

AGENDA

REGULAR MEETING OF CITY COUNCIL

2010 12 13

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2010 11 08 be approved.

2. QUESTIONS AND INFORMATION ARISING OUT OF MINUTES AND NOT OTHERWISE ON THE AGENDA

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the Agenda for the 2010 12 13 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Diana Taranto, Chair, Community Christmas for Children will be in attendance concerning Proclamation – “Community Christmas for Children”.
- b) Chuck Vernelli will be in attendance concerning the “Traveling Flag Tribute”.
- c) Gord Nesbitt of Sutherland will be in attendance concerning an employee recruitment initiative.
- d) David Poluck will be in attendance concerning Sault Ste. Marie Ratepayers Association activities.

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTS; BOARDS AND COMMITTEES

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that all the items listed under date 2010 12 13 - Part One - Consent Agenda be approved as recommended.

- a) Correspondence from the Association of Municipalities of Ontario is attached for the information of Council.
- b) Correspondence from the Ontario Good Roads Association is attached for the information of Council.
- c) A letter from the Attorney General of Ontario is attached for the information of Council.
- d) Correspondence from the Algoma District Municipal Association is attached for the information of Council.

e) Tender for Oils, Greases and Gear Lubricants (2010WA21)

A report of the Manager of Purchasing is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2010 12 13 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants required by the various City Departments and co-operatively for PUC Services Inc. be awarded as recommended.

f) Tender for Automotive Supplies

A report of the Manager of Purchasing is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that the Report of the Manager of Purchasing dated 2010 12 13 be endorsed and that the tender for the supply of automotive supplies, required by the various City Departments and co-operatively for PUC Services Inc. be awarded as recommended.

g) Third Quarter Financial Reporting

A report of the Commissioner of Finance and Treasurer dated 2010 12 13 is attached for the consideration of Council. The Third Quarter Financial Report is provided under separate cover.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the report of the Commissioner of Finance and Treasurer dated 2010 12 13 and Third Quarter Financial Report be accepted as information.

h) Mayor and Council Travel Expenses – January 01 to September 30, 2010

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Commissioner of Finance and Treasurer dated 2010 12 13 concerning Mayor and Council travel expenses for the period of January 01 to September 30, 2010 be accepted as information.

i) 2009 Municipal Performance Measurement Program

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The 2009 Municipal Performance Measurement Program report is attached under separate cover.

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that the report of the Commissioner of Finance and Treasurer dated 2010 12 13 concerning 2009 Municipal Performance Measurement Program be accepted as information.

j) Borrowing By-laws for 2011

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

The relevant By-laws 2010-176 and 2010-177 are listed under Item 10 of the agenda will be read with all other by-laws listed under that item.

k) Property Tax Appeals

A report of the City Tax Collector is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax accounts as outlined in the City Tax Collector's report dated 2010 12 13 be approved and the tax records be amended accordingly.

I) **Approval to Fill a Senior Staff Vacancy – Program Manager – Ontario Works**

A report of the Commissioner, Human Resources is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the report of the Commissioner, Human Resources dated 2010 12 13 regarding a Senior Staff Vacancy Program Manager – Ontario Works be accepted and the recommendation to begin the selection process and to advertise simultaneously both internally and externally be approved.

m) **Retirement of Lorie Bottos – Filling of Position of City Solicitor and Assistant City Solicitor**

A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Whereas the Corporation of the City of Sault Ste. Marie has been extremely well served by Lorie A. Bottos who has been a loyal, valuable and exemplary municipal employee for 35 years; and

Whereas Mr. Bottos has provided sound and thoughtful legal advice to City Council and to City Departments, both as the City Solicitor and to that as the Assistant City Solicitor; and

Whereas he has displayed an admirable work ethic throughout his tenure with the City and has served as an important member of the Senior Management Team; and

Whereas the said Lorie A. Bottos has given notice of his intention to retire as the City Solicitor, effective January 31, 2011;

Now Therefore Be It Resolved that the Mayor and City Council on behalf of themselves, City Staff and the community expresses its sincerest gratitude to Lorie A. Bottos for the many years of dedicated service and legal advice which he has provided to the Corporation of the City of Sault Ste. Marie.

The relevant By-laws 2010-174 and 2010-178 are listed under Item 10 of the agenda will be read with all other by-laws listed under that item.

n) **Staff Travel Requests**

A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Chief Administrative Officer dated 2010 12 13 concerning Staff Travel Requests be approved as requested.

o) **2011 Council Meeting Schedule**

A report of the City Clerk is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved the report of the City Clerk dated 2010 12 13 concerning the 2011 Council Meeting Schedule be accepted by Council and the schedule as recommended be approved.

p) **Boards and Committees Review**

A report of the City Clerk is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that the report of the City Clerk dated 2010 12 13 concerning Boards and Committees Review be accepted and the recommendation of the Boards and Committees Review Committee (2007) that honoraria payments to citizen appointees serving on committees created and regulated by Council be eliminated (specifically Parks and Recreation Advisory Committee and Planning Advisory Committee) be approved.

q) **Homelessness Partnering Strategy (HPS) and Homeless Individuals and Families Information System (HIFIS)**

A report of the Community Coordinator, Social Services Department is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that the report of the Community Coordinator, Social Services Department dated 2010 12 13 concerning Homelessness Partnering Strategy (HPS) and Homeless Individuals and Families Information System (HIFIS) be accepted and the recommendation that the City to continue in the role of Community Entity for the next three years be approved.

r) **High School Hockey Agreement between the City of Sault Ste. Marie, the Algoma District School Board and the Huron Superior Catholic District School Board**

A report of the Manager, Community Centres is attached for the consideration of Council.

The relevant By-law 2010-179 is listed under Item 10 of the agenda will be read with all other by-laws listed under that item.

s) **Funding Application – Celebrate Canada Program**

A report of the Supervisor, Community Services is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Supervisor, Community Services dated 2010 12 13 concerning the Funding Application – Celebrate Canada Program be accepted and that City Council authorize staff to apply to the Department of Canadian Heritage for the 2011 Celebrate Canada Program to assist in funding the City's Canada Day Celebrations which include:

- 1) Annex F – Delegating signing Authority to Virginia McLeod, Supervisor Community Services for the 2011 Canada Day Activities
- 2) Annex G – Event Liability Waiver for the 2011 Canada Day Activities which releases the Department of Canadian Heritage from any liability

be approved as recommended.

t) **Request for Financial Assistance for National/International Sports Competitions**

A report of the Manager, Recreation and Culture is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the report of the Manager, Recreation and Culture dated 2010 12 13 is accepted and financial assistance grants in the amount of \$750 to Team Gencarelli and \$400 to Reids Martial Arts to attend the 2010 World Karate Council Canadian Championships in Ottawa, Ontario from May 21-23, 2010 be approved as recommended.

u) **Environmental Assessment – Agreement for Engineering Services – Second Line East – Old Garden River Road to Black Road**

A report of the Director of Engineering Services is attached for the consideration of Council.

The relevant By-law 2010-175 is listed under Item 10 of the agenda will be read with all other by-laws listed under that item.

v) **Contract 2008-15E – SCADA Automation and Implementation Consultant Fee Amendment**

A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that the report of the Land Development and Environmental Engineer dated 2010 12 13 concerning Contract 2008-15E – SCADA Automation and Implementation Consultant Fee Amendment be accepted and the recommendation that the upset limit in the agreement with AECOM be revised to a total of \$1,382,528 be endorsed.

w) **Sault Ste. Marie West End Wastewater Treatment Plant Upgrades Pre-Engineering Study – Engineering Agreement**

A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

The relevant By-law 2010-182 is listed under Item 10 of the agenda will be read with all other by-laws listed under that item.

x) **Landfill Gas Collection Project – Engineering Fees**

A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

Resolved that the report of the Land Development and Environmental Engineer dated 2010 12 13 concerning Landfill Gas Collection Project – Engineering Fees be accepted and the recommendation that an additional \$65,000 in engineering fees be included for a revised upset limit of \$408,000 in the engineering services contract between the City and AECOM be approved.

y) **Speed Limit on Second Line from People's Road to Korah Road**

A report of the Commissioner, Public Works and Transportation is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that the report of the Commissioner, Public Works and Transportation dated 2010 12 13 concerning the Speed Limit on Second Line from People's Road to Korah Road recommending the posted speed limit for Second Line from People's Road to Korah Road remain at 60 km/hr and no further action be taken be approved.

z) Petition for Removing Sidewalk Plowing on Ohio Drive

A report of the Commissioner, Public Works and Transportation is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Commissioner, Public Works and Transportation dated 2010 12 13 concerning a Petition for Removing Sidewalk Plowing on Ohio Drive and the recommendation that Ohio Drive be removed from sidewalk plowing this winter be approved.

aa) Municipalities of Algoma – Use of Household Special Waste Facility

A report of the Waste Diversion Supervisor is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the report of the Waste Diversion Supervisor dated 2010 12 13 concerning Municipalities of Algoma – Use of Household Special Waste Facility and the recommendation that Council authorize staff to extend existing agreements with the outlying municipalities for one year at the current price of \$7 per permanent household be approved.

bb) Request for an All-way Stop at Farewell Terrace/Rossmore Road Intersection

A report of the Commissioner, Public Works and Transportation is attached for the consideration of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that the report of the Commissioner, Public Works and Transportation Department dated 2010 12 13 concerning a Request for an All-way Stop at Farewell Terrace/Rossmore Road Intersection and the recommendation that an all-way stop configuration not be installed at the Farewell Terrace/Rossmore Road Intersection be approved.

cc) Wilcox Avenue Parking Regulations

A report of the Deputy Commissioner, Public Works and Transportation is attached for the consideration of Council.

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that the report of the Deputy Commissioner, Public Works and Transportation dated 2010 12 13 concerning Wilcox Avenue Parking

Regulations and the recommendation that no change to the existing parking status on Wilcox Avenue be approved.

dd) Transit Service to the New Sault Area Hospital

Report of the Manager of Transit and Parking, Public Works and Transportation is attached for the information of Council.

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Manager of Transit and Parking, Public Works and Transportation dated 2010 12 13 concerning Transit Service to the New Sault Area Hospital and the recommendation to monitor the efficiency and ridership of the bus routes to the new hospital in an effort to provide the most suitable and affordable public transportation service be approved.

ee) Winter Operation Issues

A report of the Commissioner, Public Works and Transportation Department is attached for the information of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor S. Butland

Resolved that the report of the Commissioner, Public Works and Transportation Department dated 2010 12 13 concerning Winter Operation Issues the City's Winter Maintenance Policy be accepted as information.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6.(2) COMMUNITY SERVICES DEPARTMENT

6.(2)(a) West End Community Centre – Tender and Project Update

A report of the Commissioner, Community Services is attached for the information of Council.

Mover: Councillor J. Krmpotich

Seconder: Councillor P. Christian

Resolved that the report of the Commissioner, Community Services dated 2010 12 13 concerning the West End Community Centre – Tender and Project Update be accepted as information.

**7. UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS
PLACED ON AGENDA BY MEMBERS OF COUNCIL**

- a) Mover: Councillor S. Myers
Seconder: Councillor T. Sheehan
Whereas the City of Sault Ste. Marie will celebrate its 100th anniversary during 2012; and
Whereas our City and its citizens have a great deal to celebrate on the occasion of our 100th anniversary; and
Whereas to commemorate the year, City Council has established a Celebrate 100! Management Team comprised of elected officials and municipal staff who will co-ordinate a community celebration throughout 2012; and
Whereas on December 13th, 2010, a public launch of the Celebrate 100! project and website 'www.celebrate100saultstemarie.com' was held at the Civic Centre;
Now Therefore Be It Resolved that City Council encourages groups and organizations in the City to consider hosting an event that will showcase the anniversary year; and
Further that all citizens of Sault Ste. Marie are invited, along with their friends and families who live elsewhere to come home, to celebrate our accomplishments of the last 100 years. Let's all celebrate! We are going to have a good time!
- b) Mover: Councillor S. Butland
Seconder: Councillor P. Christian
Whereas the Government of Ontario has placed considerable attention and priority to the Water Opportunities and Water Conservation Act; and
Whereas the City hosted a meeting on September 16, 2010 of those potential parties of interest; and
Whereas Dr. Paula Antunes of the Biosciences and Technology Convergence Centre (Innovation Centre) has taken the lead in formulating a proposal to address the program guidelines which would designate Sault Ste. Marie as a model for the Province of Ontario;
Therefore Be It Resolved that Council endorse Dr. Antunes' project in principle and be prepared to offer staff support and expertise wherever and whenever possible as this initiative develops.
- c) Mover: Councillor T. Sheehan
Seconder: Councillor S. Myers
Whereas Sault Ste. Marie is the greatest Hockey Town in Canada; and
Whereas Kraft and CBC are once again looking to Canada to submit photos and stories for the Kraft Hockeyville online contest; and
Whereas not only will our Community have the exclusive bragging rights that come with being crowned Kraft Hockeyville 2011, the strongest

hockey community is also awarded prizes to help them make their mark in Canada's hockey history:

- \$100,000 from Kraft Canada dedicated to upgrading your home arena endorsed through your winning Kraft Hockeyville bid,
- An NHL pre-season hockey game hosted in your community arena,
- A CBC Hockey Night in Canada broadcast from your community related to the event.

Now therefore be it resolved that all current and former Citizens of Sault Ste. Marie be encouraged to log on to www.cbc.ca/sports/hockey/hockeyville and tell their stories and submit their pictures describing why Sault Ste. Marie is the greatest Hockey Town in Canada!

8. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**
9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**
10. **CONSIDERATION AND PASSING OF BY-LAWS**

Mover: Councillor F. Manzo

Seconder: Councillor P. Christian

Resolved that all by-laws listed under item 10 of the Agenda under date 2010 12 13 be approved.

By-laws before Council for THREE readings which do not require more than a simple majority.

AGREEMENTS

- a) **2010-175**

A by-law to authorize the execution of an engineering agreement between the City and Kresin Engineering Corporation to provide an environmental assessment for the widening of Second Line from Old Garden River Road to Black Road.

A report from the Director of Engineering Services is on the agenda.

- b) **2010-179**

A by-law to authorize an agreement between the City and the Algoma District School Board and Huron Superior Catholic District School Board for the use of ice surfaces for high school hockey.

A report from the Manager of Community Centres is on the agenda.

c) **2010-182**

A by-law to authorize the execution of an agreement between the City and AECOM Canada Ltd. to provide engineering services to assess the West End Water Pollution Control Plant.

A report from the Land Development and Environmental Engineer is on the agenda.

APPOINTMENTS

d) **2010-174**

A by-law to appoint Nuala M. Kenny as City Solicitor.

A report from the Chief Administrative Officer is on the agenda.

e) **2010-178**

A by-law to appoint Melanie Borowicz-Sibenik as Assistant City Solicitor.

A report from the Chief Administrative Officer is on the agenda.

FINANCING

f) **2010-176**

A by-law to authorize the borrowing of \$10,000,000 to meet current expenditures until taxes are collected.

A report from the Commissioner of Finance and Treasurer is on the agenda.

g) **2010-177**

A by-law to authorize the borrowing of \$15,000,000 to finance capital expenditures for short and long term purposes for The Corporation of the City of Sault Ste. Marie and \$6,200,000 for the Public Utilities Commission of the City of Sault Ste. Marie.

A report from the Commissioner of Finance and Treasurer is on the agenda.

STREET ASSUMPTION

h) **2010-180**

A by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

- 11. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**
- 12. ADDENDUM TO THE AGENDA**
- 13. ADJOURNMENT**

Mover: Councillor F. Manzo
Seconder: Councillor S. Butland
Resolved that this Council shall now adjourn.

MAYOR

CITY CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 11 08

4:30 P.M.

COUNCIL CHAMBERS

Present: Acting Mayor Grandinetti, Councillors S. Butland, J. Caicco, S. Myers, T. Sheehan, B. Hayes, P. Mick, L. Turco, F. Fata, F. Manzo, L. Tridico

Absent: Councillor D. Celetti

Officials: J. Fratesi, M. White, L. Bottos, B. Freiburger, N. Apostle, D. Maki, J. Dolcetti, J. Elliott, D. McConnell, D. Elliott

1. ADOPTION OF MINUTES

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2010 09 27 be approved. CARRIED

2. QUESTIONS AND INFORMATION ARISING OUT OF MINUTES AND NOT OTHERWISE ON THE AGENDA

3. APPROVE AGENDA AS PRESENTED

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Agenda for the 2010 11 08 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Dr. John McLaughlin representing the Baha'i Community was in attendance concerning Proclamation – "Unity and Diversity Week".
- b) Gail Patreau, Community Justice Worker, Sault Ste. Marie was in attendance concerning Proclamation – "Restorative Justice Week".

- c) Theresa Sharp, Social Services Department was in attendance concerning Proclamation – “Homeless Awareness Week”.
- d) Chris Rous, Chair, Cultural Advisory Board was in attendance to present the 2010 Cultural Advisory Board Community Recognition Awards to Ardys and John Fleming and Dr. Robert Ewing.
- e) Nancy Parker was in attendance concerning agenda item 6(6)(a), Application No. A-10-10-Z, 21 Killarney Road.
- f) Michael Kresin, Kresin Engineering Corporation, was in attendance concerning agenda item 6(6)(a), Application No. A-10-10-Z, 21 Killarney Road.

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTS; BOARDS AND COMMITTEES

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that all items listed under date 2010 11 08 – Part One – Consent Agenda and Addendum #1 be approved as recommended save and except 5(f) and 5(p).

- a) Correspondence from the Municipality of Macdonald, Meredith and Aberdeen Additional (concerning centre-line rumble strips) was attached for the information of Council.
- b) Correspondence from the Ontario Lottery and Gaming Corporation advising that the quarterly payment of the 5% - 2% allocation from July 1 to September 30, 2010 is \$394,017 was attached for the information of Council.
- c) Letters of request for temporary street closings were attached for the consideration of Council:
 - 1) Queen Street East from Simpson to Gore Street, Simpson Street from Victoria Avenue to Queen Street East and Queen Street East from Pine Street to Church Street in conjunction with the 2010 Rotary Santa Claus Parade (November 20th, 2010).
 - 2) Weldon Avenue between Cunningham Road and MacDonald Avenue in conjunction with the F.H. Clergue Playground Fundraiser (November 27th, 2010).

