matters on Facebook or other social media. Nor, we note, does it contain specific provisions regarding communicating with constituents at 'Town Halls', via telephone or virtual electronic means.
- [81] It is worthy of note that neither do codes of conduct typically list specific prohibitions against lying, swearing, shouting, or other abusive behaviour toward constituents, or proscriptions against attending virtual meetings shirtless, drunk and disheveled. Yet, it would be unreasonable to argue that these behaviours would not be open to examination as breaches of the behavioural standards found in a code of conduct.
- [82] A code of conduct provides general and specific guidance to aid members in understanding and achieving the high standard of behaviour expected by the public.
- [83] Codes should be perceived as guides to proper ethical behaviour, and not simply as traps for elected officials. While a toenail over an ethical line would not draw the attention of an integrity commissioner, neither should significant non-compliant behaviour be excused merely because of the absence of codified text in the nature of a statutory offence provision such as those found in the *Criminal Code* or the *Highway Traffic Act*.

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- [84] Guidance exists in the provisions of the Code which speak to communication generally, conveying information on matters in an open and transparent manner, allowing the public to view the rationale for decisions, and to treating members of the public with respect and without abuse.
- [85] The lack of specificity in the Code may influence the nature of any sanctions that might be recommended. That is a separate matter from whether the context of a situation can result in a finding that a Member of Council has fallen short of the ethical standards applicable to them.
- [86] We find that the Respondent's conduct, speculating on innocent explanations for the event being investigated by the police was contrary to the Guiding Principles of the Code.
- [87] In making our findings we recognize that given the recent and rapid evolution of social media as a means of communicating with constituents, codes of conduct have not kept pace in providing appropriate guidance for elected officials.
- [88] The Respondent's conduct was contrary to the Code of Conduct provisions emphasized below:

A. General Introduction

Members of Thunder Bay Council recognize their obligation to serve their constituents and the public in a conscientious and diligent manner **understanding that as leaders of the community, they are held to a higher standard of behaviour and conduct.**

Members recognize that ethics and integrity are at the core of public confidence in government and in the political process; that elected officials are expected **to perform their duties in office and arrange their private affairs in a manner that promotes public confidence, avoids the improper use of influence of their office** and conflicts of interests, both apparent and real. **They recognize the need to uphold both the letter and the spirit of the law** including policies adopted by Council.

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C. Guiding Principles:

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3. In all media communications, including social media, members **will treat each other, staff and members of the public with decorum, dignity and respect**, and shall avoid messaging that amounts to abuse, bullying or intimidation.

Commentary

*While Members are encouraged to actively participate in vigorous debate, **Members should understand that they are part of a democratically-elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a City account.***

...

Principles Integrity

*While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, **social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Members should exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of Council's decisions or another Member's perspectives.***

Other Guidance and Observations:

- [89] Councillor Ruberto is very active on social media and it is difficult at times to discern whether he is posting in a personal capacity or as a councillor. He has a tendency to repost the flotsam of the internet which, when juxtaposed with public service messaging, can be perplexing. This leads to confusion and invites legitimate criticism. The fact that he posts from a 'personal' page does not diminish the problem.
- [90] It is not the role of a councillor to be the clearing house for internet postings regardless of their nature particularly when City business is also communicated on the site. The intermingling of a running string of memes, photographs, and other typical Facebook postings with legitimate City communications diminishes the ability of important public messaging from being seen. We think he should exercise restraint in this regard.

Concluding Remarks and Recommendations:

- [91] While an Integrity Commissioner may recommend sanctions, the overarching goal is to achieve course correction and better ethical behaviour among members of Council. This, we believe, assists in preserving, or improving, the overall good will of the community toward Council, as noted in the first paragraph of this report.
- [92] A monetary sanction, even a nominal one, serves to underscore that the stated behaviour has fallen below applicable standards. A sanction is intended to act as a deterrent.
- [93] This is not the first complaint brought to our attention regarding statements inappropriately made by the Respondent, nor is it the first complaint brought to our attention regarding his social media posts.

