



MEETING: City Council

DATE: Monday, June 17, 2019

Reference No. CC - 21/50

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

City Council
Chair: Mayor B. Mauro

OPENING CEREMONIES

Prayer or One Minute of Silence

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - June 17, 2019 - City Council (Community Economic Development Commission AGM)

With respect to the June 17, 2019 City Council – Special Session (Community Economic Development Commission AGM) meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

REPORTS OF MUNICIPAL OFFICERS

Annual Meeting of Thunder Bay Community Economic Development Commission Inc.

Members of Council were invited to the annual meeting of the Members of the Thunder Bay Community Economic Development Commission Inc. held prior to this City Council - Special Session.

Community Economic Development Commission Inc. - Financial Statements and Approvals

Resolution relative to Community Economic Development Commission Inc. - Financial Statements and Approvals.

Resolutions to approve amendments to By-law No. 1 and By-law No. 2.

THAT we authorize the City Clerk, as the Member Representative of the Thunder Bay Community Economic Development Commission Inc., to sign the resolution to:

1. Approve the Financial Statements of the Thunder Bay Community Economic Development Commission Inc. for the fiscal period ending December 31, 2018, prepared by BDO Canada LLP, Chartered Accountants;
2. Appoint the firm BDO Canada LLP, Chartered Accountants as the Auditor for the Thunder Bay Community Economic Development Commission Inc.;
3. Approve the following appointments to the Board of Directors:
 - _____, as Chair
 - _____, as Vice Chair
 - _____, as Secretary/Treasurer
4. Approve the proposed by-law amendments from the Thunder Bay Community Economic Development Commission as presented at the June 17, 2019 Annual General Meeting of the Commission, to By-law No. 1 and By-law No. 2 as presented as per the motions of the Commission.
5. Approve, ratify and confirm all by-laws, resolutions, acts, contracts and proceedings of the Directors and Members of the Thunder Bay Community Economic Development Commission Inc., since the last annual general meeting of the Members of the Thunder Bay Community Economic Development Commission Inc.

CONFIRMING BY-LAW

BL 67/2019 - Confirming By-law - Community Economic Development Corporation (CEDC) Annual General Meeting - June 17, 2019

A By-law to confirm the proceedings of a meeting of Council, this 17th day of June, 2019.

Confirming By-law Resolution - June 17, 2019 - City Council (CEDC AGM)

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

1. A By-law to confirm the proceedings of a meeting of Council, this 17th day of June, 2019

By-law Number: BL 67/2019

ADJOURNMENT

MEETING DATE 06/17/2019 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda - Community Economic Development
Commission AGM

SUMMARY

Confirmation of Agenda - June 17, 2019 - City Council - Special Session (Community Economic Development Commission AGM)

RECOMMENDATION

With respect to the June 17, 2019 City Council – Special Session (Community Economic Development Commission AGM) meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

MEETING DATE 06/17/2019 (mm/dd/yyyy)

SUBJECT Annual Meeting of Thunder Bay Community Economic Development
Commission Inc.

SUMMARY

Members of Council were invited to the annual meeting of the Members of the Thunder Bay Community Economic Development Commission Inc. held prior to this City Council - Special Session.

MEETING DATE 06/17/2019 (mm/dd/yyyy)

SUBJECT Community Economic Development Commission Inc. - Financial
Statements and Approvals

SUMMARY

Resolution relative to Community Economic Development Commission Inc. - Financial
Statements and Approvals.

Resolutions to approve amendments to By-law No. 1 and By-law No. 2.

RECOMMENDATION

THAT we authorize the City Clerk, as the Member Representative of the Thunder Bay
Community Economic Development Commission Inc., to sign the resolution to:

1. Approve the Financial Statements of the Thunder Bay Community Economic
Development Commission Inc. for the fiscal period ending December 31, 2018, prepared
by BDO Canada LLP, Chartered Accountants;
2. Appoint the firm BDO Canada LLP, Chartered Accountants as the Auditor for the
Thunder Bay Community Economic Development Commission Inc.;
3. Approve the following appointments to the Board of Directors:
 - _____, as Chair
 - _____, as Vice Chair
 - _____, as Secretary/Treasurer
4. Approve the proposed by-law amendments from the Thunder Bay Community Economic
Development Commission as presented at the June 17, 2019 Annual General Meeting of
the Commission, to By-law No. 1 and By-law No. 2 as presented as per the motions of
the Commission.
5. Approve, ratify and confirm all by-laws, resolutions, acts, contracts and proceedings of
the Directors and Members of the Thunder Bay Community Economic Development
Commission Inc., since the last annual general meeting of the Members of the Thunder
Bay Community Economic Development Commission Inc.