The relevant By-laws 2010-173 and 2010-172 were listed under Item 10 of the agenda and were read with all other by-laws listed under that item.

d) **Staff Travel**

A report of the Chief Administrative Officer was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 11 08 be approved as requested.

CARRIED

e) **2011 Council Schedule**

A report of the City Clerk was attached for the information of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the City Clerk dated 2010 11 08 concerning 2011 Council Schedule be accepted as information. CARRIED

f) **Soo Greyhounds Hockey Club – Agreement Clarification and Amendment**

A report of the Commissioner, Community Services was attached for the consideration of Council.

Moved by: Councillor S. Myers

Seconded by: Councillor T. Sheehan

Resolved that the report of the Commissioner of Community Services dated 2010 11 08 concerning the Soo Greyhounds Hockey Club – Agreement Clarification and Amendment be accepted and the recommendation that agreement between the City and Soo Greyhounds Hockey Club be amended to clarify the intent of the use of the room areas noted in the agreement, specifically that the word "exclusive" be removed from clauses 2(b), 2(d), 2(e) and 2(h) be approved. CARRIED

Councillor F. Fata declared a pecuniary interest – employed by the Municipal Property Assessment Corporation.

g) **Property Tax Appeal – 874 Queen Street East**

A report of the City Tax Collector was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that pursuant to Section 354 of the Municipal Act, 2001, the adjustments for the tax account outlined on the City Tax Collector's report of 2010 11 08 be approved and that the tax records be amended accordingly be approved. CARRIED

h) Tax Rebate Program for Heritage Properties Designated Under Part IV of the Ontario Heritage Act

A report of the Manager, Recreation and Culture Division was attached for the consideration of Council.

The relevant By-law 2010-168 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

i) First Aid Services at the Community Centres Division – Canadian Ski Patrol Systems (CSPS)

A report of the Manager, Community Centres was attached for the consideration of Council.

The relevant By-law 2010-162 was listed under Item 10 of the agenda was read with all other by-laws listed under that item.

j) Connecting Link – 5 Year Plan and Request for 2011 MTO Allocation

A report of the Director of Engineering Services was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2010 11 08 and the recommendations that the 2011-2015 Connecting Link forecast and the 2011 Connecting Link allocation request be accepted by Council as information. Further be it resolved that Council approve retaining the firm of Kresin Engineering to conduct a Class Environmental Assessment for the widening of Second Line between Old Garden River Road and Black Road for an estimated budget of \$25,000 with funds to come from the Connecting Link portion of the approved 2011-2012 capital budget be approved. CARRIED

k) Status of Bridge Rehabilitation

A report of the Director of Engineering Services was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2010 11 08 regarding the progress of municipal bridge rehabilitation and capital expenditures for municipal bridges be approved. CARRIED

- I) **Bridge Data – Municipal DataWorks Agreement and Funding**
A report of the Director of Engineering Services was attached for the consideration of Council.

The relevant By-law 2010-164 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

- m) **Environmental Assessment Third Line East and Black Road – Hospital Entrance to Second Line**

A report of the Commissioner, Engineering and Planning Department was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Commissioner, Engineering and Planning dated 2010 11 08 concerning Environmental Assessment Third Line East and Black Road – Hospital Entrance to Second Line be accepted and that the recommendation that AECOM be retained to conduct a Municipal Class Environmental Assessment for improvements to Third Line East and Black Road from the hospital entrance to Second Line with funds from the 2010 miscellaneous construction budget be approved. CARRIED

- n) **Queen Street Reconstruction – Pim Street to Simpson Street Agreement for Engineering Services**

A report of the Commissioner, Engineering and Planning was attached for the consideration of Council.

The relevant By-law 2010-161 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

- o) **Solar Photovoltaic Proposal**

A report of the Environmental Initiatives Coordinator was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Environmental Initiatives Coordinator dated 2010 11 08 concerning a Solar Photovoltaic Proposal be accepted and the recommendation that the City enter into negotiations with the PUC as the sole source for leasing existing roof space for solar projects with a further report to be brought back to Council for approval once those negotiations are complete be approved. CARRIED

p) **Boxing Day Question On The Ballot**

A report of the Assistant City Solicitor was attached for the information of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Assistant City Solicitor dated 2010 11 08 concerning the Boxing Day question on the composite ballot be accepted as information. CARRIED

q) **Set Fines Under Transit Policy By-law 2010-79**

A report of the City Solicitor was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the City Solicitor dated 2010 11 08 concerning Set Fines under Transit Policy By-law 2010-79 be accepted and that Council authorize the Legal Department to request approval from the Attorney General to establish set fines for offences under By-law 2010-79 be approved. CARRIED

Councillor L. Turco declared a pecuniary interest – spouse is employed by the Police Service.

r) **Hub Trial Construction Tarentorus School/Sutton Park/Anna McCrea School Areas, City Contract 2009-15E**

A report of the Planning Director was attached for the consideration of Council.

Moved by: Councillor D. Celetti

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Director dated 2010 11 08 concerning the Hub Trail Construction, Tarentorus School/Sutton Park/Anna McCrea School Areas, City Contract 2009-15E be accepted and the Planning Director's recommendation that City Council approve the recommended improvements at the intersection of Old Garden River Road and Second Line as outlined in the report be endorsed. CARRIED

s) **Local Improvement Construction By-law 2010-165, Section 3**

A report of the Design and Construction Engineer was attached for the consideration of Council.

The relevant By-law 2010-165 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

t) **Local Improvement Construction By-law 2010-166, Section 3**

A report of the Design and Construction Engineer was attached for the consideration of Council.

The relevant By-law 2010-166 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

u) **Local Improvement Construction By-law 2010-167, Section 3**

A report of the Design and Construction Engineer was attached for the consideration of Council.

The relevant By-law 2010-167 was listed under Item 10 of the agenda and was read with all other by-laws listed under that item.

v) **Hub Trail – Finn Hill**

A report of the Planning Director was attached for the information of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Director dated 2010 11 08 concerning the Hub Trail – Finn Hill be accepted as information.

PART TWO – REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

6.(1) **ADMINISTRATION**

6.(1)(a)

Correspondence – Request for Recount

A letter from Councillor Celetti requesting a recount for the office of Councillor, Ward 5 was received by Council.

6.(6) **PLANNING**

6.(6)(a)

**Application No. A-10-10-Z – Filed by Burgess Enterprises (Sault) Inc.
– 21 Killarney Road**

A report of the Planning Director was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Director dated 2010 11 08 concerning Application No. A-10-10-Z – filed by Burgess Enterprises (Sault) Inc. – 21 Killarney Road be accepted and the Planning Director's recommendation that City Council approve this application and rezone the rear 31m of the subject property from "R.2" (Single Detached Residential) zone to "R.2.S" (Single Detached Residential) zone with a Special Exception to permit a commercial parking lot on the rear 31m of the subject property, subject to the following special conditions:

- 1) That Site Plan Control be applied to the rear 31m of the subject property;
- 2) That a fence may be erected to a maximum height of 1.8m (6') from the established grade of the parking lot,

be endorsed. CARRIED

6.(6)(b)

Application No. A-16-10-Z – Filed by Paul Finck – 40 Hynes Street

A report of the Planning Director was attached for the consideration of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2010 11 08 concerning Application No. A-16-10-Z – filed by Paul Finck – 40 Hynes Street be accepted and the Planning Director's recommendation that City Council approve this application and rezone the subject property from "C.2" (Central Commercial) zone to "R.4.S" (Medium Density Residential) zone with a Special Exception in order to facilitate the conversion of the existing 2-storey building into a 41-unit apartment building, subject to the following exceptions:

- 1) That the required parking is reduced from 31 to 23 spaces,
- 2) That at least 1 barrier-free space be provided for each barrier-free unit. Such barrier-free spaces are part of, and not in addition to, the required 23 parking spaces,
- 3) That the required building setbacks be reduced to those setbacks that exist on the day of the passing of this by-law be endorsed.

CARRIED

6.(8) **BOARDS AND COMMITTEES**

6(8)(a)

Public Utilities Commission 2010 Third Quarter Shareholder Report

Two reports of the Public Utilities Commission President and C.E.O. were attached for the information of Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Public Utilities Commission third quarter Shareholder Report and the unaudited financial statements for the month of September be accepted as information. CARRIED

6(8)(b)

Economic Development Corporation – Sault Ste. Marie Trade Mission to Italy

A report of the Director International Relations and Global Logistics Business SSM – SSMEDC was attached for the information of Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Myers

Resolved that the report of the Director International Relations and Global Logistics Business dated 2010 11 08 outlining a Sault Ste. Marie Trade Mission to Italy be accepted as information. CARRIED

7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**

- a) Moved by: Councillor P. Mick
Seconded by: Councillor J. Caicco
Whereas Sault Ste. Marie has many vacant spaces in the downtown core; and
Whereas Councils and constituents have been concerned about the vacancies for many years; and
Whereas as recently as this past election campaign, this situation was raised several times, specifically during a Youth/Change Camp forum at the Art Gallery; and
Whereas many communities across North America have experienced similar problems; and
Whereas the City of Brantford has recently had some success in addressing their situation by enabling the establishment of satellite campuses in their downtown;
Now therefore be it resolved that City Council requests that EDC, in collaboration with the Innovation Centre, Sault College, and Algoma University, report back to Council on the feasibility of similar enterprises in our downtown area. CARRIED

- b) Moved by: Councillor S. Myers
Seconded by: Councillor T. Sheehan
Whereas the issue of backyard burning has been brought forward as a growing constituent complaint; and
Whereas outdoor fireplaces are growing in popularity and oftentimes present a nuisance to adjacent homeowners; and
Whereas Sault Ste. Marie does not have a by-law addressing regulations around backyard burning within the City limits,

Therefore be it resolved that Fire Services and Legal staff be requested to report back with recommendations to address this issue. CARRIED

- (c) Moved by: Councillor F. Manzo
Seconded by: Councillor F. Fata

Whereas the Allen's Side Road Townhouse Association has submitted a petition concerning jake brake noise at the intersection of Allen's Side Road and Second Line West to City Council requesting monitoring and controlling of trucks using jake brakes;

Therefore be it resolved that City Council accept the petition from Allen's Side Road Townhouse Association regarding jake brake noise and other issues as stated in their petition and forward the petition to the Legal Department and the Commissioner of Public Works and Transportation for review and report back to Council. CARRIED

- (d) Moved by: Councillor T. Sheehan
Seconder by: Councillor S. Myers

Whereas many residents of Sault Ste. Marie purchase pumpkins during the Halloween season in order to create beautiful decorations; and

Whereas the City of Sault Ste. Marie has a leaf and yard waste program which creates composting for use in cemeteries, parks, and other greening operations/programs,

Now therefore be it resolved that the citizens of Sault Ste. Marie be reminded now and in the future to place their pumpkins in the leaf and yard waste bags instead of placing them in their regular garbage which goes to the landfill; and

Further that the Public Works and Transportation Department report back to Council about the viability of creating a Pumpkin Dumping Depot Partnership. CARRIED

8. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10. **CONSIDERATION AND PASSING OF BY-LAWS**

- Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that all by-laws listed under item 10 of the Agenda under date 2010 11 08 be approved.

Agreements

- a) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-161

Resolved that by-law 2010-161 being a by-law to authorize the execution of an agreement between the City and AECOM Canada Ltd. for engineering services to complete the reconstruction of Queen Street between Pim Street and Simpson Street be PASSED in open Council this 8th day of November, 2010.

A report from the Commissioner of Engineering and Planning was on the agenda.

- b) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-162

Resolved that by-law 2010-162 being a by-law to authorize an agreement between the City and the Canadian Ski Patrol for the provision of first aid services during Soo Greyhounds games be PASSED in open Council this 8th day of November, 2010.

A report from the Manager of Community Centres was on the agenda.

- c) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-164

Resolved that By-law 2010-164 being a by-law to authorize the execution of the Municipal DataWorks Data Provision Agreement between the City and the Ontario Good Roads Association be PASSED in open Council this 8th day of November, 2010.

A report from the Director of Engineering Services was on the agenda.

- d) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-168

Resolved that By-law 2010-168 being a by-law to authorize the execution of the Heritage Property Agreement between the City and W.M. Watts Investments Ltd. for the Heritage Property at civic no. 244-246 Queen Street East known as the Hussey Block be passed in open Council this 8th day of November, 2010.

A report from the Manager, Recreation and Culture was on the agenda.

Development Control

- e) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-170

Resolved that By-law 2010-170 being a by-law to designate the lands located at 21 Killarney Road as an area of site plan control (Burgess Enterprises (Sault) Inc.) be PASSED in open Council this 8th day of November, 2010.

Parking

- f) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-163

Resolved that By-law 2010-163 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be PASSED in open Council this 8th day of November, 2010.

Temporary Street Closings

- g) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-172

Resolved that By-law 2010-172 being a by-law to authorize the temporary street closing of Weldon Avenue from Cunningham Road to MacDonald Avenue to facilitate a street hockey and mini stick grassroots fundraising event for F.H. Clergue playground on November 27, 2010 from 9:30 a.m. to 2:30 p.m be PASSED in open Council this 8th day of November, 2010.

- h) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-173

Resolved that By-law 2010-173 being a by-law to permit the temporary street closing of Queen Street and Simpson Street to facilitate the annual Santa Claus Parade on November 20, 2010 be PASSED in open Council this 8th day of November, 2010.

Traffic

- i) Moved by: Councillor S. Fata
Seconded by: Councillor S. Myers

2010-160

Resolved that By-law 2010-160 being a by-law to amend Schedule "G" to Traffic By-law 77-200 regarding Great Northern Road be PASSED in open Council this 8th day of November, 2010.

- j) **Zoning**

- Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-169

Resolved that By-law 2010-169 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 21 Killarney Road (Burgess Enterprises (Sault) Inc.) be PASSED in open Council this 8th day of November, 2010.

- k) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-171

Resolved that By-law 2010-171 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 40 Hynes Street (Finck) be PASSED in open Council this 8th day of November, 2010.

By-laws before Council for **FIRST** and **SECOND** reading which do not require more than a simple majority

Local Improvements

- l) **2010-165**

- Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that By-law 2010-165 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Arthur Street from Retta Street to Glenholme Drive under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open council this 8th day of November, 2010.

A report from the Design and Construction Engineer was on the agenda.

- m) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-166

Resolved that by-law 2010-166 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Glenholme Drive from Wellington Street East to Arthur Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 8th day of November, 2010.

A report from the Design and Construction Engineer was on the agenda.

- n) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-167

Resolved that By-law 2010-167 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on John Street from Wellington Street West to Conmee Avenue under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 8th day of November 2010

By-laws before Council for **THIRD** reading which do not require more than a simple majority

Lane Closing

- o) Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

2010-130

Resolved that By-law 2010-130 being a by-law to stop up, close and authorize the conveyance of a lane in the Markretta "B" Subdivision, Plan 52553 be read a THIRD TIME and PASSED this 8th day of November, 2010.

11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**
12. **ADDENDUM TO THE AGENDA**
13. **ADJOURNMENT**

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that this Council shall now adjourn. CARRIED

ACTING MAYOR

CITY CLERK

5(a)

December 7, 2010

AMO Report to Members on November 2010 Board Meeting

To keep members informed, AMO provides updates on important policy issues considered at regular AMO Board of Directors' meetings. Highlights of the November 2010 Board meeting follow:

AMO's 2009 Federal Gas Tax Fund and Public Transit Fund Annual Expenditure Report

AMO staff provided a summary of the 2009 Annual Expenditure Report for the Federal Gas Tax Fund and the Federal Public Transit Fund. Since the signing of the Agreements, municipalities have spent \$1.10 billion of federal funds, generating a total investment value of approximately \$4.14 billion. The Annual Expenditure Report is available on [AMO's website](#).

Contact: Jay Paleja, Policy Advisor, e-mail: jpaleja@amo.on.ca; phone: 416.971.9856 ext 352

Update on Climate Change Action

Craig Reid provided updates on the AMO Climate Change Task Force activities and the AMO paper on Climate Change. AMO will also be submitting a response to the Report of the Expert Panel on Climate Change Adaptation that will outline municipal concerns and the need to safeguard municipal flexibility.

Contact: Craig Reid, Senior Policy Advisor, email creid@amo.on.ca; phone 416.971.9856 ext 334.

AMO Discussion Paper on Municipalities and Long Term Care

The board received an update on the progress of the AMO Discussion Paper on Municipalities and Long Term Care, which highlights an overview of the current and emerging long term care issues and considerations of the municipal role in the current and future provision of this important service.

Contact: Petra Wolfbeiss, Senior Policy Advisor, email pwolfbeiss@amo.on.ca; phone 416.971.9856 ext 329.

Streetlight Service Costs

The board received an explanation of how streetlight service rates have been calculated for local distribution companies and approved AMO's response to the Ontario Energy Board (OEB) Review for Electricity Distributors Cost Allocation Policy. A communiqué will soon be sent to all members on actions to take to reduce streetlight service charges.

Contact: Scott Vokey, Energy Services Coordinator, email svokey@amo.on.ca; phone 416.971.9856 ext 357.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca

5(a)

December 6, 2010

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

**Auditor General of Ontario Releases 2010 Annual Report
Several value-for-money audits of interest to AMO and municipal
governments**

The Auditor General looked at 11 matters that this year included casino gaming regulation, discharge of hospital patients, Family Responsibility Office, home care services, hospital emergency departments, organ and tissue donation and transplantation, school safety and infrastructure asset management at colleges. (A copy of the full report can be found at <http://www.auditor.on.ca/en/default.htm>)

Of interest to municipal governments is: Municipal Property Assessment Corporation, Non-Hazardous Waste Disposal and Diversion and Infrastructure Stimulus Spending.

Municipal Property Assessment Corporation: The Auditor General assessed whether the Corporation ensured the assessment rolls it provides to municipalities are complete, accurate and based on up-to-date information about individual properties. (In 1998, property assessment responsibilities were transferred from the Ministry of Finance to MPAC, a non-share capital, not-for-profit corporation, of which every municipality is a member. MPAC assessment information is used by the province, municipalities, school boards and others.)

Auditor's Findings: The Auditor's Recommendations centred around three main areas:

- i) accuracy of assessed values and property inspections;
- ii) procurement and expenditures; and
- iii) MPAC's computer system.