Principles *Integrity*

[94] Previous complaints were able to be resolved without public report through the Respondent's commitment to course correction; our guidance to him is and was to exercise better judgment before blurting things out.

[95] Unfortunately, it does not appear that our advice has been heeded.

[96] To that we would add be cautious about engaging in a free-for-all on social media. Under the circumstances, we would hope that the Respondent would demonstrate greater restraint and exercise improved judgment in his engagement on social media in future.

[97] In the circumstances we think the time has come for Council to consider a short suspension of pay for a period of 5 days in an effort to encourage better compliance with the Code's guidance.

[98] It is therefore recommended:

1. That Council pass the following resolution:

That having been found to have breached the Code of Conduct for the City of Thunder Bay, the remuneration paid to Councillor Aldo Ruberto be suspended for a period of 5 days commencing with the next pay period.

[99] It is also recommended:

2. That the City consider developing general social media guidance and cautions for Members of Council, including with regard to their responsibilities regarding blocking on open social media sites.

[100] Such guidance should include when notice including a statement for the reasons for blocking (or for the use of other restrictive tools specific to the platform) should be given, and on where it would be appropriate for the restriction to be permanent, or temporary in order to create an opportunity for remediation and more appropriate discourse.

[101] We also recommend to Councillor Roberto that he immediately separate his social media communications so that his personal and City-related postings are clearly distinguished. Given his practice of co-mingling the two, we suggest he establish two separate accounts and rigidly adhere to the distinct purpose for each account.

[102] We conclude by expressing our thanks to everyone who cooperated with our investigation. We will be pleased to be in attendance when this report is considered to answer any questions Council may have relating to its contents.



MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Closed Session Meeting Investigation

SUMMARY

Memorandum from City Clerk Krista Power, dated January 26, 2022 relative to the above noted, for information.

ATTACHMENTS

1. Memorandum - K. Power - Closed Meeting Investigation Follow Up
2. Correspondence - Paul Heayn, Closed Meeting Investigator

Memorandum

Office of the City Clerk
Fax: 623-5468
Telephone: 625-2230

TO: Members of Council

FROM: Krista Power, City Clerk

DATE: January 26, 2022

SUBJECT: Closed Session Meeting Investigation
Committee of the Whole – February 7, 2022

This memorandum is provided for information for members of council and the public as it relates to a recent complaint and subsequent investigation relative to a closed session meeting held on November 22, 2021.

The subject of the complaint was that City Council did not close the meeting properly as required in *the Municipal Act, 2001* to discuss a confidential report received by administration with respect to the Expression of Interest Process for the Multi Use Indoor Sports Facility.

The *Municipal Act, 2001* provides for reasons why a municipal council may close a meeting to the public, these reasons are listed below and also included in City Council's procedural by-law.

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the municipality or local board;*
- (b) personal matters about an identifiable individual, including municipal or local board employees;*
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;*
- (d) labour relations or employee negotiations;*
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;*
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;*
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;*
- (i) 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;
(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26

Closing a meeting to the public must be decided by resolution of Council and all appropriate exceptions must be listed for public information. The minutes of the closed session meeting are presented in conjunction with the open session minutes.

The City of Thunder Bay's Closed Session Meeting Investigator is Paul Heayn. Paul spent over twenty five years in local government in the municipality of Dryden and is appointed as both a Closed Session Meeting Investigator and Integrity Commissioner for several municipalities in northwestern Ontario. Upon receipt of a complaint that a meeting was improperly closed, it is the responsibility of the Closed Session Meeting Investigator to complete an investigation to determine if the meeting was closed to the public legitimately. Once the investigation is complete, a report is provided, as required by legislation, to City Council with the findings.

The attached correspondence was received by Paul Heayn and is shared for the purpose of transparency for all involved. In this case, the complainant withdrew their complaint so a report or public notice is not required; however, this is important information to be shared with Council and the public relative to the process and the outcome.