ATTACHMENTS

- 1 By-law No 1 Amendment Nov 2018
- 2 By-law No 2 Amendment Nov 2018

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
THUNDER BAY COMMUNITY ECONOMIC DEVELOPMENT COMMISSION INC.
NUMBER _____**

A RESOLUTION TO APPROVE AMENDMENTS TO BYLAW #1

WHEREAS, the Board of Directors of the Thunder Bay Community Economic Development Commission Inc. (the “CEDC”) deems it to be in the best interests of the Corporation that the following actions be taken pursuant to this Resolution;

NOW, THEREFORE, pursuant to applicable law, the undersigned, being all of the Directors of this corporation hereby consent to, approve, and adopt the following:

AMENDMENT TO BY-LAW # 1:

BE IT RESOLVED, that By-law#1 be amended to delete the phrase “Chief Administrative Officer” wherever it appears and replace such phrase with “City Manager”.

BE IT FURTHER RESOLVED, that Section 1 of the Recitals of By-law # 1 be amended to delete such Recital in its entirety and replacing such recital with the following:

- “1. **Purpose:** The Corporation is established to facilitate community-based economic development in Thunder Bay. This includes:
- (a) the development of an environment that fosters the creation of new business;
 - (b) providing a catalyst to increase job opportunities, financial investment and/or the assessment base in Thunder Bay;
 - (c) promoting and developing tourism;
 - (d) furthering community health science recruitment; and,
 - (e) any complementary activities not inconsistent with these purposes.”

BE IT FURTHER RESOLVED, that Section 2 of the Recitals of By-law # 1 be amended to delete such Recital in its entirety and replace such Recital with the following:

- “2. **Mandate:** The Corporation’s mandate is to be partner-driven, business-led, and community-supported. The Corporation will make itself available to deal with economic development initiatives from the genesis of an idea through to completion wherever possible. The Corporation will respond promptly, but with reasonable efficacy, due diligence, and regard for public accountability to project ideas.”

BE IT FURTHER RESOLVED, that Section 1.1 (j)(iii) of By-law # 1 be amended to delete such Section in its entirety and replace such Section with the following:

“1.1(j)(iii) a Non-voting Board Observer who is the City Manager or a person designated by the City Manager to represent him or her.”

BE IT FURTHER RESOLVED, that Section 3.2(d) of By-law # 1 be amended to delete such Section in its entirety and replace such Section with the following:

“3.2(d) One (1) Non-voting Board Observer who is the City Manager or a person designated by the City Manager to represent him or her.”

BE IT FURTHER RESOLVED, that Section 3.4(c) of By-law # 1 be amended to delete such Section in its entirety and replace such Section with the following:

“3.4(c) the Non-voting Board Observer’s term of office is commensurate with his or her term of office as the City Manager or as determined by the City Manager where the Non-voting Board Observer is a person designated to represent the City Manager.”

BE IT FURTHER RESOLVED that all other provisions of Bylaw #1 as adopted shall remain in effect and the foregoing amendments shall be incorporated into the standing Bylaws of the CEDC upon adoption by the membership.

PASSED and **ADOPTED** on this ____ day of _____, 2018 by a [unanimous/majority] vote of the Board of Directors of the CEDC.

ATTEST:

Signature: _____

Name:

Secretary of the Board

APPROVED:

Signature: _____

Name:

Chairperson of the Board

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of a resolution regularly presented to, and adopted by, the Board of Directors of the CEDC at a meeting held on the ____ day of _____, 2018 at which a quorum was present and vote recorded, and that such resolution is duly recorded in the minute book of this corporation; that the officers named in said resolution have been duly elected or appointed to, and are the present incumbents of the respective offices set after their respective names; and that the signatures set above their respective names are their true and genuine signatures.