It is worth noting that the Auditor General has not questioned the merit of current value assessment nor MPAC's valuation models used to assess 4.7 million properties in Ontario. The Report does site some variances between sale prices and assessed value; however the timeliness of sales investigations and property inspections can affect the variance.

MPAC Response:

MPAC has initiated improvements to sales investigations by establishing a threshold between the sale price and assessment which would trigger an investigation. An accelerated property inspection cycle based on an improved municipal/MPAC building permit information sharing has also been initiated. In

2009 MPAC initiated new procurement and expenditures guidelines which addressed the Auditor's recommendations. No recommendations were made regarding MPAC's computer system.

AMO Comment:

In the absence of full voluntary municipal participation efforts to facilitate the exchange of building permit information used to improve the property inspection cycle, municipalities should expect this to be regulated. Some of the Auditor General's recommendation may have staff and budget resourcing implications for MPAC. MPAC annual expenditures of \$185.5 million are paid for by municipal governments, although MPAC data is used in the generation of \$6 billion per year in education tax for the provincial treasury. MPAC will be available to municipalities over the coming days to answer questions about the Auditor General's Report. The Corporation has also drafted a letter to all Heads of Council and MPAC representatives and it will attend AMO's January Board meeting to provide an update on how the Corporation is responding to the Auditor's recommendations.

Non-Hazardous Waste Disposal and Diversion: The Auditor General assessed whether the MOE had adequate procedures in place to encourage the sound management of waste, including compliance with related legislation, regulations and policies.

Auditors Findings:

The Auditor General's report found that "only about one-quarter of the waste generated by Ontario's households and businesses is being diverted from landfills—well short of the government's own goal of 60%."

The Auditor General found:

- The industrial, commercial, and institutional sectors generate about 60% of the waste in Ontario, but divert only about 12% of its waste.
- Although the overall diversion rate for residential waste is about 40%, rates for individual municipalities varied significantly, ranging from about 20% to more than 60%. As well, only about 15% of Ontario municipalities have organic waste-composting programs, which collect from about 40% of the province's households in total.
- While there are regulations in place to require large generators of industrial waste to source-separate waste for reuse or recycling, the Ministry has little assurance that the regulations are being complied with.
- A number of municipalities expressed concerns about insufficient landfill capacity. The existing capacity will be filled more rapidly once export of residential waste to U.S. landfill sites largely ends after 2010.

5(a)

Ministry of the Environment Response:

The Ministry indicates that it has been implementing a framework that focuses on reducing waste while promoting reuse and recycling. It points to its successes in these areas such as the blue box and is looking ahead to newer programs such as those focusing on tires and electronics. The Ministry indicates it is committed to improving its non-hazardous waste program in the future.

AMO Comment:

The Auditors findings, from AMO's perspective, continue to point to the need for Extended Producer Responsibility, as does the Environmental Commissioner. The makers of waste should not get a free pass and leave taxpayers stuck with disposal costs. Ontario has filled up 649 of 730 landfills and we have few incentives for manufacturers and industry to reduce waste and improve products and packaging. We need to expand waste management approaches that begin with product development, reduce packaging and increase the usefulness of products in a reuse, recycling framework if we are to improve our environment.

Infrastructure Stimulus Spending: The Auditor General assessed whether adequate systems were in place to ensure the timely distribution and prudent administration of three program funds: the Infrastructure Stimulus, Building Canada Fund – Communities Component and the Recreational Infrastructure Canada and Ontario Recreational Infrastructure Programs, and to report on the effectiveness of these programs.

Auditors Findings:

"Although efforts were made to establish appropriate procedures to quickly distribute billions in federal–provincial economic stimulus funding, improvements can be made to enhance the effectiveness of any such future stimulus programs."

In particular, the Auditor General's report notes that: there was a huge volume of project applications submitted (often many by the same municipalities); the government did not assess each project as rigorously as it may have given the need to move quickly on approvals; while attestations that projects could be completed on time were required from municipal governments, the high volume of large and complex projects chosen for funding has presented challenges for completion by the deadline; and projects chosen did not always reflect the needs and priorities in municipalities.

The Auditor General also noted that the projects chosen did not always prioritize those which would have 50 per cent of funding allocated in the first of the two-year program as was intended. This has resulted in fewer jobs being created to date by the program.

Ministry of Infrastructure Response:

The Ministry of Infrastructure indicates that it welcomes the auditor's findings and that many of the auditor's recommendations are being implemented in the stimulus funding program already as the program is still ongoing. The Ministry notes that as of October 2010 over 90 per cent of stimulus projects are on track to be finished by March 31, 2011 and that it moved to quickly make funding available while remaining transparent and accountable. In addition, the Ministry has worked to improve the accuracy of monitoring information and to roll out a risk assessment tool to monitor projects.

AMO Comment:

Municipal governments have invested dollar-for-dollar with the federal and provincial governments in municipal infrastructure stimulus projects. The Infrastructure Stimulus programs provided welcome support to municipal infrastructure in Ontario and municipalities are working flat out to complete these projects as quickly as possible. Municipalities were asked to submit lists of shovel ready projects for consideration for funding and did this in record time in

5(a)

response to the federal and provincial governments desire to stimulate the economy. The number of project applications submitted and the value of these projects reflect the huge municipal infrastructure deficit in Ontario, which is thought to require \$6 billion per year for ten years to make up, or approximately an additional \$1,200 per household per year.

AMO will assess how the Auditor's recommendations for a more risk-based approach may impact any future capital-grant programs and factors affecting program delivery, including project suitability, demonstrated and achievable benefits reasonableness of timelines, and the capacity of and demand on ministry resources.

Summary: AMO will work to undertake any necessary follow up with the impacted Ministries. A meeting with MPAC is organized for January.

PLEASE NOTE AMO Breaking News will be broadcast to the member municipality's council, administrator and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER These are final versions of AMO documents. AMO assumes no responsibility for any discrepancies that may have been transmitted with the electronic version. The printed versions of the documents stand as the official record.

December 6, 2010

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

**Auditor General of Ontario Releases 2010 Annual Report
Several value-for-money audits of interest to AMO and municipal
governments**

The Auditor General looked at 11 matters that this year included casino gaming regulation, discharge of hospital patients, Family Responsibility Office, home care services, hospital emergency departments, organ and tissue donation and transplantation, school safety and infrastructure asset management at colleges. (A copy of the full report can be found at <http://www.auditor.on.ca/en/default.htm>)

Of interest to municipal governments is: Municipal Property Assessment Corporation, Non-Hazardous Waste Disposal and Diversion and Infrastructure Stimulus Spending.

5(a)

Municipal Property Assessment Corporation: The Auditor General assessed whether the Corporation ensured the assessment rolls it provides to municipalities are complete, accurate and based on up-to-date information about individual properties. (In 1998, property assessment responsibilities were transferred from the Ministry of Finance to MPAC, a non-share capital, not-for-profit corporation, of which every municipality is a member. MPAC assessment information is used by the province, municipalities, school boards and others.)

Auditor's Findings: The Auditor's Recommendations centred around three main areas:

- i) accuracy of assessed values and property inspections;
- ii) procurement and expenditures; and
- iii) MPAC's computer system.

It is worth noting that the Auditor General has not questioned the merit of current value assessment nor MPAC's valuation models used to assess 4.7 million properties in Ontario. The Report does site some variances between sale prices and assessed value; however the timeliness of sales investigations and property inspections can affect the variance.

MPAC Response:

MPAC has initiated improvements to sales investigations by establishing a threshold between the sale price and assessment which would trigger an investigation. An accelerated property inspection cycle based on an improved municipal/MPAC building permit information sharing has also been initiated. In 2009 MPAC initiated new procurement and expenditures guidelines which addressed the Auditor's recommendations. No recommendations were made regarding MPAC's computer system.

AMO Comment:

In the absence of full voluntary municipal participation efforts to facilitate the exchange of building permit information used to improve the property inspection cycle, municipalities should expect this to be regulated. Some of the Auditor General's recommendation may have staff and budget resourcing implications for MPAC. MPAC annual expenditures of \$185.5 million are paid for by municipal governments, although MPAC data is used in the generation of \$6 billion per year in education tax for the provincial treasury. MPAC will be available to municipalities over the coming days to answer questions about the Auditor General's Report. The Corporation has also drafted a letter to all Heads of Council and MPAC representatives and it will attend AMO's January Board meeting to provide an update on how the Corporation is responding to the Auditor's recommendations.

5(a)

Non-Hazardous Waste Disposal and Diversion: The Auditor General assessed whether the MOE had adequate procedures in place to encourage the sound management of waste, including compliance with related legislation, regulations and policies.

Auditors Findings:

The Auditor General's report found that "only about one-quarter of the waste generated by Ontario's households and businesses is being diverted from landfills—well short of the government's own goal of 60%."

The Auditor General found:

- The industrial, commercial, and institutional sectors generate about 60% of the waste in Ontario, but divert only about 12% of its waste.
- Although the overall diversion rate for residential waste is about 40%, rates for individual municipalities varied significantly, ranging from about 20% to more than 60%. As well, only about 15% of Ontario municipalities have organic waste-composting programs, which collect from about 40% of the province's households in total.
- While there are regulations in place to require large generators of industrial waste to source-separate waste for reuse or recycling, the Ministry has little assurance that the regulations are being complied with.
- A number of municipalities expressed concerns about insufficient landfill capacity. The existing capacity will be filled more rapidly once export of residential waste to U.S. landfill sites largely ends after 2010.

Ministry of the Environment Response:

The Ministry indicates that it has been implementing a framework that focuses on reducing waste while promoting reuse and recycling. It points to its successes in these areas such as the blue box and is looking ahead to newer programs such as those focusing on tires and electronics. The Ministry indicates it is committed to improving its non-hazardous waste program in the future.

AMO Comment:

The Auditors findings, from AMO's perspective, continue to point to the need for Extended Producer Responsibility, as does the Environmental Commissioner. The makers of waste should not get a free pass and leave taxpayers stuck with disposal costs. Ontario has filled up 649 of 730 landfills and we have few incentives for manufacturers and industry to reduce waste and improve products and packaging. We need to expand waste management approaches that begin with product development, reduce packaging and increase the usefulness of products in a reuse, recycling framework if we are to improve our environment.

Infrastructure Stimulus Spending: The Auditor General assessed whether adequate systems were in place to ensure the timely distribution and prudent administration of three program funds: the Infrastructure Stimulus, Building Canada Fund – Communities Component and the Recreational Infrastructure Canada and Ontario Recreational Infrastructure Programs, and to report on the effectiveness of these programs.

Auditors Findings:

"Although efforts were made to establish appropriate procedures to quickly distribute billions in federal-provincial economic stimulus funding, improvements can be made to enhance the effectiveness of any such future stimulus programs."

In particular, the Auditor General's report notes that: there was a huge volume of project applications submitted (often many by the same municipalities); the government did not assess each project as rigorously as it may have given the need to move quickly on approvals; while attestations that projects could be completed on time were required from municipal governments, the high volume of large and complex projects chosen for funding has presented challenges for completion by the deadline; and projects chosen did not always reflect the needs and priorities in municipalities.

The Auditor General also noted that the projects chosen did not always prioritize those which would have 50 per cent of funding allocated in the first of the two-year program as was intended. This has resulted in fewer jobs being created to date by the program.

Ministry of Infrastructure Response:

The Ministry of Infrastructure indicates that it welcomes the auditor's findings and that many of the auditor's recommendations are being implemented in the stimulus funding program already as the program is still ongoing. The Ministry notes that as of October 2010 over 90 per cent of stimulus projects are on track to be finished by March 31, 2011 and that it moved to quickly make funding available while remaining transparent and accountable. In addition, the Ministry has worked to improve the accuracy of monitoring information and to roll out a risk assessment tool to monitor projects.

AMO Comment:

Municipal governments have invested dollar-for-dollar with the federal and provincial governments in municipal infrastructure stimulus projects. The Infrastructure Stimulus programs provided welcome support to municipal infrastructure in Ontario and municipalities are working flat out to complete these projects as quickly as possible. Municipalities were asked to submit lists of shovel ready projects for consideration for funding and did this in record time in

5(a)

response to the federal and provincial governments desire to stimulate the economy. The number of project applications submitted and the value of these projects reflect the huge municipal infrastructure deficit in Ontario, which is thought to require \$6 billion per year for ten years to make up, or approximately an additional \$1,200 per household per year.

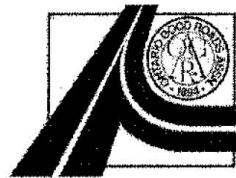
AMO will assess how the Auditor's recommendations for a more risk-based approach may impact any future capital-grant programs and factors affecting program delivery, including project suitability, demonstrated and achievable benefits reasonableness of timelines, and the capacity of and demand on ministry resources.

Summary: AMO will work to undertake any necessary follow up with the impacted Ministries. A meeting with MPAC is organized for January.

PLEASE NOTE AMO Breaking News will be broadcast to the member municipality's council, administrator and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER These are final versions of AMO documents. AMO assumes no responsibility for any discrepancies that may have been transmitted with the electronic version. The printed versions of the documents stand as the official record.

5(b)



Working for Municipalities

TO: Ontario Municipalities

FROM: J. W. Tiernay, Executive Director
Ontario Good Roads Association

DATE: November 5, 2010

RE: Minimum Maintenance Standards Litigation – Status Report

Background

Earlier this year all heads of Council received a letter advising that a legal challenge had been filed to have the Minimum Maintenance Standards (MMS) declared null and void. The letter requested municipalities consider contributing to a Litigation Fund to fight the application. I am pleased to report that many municipalities have contributed to the fund and we are proceeding with our opposition to this application. If your municipality is still considering the request please let me know at your earliest convenience as to whether funds will be forthcoming.

This memo is intended to keep all municipalities informed as to the progress to date on this important matter.

Discussion

OGRA has retained J. Murray Davison, Q.C. of the law firm, Paterson, MacDougall, LLP as our legal counsel to represent your interests. Mr. Davison is very knowledgeable in the area of Minimum Maintenance Standards having volunteered his time and expertise in the development of the initial standards and the 5 year review that was recently undertaken.

Mr. Davison has met with other counsel from the Regional Municipality of York and the Ministry of Transportation as represented by Crown Counsel to discuss the issues and to map out their strategy.

Our counsel filed an application with the courts to grant OGRA intervenor status. The opposing counsel did not object to this application and the court issued an order adding OGRA as intervenor on October 8, 2010.

The Ontario Trial Lawyers Association has also filed an application to be granted intervenor status. If granted they would support the application to have the MMS declared null and void. Our legal team is currently considering what action, if any, will be taken with respect to this application.

5(b)

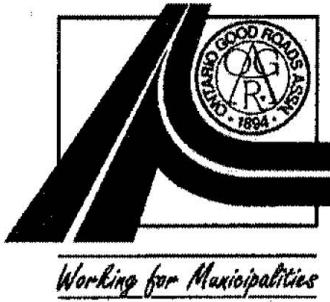
A steering committee made up of representatives from the Ontario Good Roads Association; the Ontario Municipal Insurance Exchange (OMEX); the Regional Municipality of York; the Province of Ontario; the Waterloo Region Municipalities Insurance Pool and Frank Cowan Company Limited has been established to provide oversight and guidance to legal counsel. The Committee had its first meeting on November 4, 2010.

The hearing on this matter was originally scheduled for November 10, 2010, however; due to various filings, the hearing has been delayed and will not likely be heard until spring of 2011.

Further updates will be provided on a regular basis or when important milestones are reached. Any questions can be directed to me at 905-795-2555 or joe@ogra.org.

JWT

5(b)



**ONTARIO
GOOD ROADS
ASSOCIATION**

6355 KENNEDY RD., UNIT 2
MISSISSAUGA, ONTARIO
L5T 2L5
TELEPHONE 905-795-2555
FAX 905-795-2660

November 30, 2010

Mr. Robert Morin
Secretary General
CRTC
Ottawa, ON N1A,0N2
By Fax 819-994-0218

Re: Notice of Public Hearing CRTC 20010-826
CRTC Application # 2010-1551-5 by Pelmorex Communications Inc.

Dear Mr. Morin,

The Ontario Good Roads Association is a municipal association representing 433 of the 444 municipalities in Ontario, and by population, 98.5% of the residents of Ontario. The mandate of the Ontario Good Roads Association is to represent the infrastructure interests of municipalities through advocacy, consultation, training and the delivery of identified services.

OGRA supports The Weather Network application to keep it on basic television service. Removal of The Weather Network from basic cable could affect public safety.

OGRA members, through their Transportation and Public Works staff along with their provincial counterparts provide the information to The Weather Network for the winter roads report, a public service to the residents of Ontario.

OGRA members use weather information available from radio and television including The Weather Network to plan their winter maintenance operation strategies for upcoming storm events. Through OGRA training and education programs, OGRA trains municipal employees and contractors for winter maintenance operations including use

5(b)

of available weather information. In fact, the weather module of the computer based training program, has screens that mirror The Weather Network weather information.

The Weather Network provides local weather forecasts including storm watch or warnings to each community across the province. Storm watch and warnings are public service announcements for local residents that assist municipalities in providing current and pending weather information to the public.

The service The Weather Network provides is essential and should continue to be readily available and affordable on basic cable for the residents of Ontario.



Paul Johnson
President
Ontario Good Roads Association

Copy: Pelmorex Communications Inc.
Attn: Paul Temple
2655 Bristol Circle, Oakville, Ontario L6H 7W1
Fax: 905-829-5800
Email: theweathernetwork@pelmorex.com

5(6)

Sample Outline of Letter to CRTC

Your name/organization address etc.

Your Phone/fax/email

(if not on letterhead)

Date letter sent

Mr. Robert Morin

Secretary General

CRTC

Ottawa, K1A 0N2

(indicate how sent)

By registered mail

By fax to 819-994-0218

On Line: <http://support.crtc.gc.ca/rapidscin/default.aspx?lang=en&applicant=2009-2-2>

Re: Notice of Public Hearing CRTC 2009-2-2

Application # 2007-1571-4 by Pelmorex Communications Inc.