My office takes pride in upholding the exceptions provided for in the *Municipal Act* and advises Council and Administration on a regular basis relative whether an item can be discussed in closed session or not. The investigation revealed our advice met the requirements and the legislative threshold to meet in closed session.

C.C. Paul Heayn, Closed Session Meeting Investigator
Patty Robinet, City Solicitor
Norm Gale, City Manager

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CITY CLERK'S OFFICE PAUL S. HEAYN, Closed Meeting Investigator
For the City of Thunder Bay

41 CLEARWATER CRES.
DRYDEN, ON P8N 3H8

January 6, 2022

Krista Power, City Clerk
500 Donald Street East,
P.O. Box 800
Thunder Bay, ON
P7C 5K4

Dear Krista:

Re: Closed Meeting Investigation – Complaint Regarding the Meeting of November 22, 2021

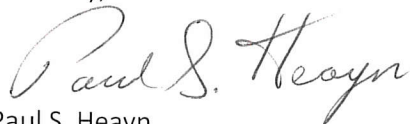
On November 23, 2021, I received a Complaint regarding a Thunder Bay City Council In-Camera meeting on November 22, 2021. The Complaint relates to a report from City Administrators on the subject of Expression of Interest (EOI) on the construction of an indoor turf facility. The Complainant believes that tabling the report In-Camera was improper and that the Administrative Report and the subsequent discussion by Council should have been held in open session.

In conducting my investigation, I talked to the Complainant, the City Clerk, Krista Power, Deputy City Solicitor, Cynthia Cline and Supply Management Allan Hensel. I also obtained a copy of the Administrators report and the minutes of the meetings of November 22, 2021. The Meeting was held In-Camera under the exemptions stipulated in Section 239(2) (i): (j) and (k).

As a result of my investigation, I had a conversation with the Complainant and clarified that after completing my investigation as to whether or not Council was correct in discussing this matter in Closed Session, I am satisfied that the reasons under Section 239(2) (i): (j) and (k) are legitimate. Subsequently the Complainant was satisfied with the reasons Council went into Closed Session and withdrew the Complaint. I also followed up with an email to the Complainant outlining my reasons for finding that Council acted appropriately in discussing this matter In-Camera.

If you have any questions, please let me know.

Sincerely,



Paul S. Heayn
Closed Meeting Investigator
Ph.-807-223-6824
Cell-807-221-8128
Email-psheayn@drytel.net

MEETING DATE 02/07/2022 (mm/dd/yyyy)

SUBJECT Outstanding List for Community Services as of January 25, 2022

SUMMARY

Memorandum from City Clerk Krista Power, dated January 25, 2022 providing the Community Services Outstanding Items List, for information.

ATTACHMENTS

1. Memorandum - K. Power - Outstanding List Community Services

Memorandum

Office of the City Clerk
Fax: 623-5468
Telephone: 625-2230

TO: Mayor & Council

FROM: Krista Power, City Clerk

DATE: January 25, 2022

SUBJECT: Outstanding List for Community Services as of January 25, 2022
Committee of the Whole – February 7, 2022

The following items are on the outstanding list for February 7, 2022:

2013-010-CS	Community Services / Administration	Prince Arthur's Landing Phase 1 - Project Update and Final Capital Works - Project Update 2013 & December 2014	Dec-01-2014	Apr-4-2022
2021-101-CS	Community Services / Facilities, Fleet & Energy Management	Free Menstrual Products at City Facilities	Sep-30-2022	Dec-12-2022
2021-106-CS	Community Services - Recreation & Culture; Infrastructure and Operations - Parks and Open Spaces	Former Dease Pool Site - Detailed Design and Concept Plan	Dec-13-2022	Feb-13-2023
2021-107-CS	Community Services - Transit Services	Proposed Affordable Monthly Bus Pass Program	Dec-13-2022	Feb-13-2023
2021-108-CS	Community Services - Recreation & Culture	User Fee Model & Affordable Access Pilot	Dec-13-2022	Feb-13-2023
2021-109-CS	Community Services	Expression of Interest Proposed Multi-use Indoor Sports Facility	Feb-14-2022	Apr-11-2022