Secretary of the Board

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
THUNDER BAY COMMUNITY ECONOMIC DEVELOPMENT COMMISSION INC.
NUMBER _____**

A RESOLUTION TO APPROVE AMENDMENTS TO BYLAW No. 2

WHEREAS, the Board of Directors of the Thunder Bay Community Economic Development Commission Inc. (the “**Corporation**”) deems it to be in the best interests of the Corporation that the following actions be taken pursuant to this Resolution;

NOW, THEREFORE, pursuant to applicable law, the undersigned, being all of the Directors of the Corporation hereby consent to, approve, and adopt the following:

AMENDMENT TO BY-LAW NO. 2:

BE IT RESOLVED THAT Article I – Bankers, Section 1.1 of By-law No. 2 be amended by deleting Section 1.1 in its entirety and replacing such section with the following:

“1.1 **The Bank:** The Treasurer of the Corporation is authorized for and on behalf of the Corporation to negotiate with, deposit with, or transfer to THE TORONTO DOMINION BANK (the “**Bank**”), for credit to the Corporation’s account only all or any cheques and other orders for the payment of money, and for that purpose to endorse the same on behalf of the Corporation.”

BE IT FURTHER RESOLVED THAT Article II – Signing Officers, Section 2.1 of By-law No. 2 be amended by deleting Section 2.1 in its entirety and replacing such section with the following:

“2.1 **Cheques over \$5,000.00:** All cheques of the Corporation for an amount in excess of FIVE THOUSAND (\$5,000.00) DOLLARS shall be drawn in the name of the Corporation and shall be signed on its behalf by any one of the following Officers:

- the Chair;
- the Vice-Chair;
- the Treasurer; or,
- the CEO.

and countersigned by any one of the following Officers:

- the Chair;
- the Vice-Chair;
- the Treasurer;
- the Secretary; or,
- the CEO.”

BE IT FURTHER RESOLVED, that Article II – Signing Officers, Section 2.2 of By-law No. 2 be amended by deleting Section 2.2 in its entirety and replacing such section with the following:

“2.2 **Cheques under \$5,000.00:** All cheques of the Corporation for an amount of FIVE THOUSAND (\$5,000.00) DOLLARS or less shall be drawn in the name of the Corporation and shall be signed on its behalf by any one of the following Officers:

- the Chair;
- the Vice-Chair;
- the Treasurer; or,
- the CEO.”

BE IT FURTHER RESOLVED that all other provisions of By-law No. 2, as adopted, shall remain in effect and the foregoing amendments shall be incorporated into the standing By-laws of the Corporation upon adoption by the membership.

PASSED and **ADOPTED** on this ____ day of _____ 2018 by a [unanimous/majority] vote of the Board of Directors of the Corporation.

ATTEST:

Signature: _____
Name: _____
Secretary of the Board

APPROVED:

Signature: _____
Name: _____
Chairperson of the Board

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of a resolution regularly presented to, and adopted by, the Board of Directors of the Corporation at a meeting held on the ____ day of _____, 2018 at which a quorum was present and vote recorded, and that such resolution is duly recorded in the minute book of the Corporation; that the officers named in said resolution have been duly elected or appointed to, and are the present incumbents of the respective offices set after their respective names; and that the signatures set above their respective names are their true and genuine signatures.

Secretary of the Board

Memorandum

Corporate By-law Number BL 67/2019

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

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

DATE: 06/04/2019

SUBJECT: BL 67/2019 - Confirming By-law - Community Economic Development Corporation (CEDC) Annual General Meeting - June 17, 2019

MEETING DATE: City Council - 06/17/2019 (mm/dd/yyyy)

By-law Description: A By-law to confirm the proceedings of a meeting of Council, this 17th day of June, 2019.

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

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

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 67/2019

A By-law to confirm the proceedings of a meeting of Council,
this 17th day of June, 2019.

Recitals

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

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

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

17th day of June, 2019 OPEN SESSION, CITY COUNCIL MEETING

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

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

Enacted and passed this 17th day of June, A.D. 2019 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

Deputy City Clerk

MEETING DATE 06/17/2019 (mm/dd/yyyy)

SUBJECT Confirming By-law Resolution - June 17, 2019 - City Council (CEDC AGM)

SUMMARY

Confirming By-law Resolution - June 17, 2019 - City Council (CEDC AGM)

RECOMMENDATION

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

1. A By-law to confirm the proceedings of a meeting of Council, this 17th day of June, 2019

By-law Number: BL 67/2019