Dear Mr. Morin,

1. (Tell the CRTC who you are, the communities you serve, their population, location, etc.)
2. (Indicate clearly that you support the application as filed by Pelmorex Communications Inc. for basic carriage status for The Weather Network.)
3. (Tell the CRTC about your concerns should the application not be approved, for example, the potential extra cost to you to simply continue receiving The Weather Network if your cable or satellite provider removes The Weather Network from basic service, concerns you may have about public safety or the affordability of the service.)
4. (Explain why you support the application by The Weather Network. You could mention features or benefits that are important to you, such as the weather warnings and public safety information, the affordability of the service, The Weather Network's ability to provide local weather information to your community whenever you need it, etc.)
5. (If this support has been approved by a motion through Council or your Board, you may wish to mention this.)
6. (Close off letter, indicate whether you want to appear at the CRTC public hearing at the end of March. State that you have provided a copy of this letter to Pelmorex.)

Yours truly,

5(b)

(Your name/signature)

Copy: Pelmorex Communications Inc.
Attn: Paul Temple
2655 Bristol Circle, Oakville, Ontario L6H 7W1
Fax: 905-829-5800
Email: theweathernetwork@pelmorex.com

5(b)



**How to support The Weather Network's licence renewal
and keep The Weather Network on the basic TV service**

Guidelines for filing letters of support with the CRTC

Deadline: December 8, 2010

You can file a support letter by mail, fax or online, to:

To:

Mr. Robert Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2
Fax: (819) 994-0218

Copy to:

Paul Temple
Pelmorex Communications Inc.
2655 Bristol Circle
Oakville, Ontario
L6H 7W1
E-mail: theweathernetwork@pelmorex.com
Fax: 905-829-5800

Filings can also be made on-line at the CRTC website. Visit:

<http://support.crtc.gc.ca/rapidscin/default.aspx?lang=en&applicant=2010-826>
select Notice 2010-826 and follow the instructions.

Individualized letters make a difference and count in the CRTC's decision-making

We suggest your letter include something about yourself, your organization or your community, and why you rely on The Weather Network. Please list the reasons why you support The Weather Network's licence renewal application AND indicate why the CRTC should make a permanent decision to keep The Weather Network on the basic TV service.

To meet CRTC requirements, letters must be received by December 8th and must include:

1. Your name, address and telephone number.
2. You must reference:
**Broadcasting Notice of Consultation CRTC 2010-826;
Application # 2010-1551-5 by Pelmorex Communications Inc.**
3. A clear statement of whether you support the application and why. For example,
"I support The Weather Network application because it is an essential public service which keeps me and my community informed and safe."
4. An indication you have sent us a copy of the letter or e-mail. You can use a c.c. to us at the bottom of your letter. Please keep proof that the letter was sent to both the CRTC and to The Weather Network. If you file comments online, just copy and paste your comments into an email to us.
5. A statement indicating whether you wish to appear at the hearing or not.
6. Please number each paragraph.
7. We also encourage you to copy your federal Member of Parliament and local mayor or councillor.

We appreciate your support and thank you for taking the time to write.

For more information about The Weather Network application and this process,

please visit our website at

www.support.theweathernetwork.com

5(b)



Five Great Reasons to Keep The Weather Network on the Basic Television Service

1. Keeping our viewers safe

- The Weather Network makes a significant contribution to public safety. We carry out an unparalleled public safety role by broadcasting Environment Canada and other public safety messages, warnings and advisories.
- In addition to local weather warnings, our public safety service includes provincial road reports and road weather forecasts, air quality warnings and advisories, and pollen reports.

2. Providing a National Public Alerting Service [See also www.alerts.pelmorex.com]

- Pelmorex Communications [parent company of The Weather Network] is funding and operating a national system that collects public safety messages from authorized government authorities across Canada and distributes those messages by satellite and through the Internet, without charge, to radio and television stations, and to cable and satellite TV companies so that they can pass on emergency messages to the public. As long as The Weather Network is distributed as part of the basic TV service, Pelmorex is able to provide these services to government and broadcasters for free.

3. Service to Canadians

- We provide local weather forecasts, alerts and road information to more than 1,200 communities across Canada by satellite and cable. Our service is essential to helping Canadians plan their day, whether they live in major centres or remote areas. More than 10 million Canadians watch us every week.
- In many communities, The Weather Network and/or MétéoMédia are the only broadcast source of local forecasts, alerts and road information. We are their local broadcaster!

4. Affordable Price

- Since 1993, the regulated monthly rate for The Weather Network has remained unchanged at 23¢. How many other companies can say they kept their prices the same for over 17 years! We commit to maintaining that rate but can do this only if we continue to spread our costs over a broad, stable subscriber base as part of the basic cable or satellite service.
- If our application to the CRTC is not successful, cable and satellite companies will be permitted to remove The Weather Network from the basic service package beginning in 2015, bundle it with other services, and charge you more. That means you may have to pay several dollars extra just to continue receiving The Weather Network.
- CRTC regulation helps provide the same low "blended" rate to all cable and satellite distributors, small and large alike all across Canada. Repackaging by larger cable or satellite companies may end that. The loss of basic carriage in large markets such as Vancouver or Toronto would likely force us to raise rates in smaller markets like Cut Knife, Saskatchewan and Abitibi, QC to the benefit of no one.

5. High Quality, Reliability Information

- Year after year, independent surveys show that The Weather Network ranks in the top five of all 100 or more Canadian specialty television services for consumer appreciation. And we keep improving our forecasts and the quality and breadth of our weather and environmental content every year. But if we lose subscribers – and revenue – cost cutting will affect planned improvements and the content we can afford to broadcast. Unlike other channels, we cannot just broadcast repeats of programs to lower our costs!

PLEASE HELP KEEP US ACCESSIBLE TO ALL CANADIANS

For more information about our services and our application, please visit
www.support.theweathernetwork.com

The deadline to write to the CRTC is Dec 8th!

MAR-04-2009 16:44
MAR-4-2009 04:16P FROM:TWP CARLOW MAYO

6133322175

905 829 5800 P.01/02
TO:19058295800 P.1

5(b)



CORPORATION OF THE TOWNSHIP OF CARLOW/MAYO
3987 Boulter Road
General Delivery
Boulter, Ontario
K0L 1G0

Arlene Cox – Clerk-Administrator/Deputy Treasurer
Lois Ward –Treasurer /Deputy Clerk

Tel: (613) 332-1760
Fax: (613) 332-2175
E-Mail: carlownmayo@hughes.net

Municipal Office Hours
Monday 9 a.m. – 5 p.m.
Tuesday 9 a.m. – 5 p.m.
Thursday 9 a.m. – 5 p.m.

By Fax Only – 1-819-994-0218

March 4, 2009

Mr. Robert Morin
Secretary General
CRTC
Ottawa, Ontario
K1A 0N2

Dear Mr. Morin:

Re: Notice of Public Hearing CRTC 2009-2-2
Application No. 2007-1571-4 by Pelmorex Communications Inc.

The Township of Carlow/Mayo is a rural municipality, within the County of Hastings, located in eastern Ontario, which currently has a population of 950. There are six community hamlets within the municipality's geographic jurisdiction.

At a regular council meeting held on March 3, 2009 the Council of the Township of Carlow/Mayo passed a resolution supporting the application as filed by Pelmorex Communications Inc. for basic carriage status for The Weather Network.

If CRTC does not approve this application our concerns are as follows: (a) the potential extra cost to the municipality and residents of the municipality to continue receiving The Weather Network if the satellite provider(s) remove the network from basic service and (b) public safety issues if this service is not available for residents to access up to date weather information.

5(b)

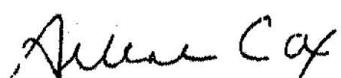
Page Two
Robert Morin, Secretary General
CRTC

The weather forecasts and highway information provided by The Weather Network is an important service to our residents, especially in our rural area. The municipality's emergency management and works departments depend on this service for weather forecasts, weather warnings and public safety information. The Weather Network's ability to provide dependable and accurate local weather information to our community 24/7 is a tremendous benefit to the rural community.

No personnel will be attending the CRTC public hearing scheduled for the end of March 2009. Hence, a copy of this letter will be provided to Pelmorex Communications Inc. in support of their application to CRTC.

We trust all concerns of the public will be addressed prior to a final decision. A favourable response to application no. 2007-1571-4 as filed by Pelmorex Communications Inc. would be greatly appreciated.

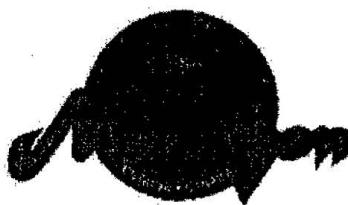
Yours truly,



Arlene Cox
Clerk-Administrator

Copy – Paul Temple, Pelmorex Communications Inc.

5(b)



The Corporation of the Town of Marathon
4 Hemlo Drive, P.O. Bag TM
Marathon, Ontario P0T 2E0
firechief@marathon.ca
Phone: (807) 229-1340 Ext. 2227
Fax: (807) 229-2864

OFFICE OF THE FIRE CHIEF

Mr. Robert Morin,
Secretary General,
CRTC,
Ottawa, Ontario K1A 0N2
By Fax 1-819-994-0218

**Re: Notice of Public Hearing CRTC 2009-2-2
Application # 2007-1571-4 by Pelmorex Communications Inc.**

Dear Mr. Morin,

My name is Richard Kerster, and I am the Emergency Services Manager/Fire Chief for the Town of Marathon. Marathon, with a population of almost 4,000 citizens, sits on the shores of Lake Superior, just off Trans-Canada Highway 17, approximately halfway between Thunder Bay and Sault Ste. Marie, and is the largest community serving this corridor between these two large and well known cities.

We as a community and personally as an emergency service leader, strongly support the Pelmorex application to keep the Weather Network included in the basic carriage cable and satellite packages.

The Weather Network's service of carrying highway conditions and weather warnings during winter months and also during other major weather events provides life saving information to our residents as well as to the travelers to our region. Our Trans-Canada highway is our lifeline and virtually everyone in our community travels it several times a year to go to Thunder Bay or Sault Ste. Marie. Knowing weather and highway conditions is not just a matter of convenience, it can mean whether or not you make it to your destination.

Removing this valuable service from the basic carriage package will leave vulnerable, the sector of our community that may truly need it the most, the elderly, the disabled and others that are a fixed or low income that may only be able to afford a basic cable or satellite package.

In closing, we hope that you will look favorably upon their application, and consider that we have provided a copy of this letter of support to Pelmorex.

5(b)

Yours Truly,



R.J. (Rick) Kerster
Emergency Services Manager/Fire Chief
The Corporation of The Town of Marathon

Cc: Pelmorex Communications Inc.
Attn: Paul Temple
2655 Bristol Circle, Oakville, Ontario L6H 7W1
Fax: 905-829-5800
-Mayor and Council, the Town of Marathon
- B. Tocherl, CAO, the Town of Marathon

5(c)

Attorney General
McMurtry-Scott Building
720 Bay Street
11th Floor
Toronto ON M5G 2K1
Tel: 416 326-4000
Fax: 416 326-4016

Procureur général
Édifice McMurtry-Scott
720, rue Bay
11^e étage
Toronto ON M5G 2K1
Tél. : 416 326-4000
Téléc. : 416 326-4016



Ontario

Our Reference #: M10-06813

NOV 18 2010

Mr. Malcolm White
City Clerk
The Corporation of the City of Sault Ste. Marie
PO Box 580
99 Foster Drive
Sault Ste. Marie, ON
P6A 5N1

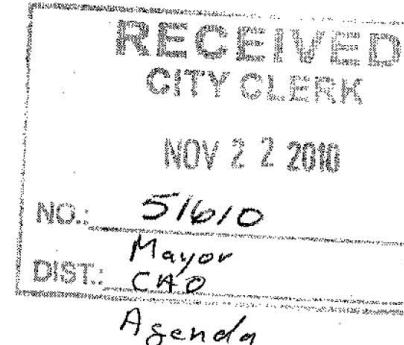
Dear Mr. White:

Thank you for your letter advising that the Council of the City of Sault Ste. Marie has passed a resolution requesting the appointment of two justices of the peace for Sault Ste. Marie and area courts hearing *Provincial Offences Act* matters.

I am pleased to advise you that the province has appointed 10 new justices of the peace to the Ontario Court of Justice, effective October 13, 2010.

Associate Chief Justice/Coordinator of Justices of the Peace John A. Payne has assigned Justice of the Peace Jill Ellen Morris to Sault Ste. Marie in the Northeast region. Justice of the Peace Morris has worked with the Victim Services Secretariat's Victim/Witness Assistance Program since 2006, providing support, information and referrals for victims of crime. She was a sessional professor at Algoma University, teaching social welfare and was involved with bringing the Neighbours, Friends and Families initiative to her community, an initiative that raises awareness about violence against women. She is a registered social worker with Ontario Domestic Assault Risk Assessment Certification and has received First Nations Cultural Awareness Training.

I am confident that you will find Her Worship a strong addition to the Ontario Court of Justice in your community.



6(c)

-2-

I am aware that there remains a justice of the peace vacancy in Sault Ste. Marie, and I have written the Justices of the Peace Appointments Advisory Committee to ask that they provide me with a list of qualified candidates. I look forward to making an additional appointment in the near future.

Thank you again for your letter.

Sincerely,



Hon. Chris Bentley
Attorney General

c: Seth Rudin, Chair, Justice of the Peace Advisory Committee

Malcolm White

From: Bianca Berlingieri on behalf of j.fratesi (Internet)
Sent: December 06, 2010 7:54 AM
To: Malcolm White
Subject: FW: ADMA representative on FONOM
Attachments: Letter from FONOM.pdf

For the agenda?
Joe

From: Amber Florczyk [mailto:aflorczyk@wawa.cc]
Sent: December 03, 2010 4:20 PM
To: cao@city.elliottlake.on.ca; news@elliottlakestandard.ca; bcoughlin@twp.prince.on.ca; Hughes.C@parl.gc.ca; Chris Wray; brucemines@bellnet.ca; dorazietti.mpp@liberal.ola.org; debbie@huronshores.ca; lairdtwp@soonet.ca; dbrunke@bellnet.ca; townthess@bellnet.ca; township@dubreuilville.ca; email@huronshores.ca; danielle.vincent@city.elliottlake.on.ca; info@town.spanish.on.ca; geneb@hornepayne.com; tarbutttownship@bellnet.ca; hpelky@adsab.on.ca; helene@dfpl.ca; info@hiltonbeach.com; Howard Whent (external); jcurri@adsab.on.ca; hiltoncouncil@xplornet.com; jocelynt@soonet.ca; stjosephwp@bellnet.ca; John Rowswell; johnsontwp@bellnet.ca; j.fratesi (Internet); kencorb@onlink.net; laelic@adsab.on.ca; twpmacd@onlink.net; Malcolm White; mary.bray@ontera.net; mbrown.mpp@liberal.ola.org; nclarke@blindriver.com; twpns@onlink.net; twpns@ontera.net; plumbtwsp@onlink.net; rraymond@dubreuilville.ca; mayor@city.elliottlake.on.ca; johnson.twp@sympatico.ca; smith.hpayne@xplornet.com; Martin.T@parl.gc.ca; hiltontownship@xplornet.com; White River
Subject: ADMA representative on FONOM

To All ADMA Members:

I am sure that all you have received a copy of the letter from FONOM (attached) indicating that effective December 31, 2010 ADMA will need a new member as its representative on FONOM.

This matter was to be dealt with at the fall symposium. Unfortunately due to a poor response on attendance, the symposium was cancelled. The ADMA Constitution is silent with respect to the selection of the nominee. The letter from FONOM indicates that ADMA must select a new representative by resolution of the majority of all the members of ADMA from resolutions received on or before December 31, 2010. Yet the FONOM Constitution indicates that a vacancy shall be filled 30 days from the date that the vacancy occurs (January 30, 2011) (this is contradictory). To that end and since ADMA cannot hold a meeting to vote on a new representative and unless there is a disagreement on the process, we will use the following as the process for selecting a new representative:

1. All members of the Algoma District Municipal Association and in good standing may by December 31, 2010 nominate a qualified person to stand as the ADMA Representative on the FONOM Board of Directors until the expiry of the present term.
2. A list of the nominations will be sent to all members (in good standing) after December 31, 2010 with each member being required to select one person from the qualified list and provide that response back to the Executive Director of ADMA (via email or fax)
3. The nominee with the most votes will be new ADMA Representative.

4. Final results will be sent out immediately after compiling

Qualifications

In order to qualify as the ADMA Representative on the FONOM Board of Directors, nominees must qualify as follows:

1. Every member of the Executive shall be 18 or more years of age.
2. Every member of the Executive appointed from each of the Federation's major municipalities/cities/territorial district:
 - a) Shall be holder of office in such municipality/city/territorial district and elected to such office by qualified electors pursuant to the provisions of the Municipal Elections Act, 1996, as amended, and
 - b) Shall be appointed to the Executive by resolution of their respective Council and/or Municipal Association.
 - c) Where no *bona fide* Municipal Association exists, the Executive member representing that territorial district shall be selected by resolution of a majority of all the member municipalities within said territorial district.

If you wish to nominate a qualified individual from the Algoma District for this position, please send me a copy of your Council Resolution by December 31, 2010.

If you have any questions, please call.

Regards,

Chris Wray

CONFIDENTIALITY WARNING

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information which is privileged, confidential, proprietary or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying or in any way using this message. If you have received this communication in error, please notify the sender, and destroy and delete any copies you may have received.

5(d)

District of Algoma rep ltr

Dear CAO/Clerk

Re: Representative on FONOM Board of Directors

The Constitution of the Federation of Northern Ontario Municipalities (FONOM) of which you are a member, allows for a representative from the territorial district of Algoma to sit on the Executive Committee (Board of Directors) of FONOM. You had been represented by Councillor John Currie from the Town of Thessalon. As that board appointment expires on December 31, 2010, we are seeking your nomination to fill this term that will run until the next general election, that is, until November 30, 2014.

Please advise the name of your nominee to represent the District of Algoma on the FONOM Board. Your resolution can be sent to:

Lynne Reynolds, Executive Director
FONOM
P.O. Box 2175, Station A
Sudbury, Ontario P3A 4S1

The Executive member chosen to represent the territorial district of Algoma shall be selected by resolution of the majority of all member municipalities within the district from the resolutions received on or before December 31, 2010.

If you have any questions regarding this matter, please contact me by telephone or by email at fonom@eastlink.ca. Thank you for your assistance in this matter and thank you for your municipality's continuing support of FONOM.

Sincerely yours

Lynne Reynolds
Executive Director, FONOM

Distribution:

Blind River
Bruce Mines
Dubreuilville
Elliot Lake
Hilton Beach
Hornepayne
Huron Shores
Johnson
Laird
Macdonald, Meredith & Aberdeen Add'l
North Shore
Plummer Add'l
Prince

5(d)

St. Joseph
Spanish
Tarbutt & Tarbutt Add'l
Thessalon
Wawa
Hilton
Jocelyn
White River



MUNICIPALITY OF WAWA
CONFIDENTIAL

40 BROADWAY AVENUE, P.O. BOX 500
WAWA, ONTARIO, P0S 1K0

5(d)

FAX

Date: December 3, 2010

Number of Pages (including cover page) 5

To: ADMA Members

Phone:

Fax phone:

C.C.

From: Amber Florczyk

E-Mail: aflorczyk@wawa.cc

Phone: (705) 856-2244 ext. 233

Fax phone: (705) 856-2120

REMARKS

Urgent For Review Please Comment Please Reply Please Recycle

This facsimile is privileged and contains confidential information for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone.

26

ALGOMA DISTRICT MUNICIPAL ASSOCIATION
40 Broadway Ave, P0 Box 500, Wawa, ON P05 1KO Canada
Phone: 705-856-2244, Fax: 705-856-2120
Lou Madonna, President
Chris Wray, Executive Director

MEMORANDUM

December 3, 2010

To All ADMA Members:

I am sure that all you have received a copy of the letter from FONOM (attached) indicating that effective December 31, 2010, ADMA will need a new member as its representative on FONOM.

This matter was to be dealt with at the fall symposium. Unfortunately due to a poor response on attendance, the symposium was cancelled. The ADMA Constitution is silent with respect to the selection of the nominee. The letter from FONOM indicates that ADMA must select a new representative by resolution of the majority of all the members of ADMA from resolutions received on or before December 31, 2010. Yet the FONOM Constitution indicates that a vacancy shall be filled 30 days from the date that the vacancy occurs (January 30, 2011) (this is contradictory). To that end and since ADMA cannot hold a meeting to vote on a new representative and unless there is a disagreement on the process, we will use the following as the process for selecting a new representative:

1. All members of the Algoma District Municipal Association and in good standing may by December 31, 2010 nominate a qualified person to stand as the ADMA Representative on the FONOM Board of Directors until the expiry of the present term.
2. A list of the nominations will be sent to all members (in good standing) after December 31, 2010 with each member being required to select one person from the qualified list and provide that response back to the Executive Director of ADMA (via email or fax)
3. The nominee with the most votes will be new ADMA Representative.
4. Final results will be sent out immediately after compiling

Qualifications

In order to qualify as the ADMA Representative on the FONOM Board of Directors, nominees must qualify as follows:

1. Every member of the Executive shall be 18 or more years of age.

5(d)

2. Every member of the Executive appointed from each of the Federation's major municipalities/cities/territorial district:
 - a) Shall be holder of office in such municipality/city/territorial district and elected to such office by qualified electors pursuant to the provisions of the Municipal Elections Act, 1996, as amended, and
 - b) Shall be appointed to the Executive by resolution of their respective Council and/or Municipal Association.
 - c) Where no *bona fide* Municipal Association exists, the Executive member representing that territorial district shall be selected by resolution of a majority of all the member municipalities within said territorial district.

If you wish to nominate a qualified individual from the Algoma District for this position, please send me a copy of your Council Resolution by December 31, 2010.

If you have any questions, please call.

Regards,

Chris Wray

Contact:

Chris Wray, Executive Director
705-856-2244 (ext 223)
cwray@wawa.cc

5(d)

District of Algoma rep ltr

Dear CAO/Clerk

Re: Representative on FONOM Board of Directors

The Constitution of the Federation of Northern Ontario Municipalities (FONOM) of which you are a member, allows for a representative from the territorial district of Algoma to sit on the Executive Committee (Board of Directors) of FONOM. You had been represented by Councillor John Currie from the Town of Thessalon. As that board appointment expires on December 31, 2010, we are seeking your nomination to fill this term that will run until the next general election, that is, until November 30, 2014.

Please advise the name of your nominee to represent the District of Algoma on the FONOM Board. Your resolution can be sent to:

Lynne Reynolds, Executive Director
FONOM

P.O. Box 2175, Station A
Sudbury, Ontario P3A 4S1

The Executive member chosen to represent the territorial district of Algoma shall be selected by resolution of the majority of all member municipalities within the district from the resolutions received on or before December 31, 2010.

If you have any questions regarding this matter, please contact me by telephone or by email at fonom@eastlink.ca. Thank you for your assistance in this matter and thank you for your municipality's continuing support of FONOM.

Sincerely yours

Lynne Reynolds
Executive Director, FONOM

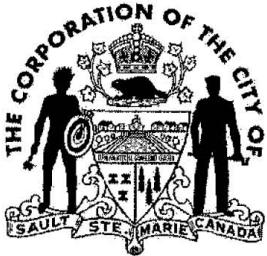
Distribution:

Blind River
Bruce Mines
Dubreuilville
Elliot Lake
Hilton Beach
Hornepayne
Huron Shores
Johnson
Laird
Macdonald, Meredith & Aberdeen Add'l
North Shore
Plummer Add'l
Prince

5(d)

St. Joseph
Spanish
Tarbutt & Tarbutt Add'l
Thessalon
Wawa
Hilton
Jocelyn
White River

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

5(e)

2010 12 13

Mayor Debbie Amaroso and
Members of City Council,
Civic Centre.

Re: Tender for Oils, Greases & Gear Lubricants (2010WA21)

Attached hereto for your information and consideration is a summary of the tenders received for the supply and delivery of Oils, Greases & Gear Lubricants, as required by the various City Departments and cooperatively Public Utilities Inc., for the three (3) year period of January 1, 2011 until December 31, 2013.

The tender was publicly advertised and tender documents mailed to all firms on our bidders list. A public opening of the tenders received was held December 1, 2010 with Councillor Susan Myers representing City Council.

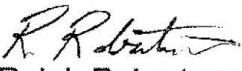
The tenders received have been carefully evaluated and analyzed as to quality, availability of supply, dependability of vendor and price. The low tendered prices meeting specifications have been identified on the attached summary.

RECOMMENDATION

It is therefore my recommendation that the tender for the supply and delivery of Oils, Greases & Gear Lubricants, as required by our various departments and cooperatively Public Utilities Inc., be awarded to Wardlaw Fuels, for a period of three (3) years, allowing for price adjustments based upon changes in wholesale prices.

This report is submitted for Council's approval.

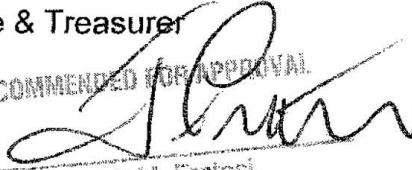
Respectfully submitted,


Ralph Robertson
Manager of Purchasing

RR:nt
Attach.

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: MULTI DEPARTMENT INVENTORY AND MAINTENANCE CHARGE OUT ITEMS

Received: December 1, 2010
File: 2010WA21

SUMMARY OF TENDERS
OILS, GREASES AND GEAR LUBRICANTS

Packaged Goods	Quantity (estimated annual)	McDougall Energy Sault Ste. Marie, ON		Power Fuels Sault Ste. Marie, ON		Wardlaw Fuels Sault Ste. Marie, ON	
		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Multipurpose Grease - EP2 (tubes)	128 kgs	\$5.75	\$736.00	\$5.66	\$724.48	\$4.96	\$633.00
Multipurpose Grease - EP2 (54kg keg)	324 kgs	\$4.75	\$1,539.00	\$4.63	\$1,500.12	\$4.67	\$1,513.08
Multipurpose Grease - EP2 (180kg drum)	180 kgs	\$5.27	\$948.60	\$4.43	\$797.40	\$4.46	\$802.80
Premium Synthetic Grease (54 kg keg)	216 kgs	\$11.40	\$2,462.40	\$11.28	\$2,436.48	\$6.26	\$1,352.16
Gearlube 80W90 (60 litre drum)	240 litres	\$3.36	\$806.40	\$3.00	\$720.00	\$2.70	\$648.00
Synthetic Gearlube 75W90 (60 litre drum)	360 litres	\$7.25	\$2,610.00	\$7.07	\$2,545.20	\$6.79	\$2,444.40
Hydraulic Oil - ISO 46 (20 litre pail)	1000 litres	\$2.56	\$2,560.00	\$2.50	\$2,500.00	\$2.08	\$2,080.00
Hydraulic Oil - ISO 68 (20 litre pail)	160 litres	\$2.56	\$409.60	\$2.35	\$376.00	\$2.17	\$347.20
Low-Temp. Hydraulic Oil - ISO 22 (20 litre pail)	20 litres	\$3.99	\$79.80	\$2.66	\$53.20	\$2.84	\$56.80
All Season Hydraulic Oil - ISO 32 (205 litre drum)	820 litres	\$3.69	\$3,025.80	\$2.43	\$1,992.60	\$2.52	\$2,066.40
ATF Dexron-Mercon Transmission (1 litre bottle)	228 litres	\$3.13	\$713.64	\$2.70	\$615.60	\$2.66	\$606.48
ATF Dexron-Mercon Transmission (205 litre drum)	410 litres	\$2.99	\$1,225.90	\$2.60	\$1,066.00	\$2.44	\$1,000.40
ATF Heavy Duty (Allison) Transmission (20 litre pail)	40 litres	n/a	\$0.00	\$5.85	\$234.00	\$7.02	\$280.80
Transmission/Hyd. Fluid-Mineral (20 litre pail)	240 litres	n/a	\$0.00	\$2.75	\$660.00	\$2.68	\$643.20
Motor Oil SAE 30 API SM (20 litre pail)	20 litres	\$3.25	\$65.00	\$3.00	\$60.00	\$2.28	\$45.60
Motor Oil SAE 5W20 API SM,SL (1 litre bottle)	12 litres	\$2.95	\$35.40	\$2.82	\$33.84	\$2.84	\$34.08
Motor Oil SAE 5W20 API SM,SL (205 litre drum)	410 litres	\$2.85	\$1,168.50	\$2.42	\$992.20	\$2.38	\$975.80
Motor Oil SAE 5W30 API SM,SL (1 litre bottle)	120 litres	\$2.95	\$354.00	\$2.82	\$338.40	\$2.90	\$348.00
Motor Oil SAE 10W30 API SM,SL (1 litre bottle)	1332 litres	\$2.85	\$3,796.20	\$2.69	\$3,583.08	\$2.95	\$3,929.40
Motor Oil (Severe Service) SAE 15W40 CJ-4,SM,SL (1 litre bottle)	672 litres	\$2.98	\$2,002.56	\$2.93	\$1,968.96	\$2.84	\$1,908.48
Motor Oil (Severe Service) SAE15W40 CJ-4,SM,SL (205 litre drum)	410 litres	\$2.88	\$1,180.80	\$2.85	\$1,168.50	\$2.38	\$975.80
Motor Oil (Diesel) SAE 10W API CF (20 litre pail)	40 litres	\$3.25	\$130.00	\$2.85	\$114.00	\$2.51	\$100.40
Motor Oil (Diesel) SAE 40 API CF-2 (205 litre drum)	4100 litres	\$2.99	\$12,259.00	\$2.73	\$11,193.00	\$2.51	\$10,291.00
Synthetic Motor Oil SAE 5W40 CJ-4,SM,SL (20 litre pail)	60 litres	\$6.65	\$399.00	\$6.38	\$382.80	\$5.99	\$305.40
Cleaning Solvent (205 litre drum)	410 litres	\$1.98	\$811.80	\$1.89	\$774.90	\$1.92	\$787.20
Estimated Total Annual Cost (before Stewardship Fees & H.S.T.)		\$39,319.40		\$36,830.76		\$34,176.48	
Bulk Delivery							
Motor Oil (Severe Service) 15W40 CJ-4,SM,SL	8000 litres	\$2.85	\$22,800.00	\$2.79	\$22,320.00	\$2.17	\$17,360.00
All Season Hydraulic Oil - ISO 32	2000 litres	\$2.67	\$5,340.00	\$2.55	\$5,100.00	\$1.61	\$3,220.00
ATF Dexron-Mercon Transmission	2000 litres	\$2.98	\$5,960.00	\$2.50	\$5,000.00	\$2.08	\$4,160.00
Estimated Total Annual Cost (before Stewardship Fees & H.S.T.)		\$34,100.00		\$32,420.00		\$24,740.00	
Total - Both Groups		\$73,419.40		\$69,250.76		\$58,916.48	
Remarks		Incomplete Pricing Limited Recycling of Empty Containers Offered		Incomplete Pricing Limited Recycling of Empty Containers Offered		All Items Priced Full Recycling of Empty Containers Offered	

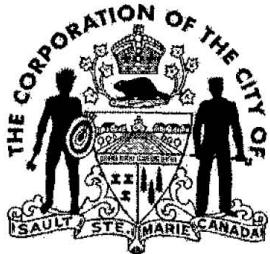
Note: The low tendered prices, meeting specifications, are boxed above and subject to adjustment on a quarterly basis based on changes in Supplier's Wholesale Pricing.
Estimated Total Annual Costs shown above is based on tendered pricing firm until March 31, 2011.
It is my recommendation that the low tendered prices, submitted by Wardlaw Fuels, be accepted.

Ralph Robertson
Manager of Purchasing

(a)9

5(f)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2010 12 13

Mayor Debbie Amaroso and
Members of City Council,
Civic Centre.

Re: Tender for Automotive Supplies

Attached hereto for your information and consideration are summaries of the tenders received for the supply of Automotive Supplies as required by the various City Departments and cooperatively for PUC Services Inc., for the year 2011.

The tenders were publicly advertised and tender documents mailed to all firms on our bidders lists. Public openings of the tenders were held October 27, 2010 with Councillor S. Butland representing City Council.

Each tendered proposal has been carefully evaluated and analyzed as to quality, availability of supply, dependability of vendor and price. Summary sheets have been prepared illustrating the weighted cost ratings, various pricing methods and discounts which will more readily assist you in identifying the proposals offering the lowest cost and greatest value.

RECOMMENDATION

The tenders providing the lowest cost rating or prices and offering the greatest value have been identified on their respective summary sheets and are recommended to you for acceptance as follows:

<u>Tender</u>	<u>Firm</u>	<u>Price/Cost Rating</u>
Automotive Fasteners	Rastall Nuts & Bolts	\$249.73 Cost Rating
Automotive Lamps	Lakeway Truck Centre	\$ 64.23 Cost Rating
Automotive Filters	Lakeway Truck Centre	\$131.90 Cost Rating
Automotive Belts & Hoses	Lakeway Truck Centre	\$246.27 Cost Rating
Protective Lighting	Lakeway Truck Centre	\$238.39 Cost Rating
Automotive Batteries	Partsource	\$688.83 Cost Rating
Floor Dry Compound	Traction	\$0.3860 per lb.

...2

5(f)

- 2 -

This report is submitted for Council's approval.

Respectfully submitted,



Ralph Robertson
Manager of Purchasing

Recommended for approval,



W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Multi Department Inventory & Maintenance Charge Out Items**

**RECEIVED: October 27, 2010
FILE: 2010WA20**

**SUMMARY OF TENDERS
AUTOMOTIVE FASTENERS AND RELATED ITEMS**

DESCRIPTION	Barnes Distribution Cleveland, OH			Fastenal Sault Ste. Marie, ON			Rastall Nut & Bolt Sault Ste. Marie, ON		
	Net List	Disc.	Net/100	Net List	Disc	Net/100	Net List	Disc	Net/100
1/4" x 1" NF Gr.5 Cap Screw	\$11.25	65.33%	\$3.90	Tender Not Considered			\$3.65	10.00%	\$3.29
1/4" NF Gr. 5 Hex Nut	\$16.53	92.98%	\$1.16				\$1.05	10.00%	\$0.95
5/16" x 1" NF Gr.5 Cap Screw	\$15.71	66.26%	\$5.30	Irregular			\$5.10	10.00%	\$4.59
5/16" NF Gr. 5 Hex Nut	\$19.89	88.44%	\$2.30				\$1.50	10.00%	\$1.35
7/8" x 3" NF Gr.5 Cap Screw	\$429.49	67.30%	\$140.44				\$122.40	10.00%	\$110.16
7/8" NF Gr. 5 Hex Nut	\$287.53	92.35%	\$22.00				\$31.75	10.00%	\$28.58
3/8" x 1-1/2" Carriage Gr.5	\$36.68	73.15%	\$9.85				\$8.10	10.00%	\$7.29
3/8" NC Gr. 5 Hex Nut	\$25.04	94.53%	\$1.37				\$2.10	10.00%	\$1.89
5/8" x 2" Gr. 8 FL Plow Bolt	\$188.62	76.05%	\$45.17				\$42.75	10.00%	\$38.48
5/8" x 2-1/2" Gr. 8 FL Plow Bolt	\$225.92	73.46%	\$59.96				\$45.60	10.00%	\$41.04
5/8" NF Gr. 8 Hex Nut	\$94.55	91.19%	\$8.33				\$13.45	10.00%	\$12.11
			<u>\$299.78</u>						<u>\$249.73</u>
Meets Specifications									
Meets Specifications									

Note: The low tendered prices (H.S.T. extra) are boxed above.

It is my recommendation that the low tendered prices, submitted by Rastall Nut & Bolt Company, be accepted.

Ralph Robertson
Manager of Purchasing

(4)6

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Multi Department Inventory & Maintenance Charge Out Items**

**RECEIVED: October 27, 2010
FILE: #2010WA20**

**SUMMARY OF TENDERS
AUTOMOTIVE LAMPS & MINI BULBS**

Lakeway Truck Centre Sault Ste. Marie, ON				Traction Sault Ste. Marie, ON			
G.E.	List	Disc.	Net	Sylvania/ G.E.	List	Disc.	Net
57	\$0.39	25%	\$0.29	57	\$0.97	49%	\$0.49
194	\$0.30	25%	\$0.23	194	\$0.65	49%	\$0.33
1003	\$0.80	25%	\$0.60	1003	\$1.55	49%	\$0.79
1004	\$0.75	25%	\$0.56	1004	\$1.61	49%	\$0.82
1156	\$0.57	25%	\$0.43	1156	\$0.89	49%	\$0.45
1157	\$0.47	25%	\$0.35	1157	\$0.75	49%	\$0.38
3057A	\$1.42	25%	\$1.07	3057A	\$3.50	49%	\$1.79
3156	\$1.42	25%	\$1.07	3156	\$2.08	49%	\$1.06
3157	\$1.42	25%	\$1.07	3157	\$1.65	49%	\$0.84
4413	\$9.95	25%	\$7.46	4413	\$21.20	49%	\$10.81
4415A	\$11.81	25%	\$8.86	4415A	\$21.55	49%	\$10.99
4570	\$19.71	25%	\$14.78	4570	\$35.01	49%	\$17.86
H4651	\$6.89	25%	\$5.17	H4651	\$13.35	49%	\$6.81
H4656HO	\$14.22	25%	\$10.67	H4656HO	\$25.68	49%	\$13.10
H6054	\$9.70	25%	\$7.28	H6054	\$16.04	49%	\$8.18
9004LL	\$5.79	25%	\$4.34	9004LL	\$12.13	49%	\$6.19
			<u>\$64.23</u>				<u>\$80.89</u>
Meets Specifications				Meets Specifications			

Note: The low tendered prices (H.S.T. extra) are boxed above.
 It is my recommendation that the low tendered prices, as submitted by Lakeway
 Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(5)g

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 27, 2010

FILE: #2010WA20

SUMMARY OF TENDERS
AUTOMOTIVE AIR & OIL FILTERS

Lakeway Truck Centre Sault Ste. Marie, ON				Traction Sault Ste. Marie, ON			
Fleetguard	List	Disc	Net	Donaldson	List	Disc	Net
LF 3620	\$18.44	73%	\$4.98	P55 2100	\$20.40	54%	\$9.38
LF 777	\$25.00	73%	\$6.75	P55 0777	\$25.28	54%	\$11.63
LF 667	\$11.65	73%	\$3.15	P55 3191	\$12.02	54%	\$5.53
LF 3333	\$22.67	73%	\$6.12	P55 1670	\$21.82	54%	\$10.04
FF 19521	\$37.99	73%	\$10.26	P55 0436	\$36.12	54%	\$16.62
FF 5321	\$14.28	73%	\$3.86	P55 1315	\$15.48	54%	\$7.12
FF 236	\$20.73	73%	\$5.60	P55 2387	\$23.24	54%	\$10.69
FF 5207	\$9.46	73%	\$2.55	P55 6915	\$10.04	54%	\$4.62
FF 5206	\$9.46	73%	\$2.55	P55 6916	\$10.04	54%	\$4.62
HF 6588	\$103.42	73%	\$27.92	P16 5659	\$93.53	54%	\$43.02
HF 35209	\$32.84	73%	\$8.87	P17 1539	\$45.88	54%	\$21.10
AF 1618	\$10.75	73%	\$2.90	P53 6433	\$16.97	54%	\$7.81
AF 853	\$56.49	73%	\$15.25	P18 1007	\$59.88	54%	\$27.54
AF 1968	\$67.05	73%	\$18.10	P15 3551	\$78.72	54%	\$36.21
AF 25667	\$48.28	73%	\$13.04	P53 2966	\$52.44	54%	\$24.12
			<u>\$131.90</u>				<u>\$240.05</u>
Meets Specifications				Meets Specifications			

Note: The low tendered prices are boxed above.

Pricing showing does not include applicable H.S.T. & Stewardship Ontario Levies.

It is my recommendation that the low tendered prices, submitted by Lakeway Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(t)5

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: Oct. 27, 2010

FILE: #2010WA20

SUMMARY OF TENDERS
AUTOMOTIVE BELTS & HOSES

Lakeway Truck Centre Sault Ste. Marie, ON			
Goodyear	List	Disc.	Net
15506	\$10.50	40%	\$6.30
15595	\$16.86	40%	\$10.12
L17341	\$18.80	40%	\$11.28
L17661	\$24.34	40%	\$14.60
24493	\$19.00	40%	\$11.40
84430	\$12.95	40%	\$7.77
85350	\$16.75	40%	\$10.05
L85570	\$23.10	40%	\$13.86
4060735	\$35.50	40%	\$21.30
4060872	\$42.38	40%	\$25.43
4060970	\$41.96	40%	\$25.18
4061030	\$46.24	40%	\$27.74
4080620	\$41.22	40%	\$24.73
L4080630	\$60.85	40%	\$36.51
			<u>\$246.27</u>
Meets Specifications			

Partsource # 797 Sault Ste. Marie, ON			
Goodyear	Jobber	Disc.	Net
15506	\$14.18	22%	\$11.06
15595	\$16.37	22%	\$12.77
L17341	\$15.01	22%	\$11.71
L17661	\$22.41	22%	\$17.48
24493	\$21.01	22%	\$16.39
84430	\$12.39	22%	\$9.66
85350	\$14.08	22%	\$10.98
L85570	\$21.22	22%	\$16.55
4060735	\$28.98	22%	\$22.60
4060872	\$34.81	22%	\$27.15
4060970	\$27.39	22%	\$21.36
4061030	\$32.45	22%	\$25.31
4080620	\$42.53	22%	\$33.17
L4080630	\$41.40	22%	\$32.29
			<u>\$268.48</u>
			<u>\$282.07</u>
Meets Specifications			

Note: The low tendered prices (H.S.T. & Stewardship Ontario Fees extra) are boxed above.

It is my recommendation that the low tendered prices, submitted by Lakeway Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(45)e

FINANCE DEPARTMENT**PURCHASING DIVISION****BUDGET: Multi Department Inventory & Maintenance Charge Out Items**

Received: October 27, 2010

File No. 2010WA20

**SUMMARY OF TENDERS
AUTOMOTIVE PROTECTIVE LIGHTING**

Lakeway Truck Centre Sault Ste. Marie, ON			
Grote	List	Disc	Net
50862	\$10.72	50%	\$5.36
50882	\$28.16	50%	\$14.08
61161	\$15.92	50%	\$7.96
64271	\$130.02	50%	\$65.01
642914	\$267.84	50%	\$133.92
90303	\$1.88	50%	\$0.94
90383	\$22.24	50%	\$11.12
			<u>\$238.39</u>
Meets Specifications			

**Traction
Sault Ste. Marie, ON**

Grote	Jobber	Disc	Net
50862	\$8.00	23%	\$6.16
50882	\$21.00	23%	\$16.17
61161	\$11.50	23%	\$8.86
64271	\$95.00	23%	\$73.15
642914	\$195.00	23%	\$150.15
90303	\$1.35	23%	\$1.04
90383	\$16.00	23%	\$12.32
			<u>\$267.85</u>

Note: The low tendered prices (H.S.T. extra) are boxed above.

It is my recommendation that the low tendered prices, submitted by Lakeway Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(4)(f)

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 27 2010

FILE: #2010WA20

SUMMARY OF TENDERS
AUTOMOTIVE BATTERIES

Lakeway Truck Centre
Sault Ste. Marie, ON

Exide	List	Disc	Net
INTHP31DW	\$118.17	30%	\$82.72
COM8DPC	\$229.92	30%	\$160.94
78DT84SZC	\$120.99	30%	\$84.69
27F60W	\$102.54	30%	\$71.78
COM8DC312	\$260.63	30%	\$182.44
COM4DPC	\$219.68	30%	\$153.78
			<u>\$736.35</u>

Meets Requirements

Partsource # 797
Sault Ste. Marie, ON

Magnacharge	Net	Disc	Net
30H850	\$82.00	0%	\$82.00
8D1250	\$150.82	0%	\$150.82
24F926	\$72.86	0%	\$72.86
27F900	\$78.00	0%	\$78.00
8D1600BT	\$170.00	0%	\$170.00
4D1250	\$135.15	0%	\$135.15
			<u>\$688.83</u>

Meets Requirements

Traction
Sault Ste. Marie, ON

East Penn/HD	List	Disc	Net
BA30H	\$254.68	61%	\$99.33
BA8D	\$440.01	61%	\$171.60
BADT24/74	\$294.08	61%	\$114.69
BADT75-86	\$236.92	61%	\$92.40
BA8DHDS	\$563.40	61%	\$219.73
BA4DHD	\$359.08	61%	\$140.04
			<u>\$837.79</u>

Meets Requirements

Note: The low tendered prices (H.S.T. extra), meeting requirements for acceptable product, are boxed above.

It is my recommendation that the low tendered prices, submitted by Partsource, be accepted.

Ralph Robertson
Manager of Purchasing

(4)(f)

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Multi Department Inventory & Maintenance Charge Out Items**

Received: October 27, 2010
File No. 2010WA20

**SUMMARY OF TENDERS
FLOOR DRY COMPOUND (1.0% or Less Crystalline Silica Content By Volume)**

Firm	Brand	Price Per Bag & Size	Price Per Pound	Remarks
Traction Sault Ste. Marie, ON	HallChem AB630-07	5.79/15 lbs	\$0.3860	Meets Requirements Crystalline Silica Content - 1.0% or less

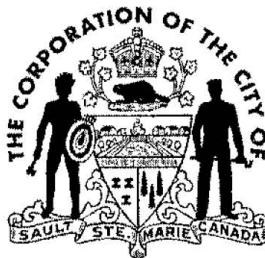
Note: The low tendered price (H.S.T. extra) meeting requirements is boxed above.
Although only one tender was received, it is deemed to be fair & equitable.
It is my recommendation that the low tendered prices, submitted by Traction, be accepted.

Ralph Robertson
Manager of Purchasing

5

5(g)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2010 12 13

Mayor Debbie Amaroso and
Members of City Council

Re: 3rd Quarter Financial Reporting

Attached under separate cover is a financial report @ September 30, 2010.

Department accounts were reviewed to determine major variances.

Overall, the corporate wide budget has 31.33% of expenses remaining for the fourth quarter while 11.32% of revenues remain outstanding.

Some variances to note are:

Clerk's Department – Election costs will be recorded in the fourth quarter.

Finance Department – Tax write-offs are favourable by \$400,000 but will be expensed by yearend.

Legal Department – Insurance settlements exceed budget by \$250,000. Provincial Offences net revenue is expected to be exceed budget estimates which will partially offset higher insurance costs.

Fire Services – Yearend transfers to reserve for equipment will be recorded at yearend.

Police Services – Provincial grants for policing have not been received to date resulting in unfavourable revenue variances. The grants will be recorded in the fourth quarter.

Social Services – The DSSAB levy paid by the City has been fully paid in the third quarter.

Engineering and Planning – Miscellaneous construction costs will be recorded in the fourth quarter since much of the work is done in the third quarter. Street lighting and hydrant costs will be recorded in the fourth quarter. Federal Gas Tax of \$2.3 must be transferred to Capital. Sewage surcharge transfers to capital will be made in the fourth quarter. At yearend, a calculation is made to transfer building fees in excess of expenditures to a reserve fund.

5(g)

Public Works and Transportation – Estimate transit revenues are expected to have a shortfall of \$250,000. The budgeting process is being changed at PWT from an hourly activity wage allocation method to a manpower positional based allocation. This will provide greater cost control.

Economic Development Fund – Reserve transfer for economic development projects such as doctor recruitment will be recorded in the fourth quarter resulting in a cost variance in the third quarter.

Corporate Financials – \$8.6 million of transfers to reserves to the landfill reserve and sewer projects from the sewer surcharge will be recorded in the fourth quarter. Supplementary taxes are estimated to be \$200,000 under budget due to less new assessment than forecasted. Grant-in-lieu tax payments from senior levels of government are expected to be \$107,500 less than budgeted.

Capital and Debt Levy – \$7.8 million of transfers for debt and roadway capital will be recorded in the fourth quarter.

Education Levy – \$4.8 million of the education levy will be paid in the fourth quarter.

During the 2010 budget deliberations, Council approved the use of \$500,000 of surplus from 2009 as revenue for 2010. If a surplus is not generated in 2010, this revenue source must be replaced by other revenues, reduced expenses or levy increases.

At the November 9, 2010 Senior Management Team meeting discussed the nine-month report. The June 30, 2010 statement is also attached as information.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl
attachments

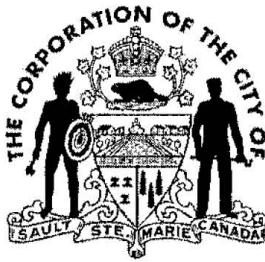
c: S. McLellan
Manager of Budgets & Revenue

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(h)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2010 12 13

**Mayor Debbie Amaroso and
Members of City Council**

**Re: Mayor and Council Travel Expenses
January 1 – September 30, 2010**

Attached is a summary of Mayor and Council travel expenses for the period January 1 to September 30, 2010.

This is provided for the information of Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Freiburger".

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl
attachment

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink, appearing to read "Joseph M. Fratesi".

Joseph M. Fratesi
Chief Administrative Officer

5(h)

Corporation of the City of Sault Ste. Marie
Finance Department

Summary of Mayor and Council Travel Expenses
January 1 – September 30, 2010

Mayor

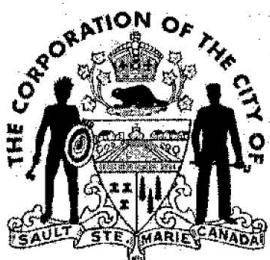
J. Rowswell	Travel – Conference	1,641.40	
	– Other City Business - Meeting	<u>3,416.37</u>	5,057.77

Councillors

S. Butland	Travel – Conference	1,836.40	
	– Other City Business - Meeting	<u>351.44</u>	2,187.84
J. Caicco	Travel		0.00
D. Celetti	Travel		0.00
F. Fata	Travel		0.00
O. Grandinetti	Travel		0.00
B. Hayes	Travel – Conference		2,005.00
F. Manzo	Travel		0.00
P. Mick	Travel – Conference		1,880.93
S. Myers	Travel – Conference		2,168.60
T. Sheehan	Travel – Conference	2,983.21	
	– Other City Business - Meeting	<u>374.17</u>	3,357.38
L. Tridico	Travel		0.00
L. Turco	Travel – Conference	2,600.80	
	– Executive Meeting	1,194.42	
	– Other City Business - Meeting	<u>202.64</u>	3,997.86

5(i)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2010 12 13

Mayor Debbie Amaroso and
Members of City Council

Re: 2009 Municipal Performance Measurement Program

Please find attached under separate cover the 2009 results under the Municipal Performance Measurement Program prepared by Mr. Jacob Bruzas, CA, Financial Analyst.

Staff reviewed the City's Performance Measures in relation to other Northern Ontario communities and provided comment where appropriate.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

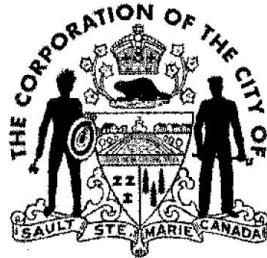
WF/kl
attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(j)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2010 12 13

Mayor D. Amaroso
and Members of City Council

Re: Borrowing By-laws for 2011

Each year it is necessary to pass borrowing by-laws for current and capital purposes.

Short term borrowing to meet current expenditures may be required to provide cash flow between tax due dates and the receipt of Provincial grants. The recommended by-law provides for borrowing sums not to exceed \$10,000,000 to meet current expenditures.

Capital borrowing may be required for short and long term purposes for financing of capital projects. The recommended by-law provides for borrowing of sums not to exceed \$15,000,000 for capital purposes for the City.

Also, attached is a by-law from the Public Utilities Commission concerning a request for a \$6,200,000 borrowing limit for capital purposes related to water infrastructure. This is a \$1,000,000 increase over the 2010 level of \$5,200,000.

City and PUC staff are currently reviewing future water capital construction requirements that may result in reductions to the PUC borrowing limit.

The limits are an approved credit line with the City's Banker that is reviewed annually.

By-laws 2010-176 and 2010-177 are recommended for Council's approval.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of
Finance and Treasurer

WF/kl
attachments

RECOMMENDED FOR APPROVAL

Joseph M. Pratesi
Chief Administrative Officer

5(j)

BY-LAW NO. 407

**THE PUBLIC UTILITIES COMMISSION
OF THE CITY OF SAULT STE. MARIE**

**A By-law to Approve Capital Expenditures and Borrowing
for 2011**

WHEREAS the capital expenditure levels of the Commission have increased over the last several years as a result of the level of City capital works and necessary infrastructure replacements and improvements;

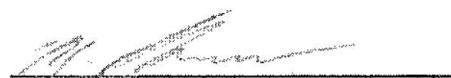
WHEREAS there is a requirement to borrow to finance the increased level of capital expenditures;

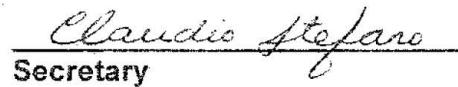
WHEREAS \$5,200,000 in borrowing to finance capital expenditures has previously been approved; and

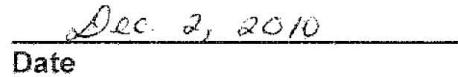
WHEREAS temporary financing has been arranged to finance the increased level of capital expenditures over the previous two years;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

Capital expenditures of \$4,737,233 as detailed in the 2011 Budget be approved and borrowing of \$1,000,000 in addition to the previously approved \$5,200,000 be authorized to finance capital expenditures.


Chairman

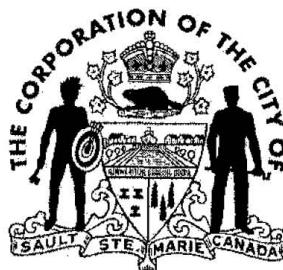

Secretary


Date

Peter A. Liepa
City Tax Collector

Tax & Licence Division
Finance Department

5(k)



2010 12 13

Mayor Debbie Amaroso
and Members of City Council
Civic Centre

RE: Property Tax Appeals

Attached are the listings that summarize applications for adjustments to the Tax Roll pursuant to Sections 357 of the Municipal Act, 2001.

The Municipal Property Assessment Corporation (MPAC) has recommended the amount of assessment to be adjusted. Each of the applications has been reviewed individually and recommended as shown.

An appropriate resolution has been prepared for your consideration.

Respectfully submitted,

A handwritten signature in black ink.

Peter A. Liepa
City Tax Collector

PAL/md

Attach.

A handwritten signature in black ink.

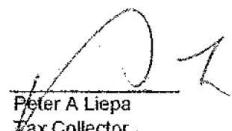
RECOMMENDED FOR APPROVAL
Joseph M. Fratassi
Chief Administrative Officer

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2010

DATE: 2010 12 13
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS	TOTAL
						TAXES	ADJUSTMENT
						INTEREST	
010-051-094	356 Chambers Avenue	Celetti Mario Victor	RT	D	10-024	60.83	60.83
020-005-155	19 Haviland Crescent	Finley Brian Patrick	RT	D	10-025	532.91	535.93
030-011-025	43 Black Road	Black Road Realty Ltd.	CT	F	10-026	1,668.65	1,668.65
030-070-052	149 Killarney Road	MacMillan Lois Margaret	RT	D	10-027	Confirmed	0.00
040-023-158	13 Abbott Street	Erb Kimberly John	RT	C	10-028	145.37	3.57
050-041-071	7 Westridge Road	Piraino Larry Nick	RT	D	10-029	253.38	18.52
050-003-115	274 Bainbridge Street	Donofrio Scott Anthony	RT	D	10-030	54.22	54.22
050-004-036	58 Henrietta Avenue	Scott Daniel Joseph	CT	C	10-031	193.77	193.77
050-015-033	349 Second Avenue	Siemers Hans-Joachim	RT	C	10-032	790.35	790.35
060-005-070	172 Glasgow Avenue	McCoy Dennis Cory	RT	C	10-033	Confirmed	0.00
Certified Correct:						3,638.65	25.11
							3,724.59


Peter A. Liepa
Tax Collector

- A. REALTY TAX CLASS CONVERSION
- B. BECAME EXEMPT AFTER RETURN OF ROLL
- C. RAZED BY FIRE AFTER RETURN OF ROLL

- D. DEMOLISHED AFTER RETURN OF ROLL
- E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
- F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS DUE TO REPAIRS OR RENOVATIONS

2(K)

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2009

DATE: 2010 12 13
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS		TOTAL	
						TAXES	INTEREST	ADJUSTMENT	
050-004-036	58 Henrietta Avenue	Scott Daniel Joseph	RT	C	09-053	58.13	0.00	58.13	
050-006-027	47 Henrietta Avenue	Gazzola Onorio C. Gazzola Pierina S.	RT	D	09-054	62.37	0.18	62.55	

Certified Correct:


Peter A. Liepa
Tax Collector

REPORT TOTAL 120.50 0.18 120.68

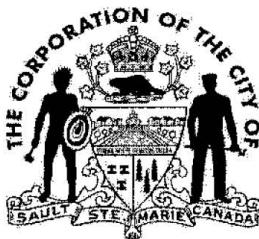
-
- A. REALTY TAX CLASS CONVERSION
 - B. BECAME EXEMPT AFTER RETURN OF ROLL
 - C. RAZED BY FIRE AFTER RETURN OF ROLL

-
- D. DEMOLISHED AFTER RETURN OF ROLL
 - E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
 - F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS DUE TO REPAIRS OR RENOVATIONS

5(k)

HUMAN RESOURCES DEPARTMENT

John R. Luszka, Commissioner
Peter Niro, Manager
Roy Dewar, Health & Safety Manager
Della-Marie Iley, Disability Case Manager



CIVIC CENTRE
99 Foster Drive,
Sault Ste. Marie, ON.
P6A 5X6
Tel: (705) 759-5361
Fax: (705) 541-7177

5(1)

2010 12 13

Mayor Debbie Amaroso
And Members of City Council

**RE: APPROVAL TO FILL A SENIOR STAFF VACANCY
PROGRAM MANAGER - ONTARIO WORKS**

Pursuant to the City's Human Resources Policy I-10: Guidelines for the Recruitment and Selection of Senior Staff, approval is requested to fill the above noted vacancy.

As a result of the notification of the retirement of the current incumbent, it is recommended that the position be filled through a selection process and by advertising both internally and externally simultaneously.

Yours truly,

A handwritten signature in black ink, appearing to read "John Luszka".

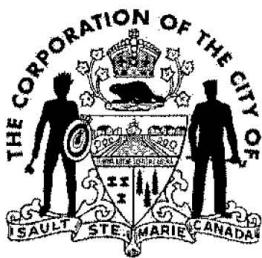
John Luszka
Commissioner
Human Resources Department

JL:ef

c.c. K. Streich-Poser
J. Fratesi

RECOMMENDED FOR APPROVAL
A handwritten signature in black ink, appearing to read "Joseph M. Fratesi".
Joseph M. Fratesi
Chief Administrative Officer

Joseph M. Fratesi, B.A., J.D. (LL.B.)
Chief Administrative Officer



99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
Canada P6A 5N1
(705) 759-5347
(705) 759-5952 (Fax)
E-Mail:
j.fratesi@cityssm.on.ca
b.berlingieri@cityssm.on.ca

5(m)

2011 12 13

Mayor Debbie Amaroso
And Members of City Council

**Re: Retirement of Lorie Bottos - Filling of positions of
City Solicitor and Assistant City Solicitor**

In the fall of 2008, Lorie Bottos gave me notice that he expected to retire near the end of 2010 or early in 2011, as he would then have achieved his full pension. In late 2009, in anticipation of this retirement and as part of our succession planning, it was decided that the vacant Municipal Prosecutor position in the Legal Department would be filled by a lawyer who would be interested and capable of providing full municipal services, in addition to doing the prosecutions. Melanie Borowicz-Sibenik, a local litigation lawyer with 8 years experience, was hired and commenced work for the City in January 2010. She has proven to be an excellent staff addition over the past year and has shown that she is both capable and anxious to take on more responsibility in the Department. She will, however, commence a one year maternity leave, in December of this year.

Mr. Bottos has now confirmed that he will retire as the City Solicitor on January 31, 2011. He has, however, agreed to stay on as Legal Counsel for 11 months to assist the Department until the end of 2011, when Ms. Borowicz-Sibenik returns from her leave.

The staffing and management of the Legal Department, over the next year and beyond, was discussed by Council at its November 8, 2010 meeting. The following recommendations made by me were approved at that time:

1. In accordance with the City's Guidelines for the Recruitment and Selection of Senior Staff, the vacancy created by the retirement of Lorie Bottos as the City Solicitor, will be filled by the appointment of Nuala Kenny, as the new City Solicitor, effective February 1, 2011. Ms. Kenny has been employed with our organization since February 6, 1995, when she was hired as a Solicitor. She graduated from the University of Ottawa Law School in 1989 and was called to the Ontario Bar in 1991. She has practiced exclusively in all areas of municipal law since graduation, initially with the City of Ottawa, but for the most part with the City of Sault Ste. Marie. Ms. Kenny has served as the Assistant City Solicitor in our Legal Department since 1999 and Council has recognized her as the obvious choice to fill this vacancy.

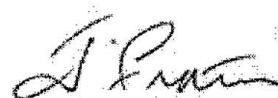
5(m)

2. Lorie Bottos and the City will enter into an 11 month employment contract, commencing February 1, 2011, whereby Mr. Bottos will act as Legal Counsel and assist Ms. Kenny during the maternity leave of Melanie Borowicz-Sibenik. The compensation paid during this period will reflect the lessening of the supervisory duties which Mr. Bottos will be responsible for.
3. In accordance with the City's Guidelines for Recruitment and Selection of Senior Staff, the vacancy created by the promotion of Nuala Kenny, will be filled by the appointment of Melanie Borowicz-Sibenik as the new Assistant Solicitor, effective January 1, 2012. Ms. Borowicz-Sibenik has been employed with our organization since January 11, 2010 when she was hired as a Solicitor in our Legal Department. She graduated from the University of Windsor Law School in 2000 and was called to the Ontario Bar in 2002. She has practiced in all areas of civil litigation, employment and contract law and corporate and commercial law, while an associate at a well known local firm. During her first year with the City, Ms. Borowicz-Sibenik has provided services in all areas of municipal law and has taken over responsibilities of the Municipal Prosecutor. She is highly recommended for this promotion by both Mr. Bottos and Ms. Kenny.
4. The duties of the Municipal Prosecutor will be contracted out to a local law firm for the period of January 1, 2011 until June 30, 2011. It is intended that the Corporation will be hiring a former summer student in the Legal Department, who is graduating from Law School in April 2011. This individual has been trained to undertake the duties of the Municipal Prosecutor and will take over these responsibilities, firstly as part of his one year articles and thereafter, in a permanent position. All three lawyers in the Department are supportive of this hire, based on his past service and knowledge of our organization.

Mr. Bottos has provided 35 years of exemplary service to the City. His advice was always sound and reasoned. He enjoys the respect of his fellow workers, Mayors and Councillors (past and present), and his legal colleagues. He certainly leaves very large shoes to fill. However, with the changes above which are in keeping with the City's succession planning strategies, there will be staff stability and expertise in the Legal Department for many years to come.

A resolution expressing this City's sincerest gratitude to Mr. Bottos and the appropriate bylaws, giving effect to these new appointments appear elsewhere on the Agenda.

Respectfully submitted,

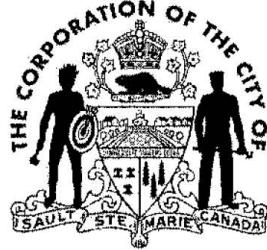


JMF:bb

Joseph M. Fratesi
Chief Administrative Officer

5(n)

Joseph M. Fratesi, B.A., J.D. (LL.B.)
Chief Administrative Officer



99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
Canada, P6A 5N1
(705) 759-5347
(705) 759-5952 (Fax)
E-Mail:
j.fratesi@cityssm.on.ca
b.berlingieri@cityssm.on.ca

2010 12 13

Mayor Debbie Amaroso and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

The following staff travel requests are presented to you for approval:

1. **Ron Mancuso – Engineering & Planning – Building Division**
Part 9 – The House- Building Envelope
January, 2011
Woodbridge, Ontario
Estimated total cost to the City - \$ 1,864.25
Estimated net cost to the City - \$ 1,864.25

2. **Larry Kennedy – Engineering & Planning – Building Division**
Part 9 – Building Fire Protection
April, 2011
Woodbridge, Ontario
Estimated total cost to the City - \$ 1,582.75
Estimated net cost to the City - \$ 1,582.75

3. **Francois Couture – Engineering & Planning – Building Division**
Part 3 – Large Buildings – Health & Safety
March, 2011
Woodbridge, Ontario
Estimated total cost to the City - \$ 1,882.59
Estimated net cost to the City - \$ 1,882.59

5(n)

4. **Paul White – Public Works & Transportation Department**
Fleet Driver Trainer In Class (Air Brake Instruction)
January, 2011
Mississauga, Ontario
Estimated total cost to the City - \$ 9,213.50
Estimated net cost to the City - \$ 9,213.50

Yours truly,



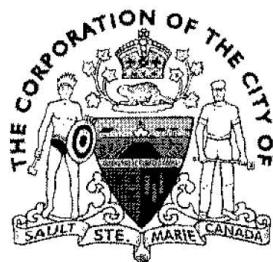
JMF: bb

Joseph M. Fratesi
Chief Administrative Officer

5(6)

Malcolm White
City Clerk

Clerk's Department



2010 12 13

Mayor Debbie Amaroso and
Members of Council

RE: 2011 COUNCIL MEETING SCHEDULE

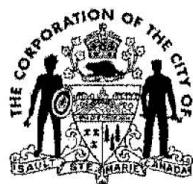
Please find the 2011 Council Meeting Schedule attached.

A resolution adopting the meeting schedule appears on the agenda.

A handwritten signature in black ink, appearing to read "Malcolm White".

Malcolm White
City Clerk

5(o)

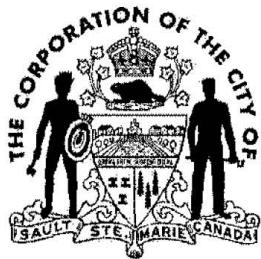


2011 COUNCIL MEETING SCHEDULE

<u>Date</u>	<u>Start Time</u>	<u>Planning</u>
January 10	4:30 p.m.	5:30 p.m.
January 24	4:30 p.m.	5:30 p.m.
February 7	4:30 p.m.	5:30 p.m.
February 22 (Tuesday)	4:30 p.m.	5:30 p.m.
March 7	4:30 p.m.	5:30 p.m.
March 21	4:30 p.m.	5:30 p.m.
April 4	4:30 p.m.	5:30 p.m.
April 18	4:30 p.m.	5:30 p.m.
May 9	4:30 p.m.	5:30 p.m.
May 30	4:30 p.m.	5:30 p.m.
June 13	4:30 p.m.	5:30 p.m.
June 27	4:30 p.m.	5:30 p.m.
July 18	4:30 p.m.	5:30 p.m.
August 15	4:30 p.m.	5:30 p.m.
September 12	4:30 p.m.	5:30 p.m.
September 26	4:30 p.m.	5:30 p.m.
October 11 (Tuesday)	4:30 p.m.	5:30 p.m.
October 24	4:30 p.m.	5:30 p.m.
November 7	4:30 p.m.	5:30 p.m.
November 21	4:30 p.m.	5:30 p.m.
December 5	4:30 p.m.	5:30 p.m.

5(p)

Malcolm White B.P.H.E., CMO
City Clerk



City Clerk's Department

2010 12 13

Mayor Debbie Amaroso and
Members of Council

RE: BOARDS AND COMMITTEES REVIEW

In 2007 City Council received a report (attached) from the Boards and Committees Review Committee, containing several recommendations which were approved by Council. One of the recommendations was as follows:

Recommendation #3

Concerning Honoraria Payments on Boards and Committees

Members of Council receive honoraria payment for their service as members of City Council and therefore do not receive any additional honoraria payment for serving on any boards and committees.

The Committee recommends that all honoraria payments for Council-appointed citizen members on all boards and committees should be eliminated effective for the next term of Council (2011 - 2014). This is a recommendation that will need to be considered by the next City Council.

The recommendation was intended to apply to citizen appointees serving on committees that are created and regulated by Council. At present there are two committees that fall into this category, the Parks and Recreation Advisory Committee (PRAC) and the Planning Advisory Committee (PAC). The honoraria paid to the citizen members is as follows:

PRAC – Chair \$135 per meeting to a max of \$1620 per year, Members \$100 per meeting to a max of \$1200 per year

PAC – \$50 per meeting – Chair, \$40 per meeting - Member

Should Council wish to confirm the approval of this recommendation by the previous Council, the appropriate resolution has been placed on the agenda.

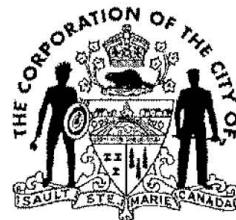
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Malcolm White".

Malcolm White
City Clerk

5(6)

6(8)(b)



2007 08 13

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: REPORT OF THE BOARDS AND COMMITTEES REVIEW COMMITTEE

Council passed the following resolution at its December 11th, 2006 meeting:

Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan

Whereas City Council currently makes a number of citizen appointments on many Boards and Committees; and

Whereas most terms of appointment do not have guidelines for a maximum length of service; and
Whereas some Boards and Committees provide an honorarium for citizens serving and others do not; and

Whereas City Councillors sit on over 50 Boards and Committees, some with more than one Councillor representative;

Now therefore be it resolved that all appointments for 2007, save and except the Committee of Adjustment and Library Board, be limited to one year only and further be it resolved that a committee of Council be struck to review and report back within one year regarding length of terms for Citizens appointments, honorariums for Citizens and Council representation on all Boards and Committees. Committee: Councillors Susan Myers, Terry Sheehan, Lou Turco, Mayor John Rowswell ex-officio, Legal and Clerk Department representatives and citizen representative Brady Irwin. CARRIED.

The Review Committee met seven times during the winter, spring and summer of 2007. The 50 boards and committees under review were grouped into five main categories/columns. A Chart of the boards and committees summarizing the recommendations of this committee is attached for ease of reference. The column on the Chart entitled External Boards (A) lists boards for which the committee is recommending no Council representation. The column on the Chart entitled External Boards (B) lists boards for which the committee is recommending retaining Council representation.

5(p)
~~6(8)(b)~~

The recommendations of the Committee are summarized as follows:

Recommendation #1

Concerning Changes to Representation on Boards and Committees

Category 1 - Legislated Boards/Committees:

- No changes to representation are recommended.

Category 2 - Committees/Borads established by City Council:

- Cultural Advisory Board – 1 member of Council/Mayor ex officio (from 2 members of Council/Mayor ex officio). Rationale: More effective use of Council resources on Council-established boards and committees.
- Parks and Recreation Advisory Committee – 1 member of Council/Mayor ex officio (from 2 members of Council/Mayor ex officio). Rationale: More effective use of Council resources on Council-established boards and committees.
- International Relations Committee - be dissolved. Rationale: The mandate of this committee is now being performed by Development SSM.

Note: The Head of Council is ex-officio on all committees/boards established by City Council pursuant to Procedure By-law 99-100.

Category 3 - External Boards (A)

- Algoma Council on Domestic Violence – no Council rep (from nominate 2 members of Council).
- Algoma University College Board of Governors – no Council rep (from nominate 1 member of Council).
- Chamber of Commerce Board of Directors – no Council rep (from nominate 1 member of Council).
- Children's Aid Society Board - no Council rep (from nominate 1 member of Council).
- Downtown Association Board – no Council rep (from nominate 1 member of Council).
- SSM Safe Communities Partnership Board – no Council rep (from nominate 1 member of Council).
- Sault Trails Advocacy Committee – no Council rep (from nominate 1 member of Council).
- Searchmont Ski Association Inc. – no Council rep (from nominate 1 member of Council).

Rationale: To provide more independence to external boards. No longer appropriate that members of Council serve on these external boards. The board should address the whole of Council if and when necessary. Individual members of Council may choose to serve on an external board however there would be no nomination to the board from City Council.

*5(p)
6(8)(b)*

Category 4 - External Boards (B)

- Sault Area Hospital Board – nominate 1 member of Council or 1 staff (from nominate 1 member of Council).
- SSM Economic Development Corporation – nominate 1 member of Council/Mayor ex officio (from nominate 2 members of Council/Mayor ex officio).
- SSM Innovation Centre Board – nominate 1 member of Council/Mayor ex officio (from nominate 2 members of Council).

Rationale: To provide more independence to external boards.

Category 5 - Municipal Associations

No changes to representation are recommended.

Recommendation #2

Concerning Length of Terms and Term Limits on Boards and Committees

The current term for members of Council and citizens on boards and committees is one-year (2007) except the Committee of Adjustment and Library Board which are 4 year appointments that run concurrent to the term of City Council.

The Committee recommends that the next term length for members of Council and citizens on all boards and committees be one-year (2008) and then for 2009 and beyond, that term lengths for members of Council and citizens on all boards and committees be for two years.

The Committee recommends that there not be any term limits for members of Council or citizens on any boards or committees. A survey of other Northern Ontario municipalities was undertaken by the Clerk's office and this is consistent with most other communities.

Recommendation #3

Concerning Honoraria Payments on Boards and Committees

Members of Council receive honoraria payment for their service as members of City Council and therefore do not receive any additional honoraria payment for serving on any boards and committees.

The Committee recommends that all honoraria payments for Council-appointed citizen members on all boards and committees should be eliminated effective for the next term of Council (2011 - 2014). This is a recommendation that will need to be considered by the next City Council.

5(p)

~~6(8)(b)~~

Summary of Recommendations

The recommendation of the Review Committee is that the three recommendations as detailed in the report; #1 Concerning Changes to Representation on Boards and Committees; #2 Concerning Length of Terms and Term Limits on Boards and Committees; and #3 Concerning Honoraria Payments on Boards and Committees, be approved.

Respectfully submitted,

Boards and Committees Review Committee Members

Councillor Susan Myers, Chair
Councillor Lou Turco
Councillor Terry Sheehan
Mayor John Rowswell ex officio
Brady Irwin, citizen rep

Staff Support

Donna Irving, City Clerk
Lorie Bottos, City Solicitor

**CHART OF COUNCIL REPRESENTATION ON BOARDS AND COMMITTEES
AND RECOMMENDATIONS FOR 2008**

Dated: 2007 08 13

N/C = No Change

LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Algoma Public Health 3 Citizens or members of Council (Currently 1 member of Council 2 Citizens) 2007 Recommendation: N/C 2003 Recommendation: N/C	Celebrating International Friendship Committee (Bridgewalk) 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma Council on Domestic Violence Nominate 2 members of Council 2007 Recommendation: No Council Rep	PUC Inc. Board of Directors Nominate 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma District Municipal Association Nominate 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C
Committee of Adjustment Options: Committee or Whole of Council (historically- committee) 2007 Recommendation: N/C 2003 Recommendation: N/C	Christmas Lighting Award Program - Judging Committee 4 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma University College Board of Governors Nominate 1 member of Council 2007 Recommendation: No Council Rep	Sault Area Hospital Board of Directors Nominate 1 member of Council 2007 Recommendation: Nominate 1 member of Council or 1 Staff 2003 Recommendation: For Discussion	Association of Municipalities of Ontario (AMO) Nominate 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C
Court of Revision - Local Improvement 3 or 5 Citizens or members of Council (currently 3 citizens) 2007 Recommendation: N/C 2003 Recommendation: N/C	Cultural Advisory Board (bylaw 2003-112) 2 members of Council / Mayor ex officio 2007 Recommendation: 1 Council / Mayor ex officio 2003 Recommendation: N/C	Chamber of Commerce - Board of Directors Nominate 1 member of Council 2007 Recommendation: No Council Rep	Sault Ste. Marie Economic Development Corporation Nominate 2 members of Council/Mayor ex officio 2007 Recommendation: Nominate 1 member of Council/ Mayor ex officio 2003 Recommendation: N/C	Federation of Canadian Municipalities (FCM) Nominate 1 member of Council (currently no SSM rep) 2007: Recommendation: N/C
Dangerous Dog Committee By-law 98-211 3 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Finance Committee 3 members of Council / Mayor ex officio 2007 Recommendation: N/C	Children's Aid Society Nominate 1 member of Council 2007 Recommendation: No Council Rep	Sault Ste. Marie Innovation Centre Board of Directors Nominate 2 members of Council 2007 Recommendation: Nominate 1 member of Council/Mayor ex officio 2003 Recommendation: N/C	Federation of Northern Ontario Municipalities (FONOM) Nominate 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C

197829
(P)

LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Environmental Monitoring Committee (Landfill Site) 1 member of Council 2007 Recommendation: N/C	Gateway Development Team 2 members of Council 2007 Recommendation: N/C	Community Theatre Centre Management Board 0 members of Council; 3 Citizens 2007 Recommendation: N/C		
Fence Viewers Committee 0 members of Council; 3 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	Historic Sites Board 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Downtown Association 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: N/C		
Humane Society 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	International Relations Committee 5 members of Council / Mayor ex officio Currently Inactive 2007 Recommendation: Dissolve Committee 2003 Recommendation: N/C	Museum Management Board 0 members of Council; 1 Staff 2007 Recommendation: N/C		
Municipal Freedom of Information & Protection of Privacy Act (Head) Minimum of 5 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Medical Manpower Recruitment and Retention Committee 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Ste. Marie Safe Communities Partnership Nominate 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: N/C		
Municipal Heritage Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Municipal Handbook Committee 3 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Trails Advocacy Committee Nominate 1 member of Council 2007 Recommendation: No Council Rep		

6/28/04
J(P)

Page 3	LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
	Ontarians with Disabilities Accessibility Advisory Committee 2 members of Council	Parks & Recreation Advisory Committee 2 members of Council / Mayor ex officio 2007 Recommendation: 1 member of Council/ Mayor ex officio 2003 Recommendation: N/C	Searchmont Ski Association Inc. Nominate 1 member of Council 2007 Recommendation: No Council Rep		
	Residential Standards Committee (Bylaw 4324 as amended) 0 members of Council; 3 Citizens	Planning Advisory Committee 0 members of Council; 7 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	St. Mary's River Binational Public Advisory Committee 0 members of Council; 1 Staff 2007 Recommendation: N/C		
	Sault Ste. Marie District Social Services Administration Board 6 members of Council	Sault Ste. Marie Best for Kids Committee 3 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	St. Mary's River Marine Heritage Centre (Norgoma) Board of Directors 0 members of Council; 1 Staff 2007 Recommendation: N/C		
	Sault Ste. Marie Library Board 0 members of Council; 9 Citizens	Sault Ste. Marie Emergency Measures (Planning Committee) 2 members of Council / Mayor 2007 Recommendation: N/C 2003 Recommendation: N/C			

6/28/07
5(p)

Page4

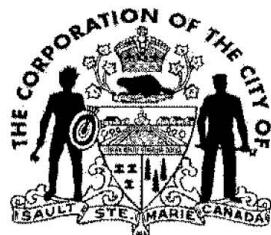
LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Sault Ste. Marie Police Services Board 2 members of Council; 1 Citizen 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Ste. Marie Walk of Fame Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C			
Sault Ste. Marie Region Conservation Authority 4 members of Council or 4 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	Snowmobile Task Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C			

668)(b)
5(p)

5(9)

Commissioner
Kim Streich-Poser MSW, R.S.W.

Division Heads:
Finance – Andrew McRae
Ontario Works – Carl Rosso
Housing Operations – Jeff Barban
Housing Programs – Rick Cobean
Community Child Care – Florence Lake



Social Services Department
540 Albert Street East
Sault Ste. Marie, Ontario
P6A 7A7

Ontario Works 759-5266
Fax 759-1796
Housing Operations 946-2077
Fax 946-5628
Housing Programs 541-7326
Fax 759-5212
Community Child Care 541-7321
Fax 541-7320

2010 10 13

Mayor Debbie Amaroso and
Members of City Council

RE: Homelessness Partnering Strategy (HPS) and Homeless Individuals and Families Information System (HIFIS)

For Council's information, the previous Council, passed the following resolution on February 23, 2009

Moved by

Councillor S. Myers

Seconded by

Councillor D. Celetti

Resolved that the report of the Community Coordinator Social Services Department dated 2009 02 23 concerning Homelessness Partnering Strategy and Homeless Individuals and Families Information System Update be accepted and the recommendation that the City of Sault Ste. Marie through the Social Services Department continue in its role as Community Entity for the next five years for the Homelessness Partnering Strategy and Homeless Individuals and Families Information System, to be reviewed after March 2011 as future funding becomes available and further that the Community Coordinator provide Council with annual updates on the status of programming and funding be approved. **CARRIED.**

On November 16, 2010, we received formal notification that the Government of Canada is renewing the Homelessness Partnering Strategy commencing April 2011 until March 2014 at the same allocation as in previous years, and on December 2, 2010, notification was received that the Government of Canada is also renewing Homeless Individuals and Families Information Systems. In order to continue accessing these funds, it is recommended that the City of Sault Ste. Marie Social Services Department continue in their role as the Community Entity. In fact, the Government of Canada is expecting all eligible communities to adopt the Community Entity model given the success of this model.

The Community Coordinator will engage in the following activities over the next several months to fulfill the requirements of the aforementioned agreements:

- The Social Services Department of the Corporation of the City of Sault Ste. Marie remains as the Community Entity for this contract period (recommended by the Social Development Council/Community Advisory Board in November 2010 - see attachment).

Timeline for Community Entity application: by December 22, 2010.
 Note: 10 % of our allocation will be used for administration as the Community Entity which equates to \$13,606.00.
- The Social Development Council will remain as the Community Advisory Board for Federal Homelessness funding purposes (Confirmed in the form of a motion at the December 7, 2011 meeting).
- Funding will continue for the present homelessness priorities until March 31, 2012 as follows:
 - United Way-Community Assistance Trust in the amount of \$25,447
 - John Howard Society in the amount of \$37,322
 - Pauline's Place Youth Shelter in the amount of \$28,859
 - Vincent Place Men's Shelter in the amount of \$30,826
- Complete an assessment on existing priorities and update our Community Plan on Homelessness by January 31, 2011. If priorities change after updating the plan, a request for proposals will be solicited from the community to address the new priorities.
- We continue with the implementation of HIFIS and continue to partner with the Sault Ste. Marie Innovation Centre to provide the HIFIS Community Trainer and Technical Support position.
 Note: \$4,467 of our allocation will be used for administration as the Community Entity, and \$ 26,856 is for the HIFIS Community Trainer and Technical Support position.

BREAKDOWN PER YEAR:

HPS	\$136,060
HIFIS	<u>\$ 31,523</u>
	\$ 167,583

Recommendation:

"Therefore, be it resolved that the report from the Community Coordinator-Social Services Department be accepted and Council approve the recommendation that the

City of Sault Ste. Marie through the Social Services Department continue in their role as Community Entity for the next three years for the Homelessness Partnering Strategy and Homeless Individuals and Families Information System and the Community Coordinator provide Council with an update after the assessment of present priorities and Community Plan Update is complete."

Respectfully submitted,

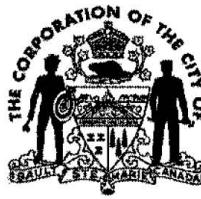
Recommended for approval,

Dree Pauzé
Community Coordinator

Kim Streich-Poser, MSW, RSW
Commissioner-Social Services

5(r)

Norman Fera
Manager Community Centres



Community Services Department
Community Centres Division

2010 12 13

Mayor Amaroso
and Members of City Council

High School Hockey Agreement between the City of Sault Ste. Marie, the Algoma District School Board and the Huron Superior Catholic District School Board

The High School Hockey Agreement between the City of Sault Ste. Marie, the Algoma District School Board and the Huron Superior Catholic District School Board has expired. The new agreement is similar to the previous agreement and will renew annually upon successful negotiations between the City and the School Boards.

The highlights of the agreement are:

- The gate receipts shall be paid as follows:
 - Applicable taxes will be paid first
 - Rental for practice time, league games and staffing costs shall be paid to the City
 - Any surplus shall be paid equally to the School Boards
- The School Boards will supply all game officials and announcers

The By-Law for this agreement appears elsewhere on your Agenda.

Recommendation

It is recommended that City Council approve the agreement with the Algoma District School Board and the Huron Superior Catholic District School Board for high school hockey.

Respectfully submitted,

A handwritten signature of Norman Fera.

Norman Fera
Manager Community Centres

Recommended for approval,

A handwritten signature of Nicholas J. Apostle.

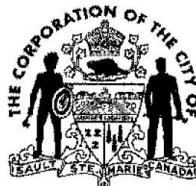
RECOMMENDED FOR APPROVAL

Nicholas J. Apostle
Commissioner Community Services

Joseph M. Fratesi
Chief Administrative Officer

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

VIRGINIA MCLEOD
SUPERVISOR COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION

Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

2010 12 13

DEC 07 2010

LEGAL DEPARTMENT

Mayor Debbie Amaroso
and Members of City Council

Funding Application – Celebrate Canada Program

Each year, the Community Services Department's Recreation and Culture Division coordinates a July 1st Canada Day Celebration held at Roberta Bondar Park. This celebration includes family entertainment throughout the day, followed by a fireworks presentation at dusk.

Financial support to assist with costs to host this event is available from the Department of Canadian Heritage – Celebrate Canada Program.

The Recreation and Culture Division is eligible to apply for assistance under the program; however, the applicant's governing authority must approve the grant submission. The application contains two forms (Annex F and Annex G) that require signatures from the governing authority. Annex F is the Delegation of Signing Authority for the 2011 Canada Day Activities. Annex G is an Event Liability Waiver which releases the government from any liability that may be incurred during the Canada Day Celebration in 2011.

RECOMMENDATION

It is therefore recommended that City Council authorize staff to apply to the Department of Canadian Heritage for the 2011 Celebrate Canada Program to assist in funding the City's Canada Day Celebration which includes:

- 1) Annex F - Delegating Signing Authority to Virginia McLeod, Supervisor Community Services for the 2011 Canada Day Activities.
- 2) Annex G - Event Liability Waiver for the 2011 Canada Day Activities which releases the Department of Canadian Heritage from any liability.

Respectfully submitted,

Virginia McLeod
Supervisor Community Services

Recommended for approval,

Nicholas J. Apostle
Commissioner Community Services

J:\special events\canada day\2011\council approval

attachments

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



5(s)

13. DELEGATION OF SIGNING AUTHORITY

Annex F

The purpose of this Form is to identify from your organization the person who is authorized to sign for your activities. The form is only required if signing authority has been delegated and no other documentation has been received as proof of delegation. Due diligence requirements state that the person signing this form cannot be the same person who will be signing the **Funding Application Form** on page 19.

- During the session of
the (required) Board of Directors
 Municipal Council
 Governing Authority

Signed on (required) _____, 20 _____

From _____ The Corporation of City of Sault Ste. Marie

Name of Applicant (Organization or Community Group) (required)

It was resolved/moved that Virginia McLeod, Supervisor of Community Services

Name of Person Signing the *Funding Application Form* (required)

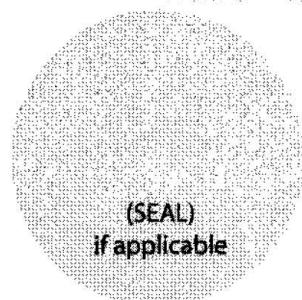
be authorized to submit a funding request to the Department of Canadian Heritage in relation to the Celebrate Canada Program for organizing activities to celebrate (check boxes applicable): (required)

- National Aboriginal Day
 Saint-Jean-Baptiste Day
 Canadian Multiculturalism Day
 Canada Day

Signed in (required) _____, on _____, 20 _____

By: (required) _____

Title: (required) _____





5(5)

14. EVENT LIABILITY WAIVER

2

Annex G

A signed waiver for each activity site must be included with the funding application when site usage (the rental) is not already covered by a signed agreement.

Note: Print and copy this page as required.

Her Majesty The Queen in Right of Canada shall not be liable for any injury, including death, to any person, or for loss or damages to the property, occasioned by or in any way attributable to

The Corporation of City of Sault Ste. Marie

Name of Applicant (Organization or Community Group) (required)

as a result of any activity, including fireworks (if applicable) staged during Celebrate Canada celebrations, unless such injury, loss or damage is caused by the negligence of an officer or servant of Her Majesty acting within the scope of his/her employment.

Names and Signatures

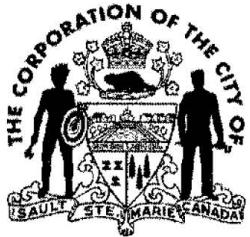
Location of Activity (required)	Full Name of Person authorized to sign (required) (Please print) <i>Virginia McLeod</i>
Full Name and Title of Property Owner (required) (Please print)	Signature of Person authorized to sign (required) <i>V.McLeod</i>
Signature of Property Owner (required) (if applicable, see Guide page 10) (705) 759-5344	Date YYYY-MM-DD (required)
Telephone Number of Property Owner (required)	

Remember to obtain proper liability insurance.

5(s)

CSD - Celebrate Canada

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION



2010 12 13

COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

5(t)

Mayor Debbie Amaroso
and Members of City Council

REQUEST FOR FINANCIAL ASSISTANCE FOR NATIONAL / INTERNATIONAL SPORTS COMPETITIONS

The following applications meet the criteria of the policy for Financial Assistance for National/International Sports Competitions.

The Parks and Recreation Advisory Committee reviewed the following applications at their June 16th, 2010 meeting and passed the following resolution:

- i) Martial Arts

Moved by: T. Mauro
Seconded: B. Rushon

"Resolved that pending further details, documentation and proof of qualification we endorse a grant of \$750 to Team Gencarelli and \$400 to Reids Martial Arts to attend the 2010 World Karate Council Canadian Championships in Ottawa Ontario from May 21-23, 2010 and that pending final approval by the Parks & Recreation Advisory Committee that a report be sent to City Council for their approval.

CARRIED

Team Gencarelli consists of six participants; Reids Martial Arts consists of two participants.

This matter was further reviewed at the November 2, 2010 P.R.A.C. meeting and following a presentation by Mr. Gencarelli the Committee endorsed the final report to City Council.

Recommendation

City Council is requested to approve financial assistance grants in the amount of \$750 to Team Gencarelli and \$400 to Reids Martial Arts to attend the 2010 World Karate Council Canadian Championships in Ottawa Ontario from May 21-23, 2010.

Respectfully submitted,

A handwritten signature of Joseph J. Cain.

Joseph J. Cain
Manager Recreation and Culture

Recommended for approval,

A handwritten signature of Nicholas J. Apostle.

Nicholas J. Apostle
Commissioner Community Services

b/council/financial assistance/martial arts

attachments

RECOMMENDED FOR APPROVAL
A handwritten signature of Joseph M. Fratesi.
Joseph M. Fratesi
Chief Administrative Officer

5(+)



**REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS
APPLICATION FORM**

PLEASE PRINT

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: John Reid

Address: Scout Ste. Marie

Postal Code: ██████████

Phone: ██████████ (H) ██████████ (W) ██████████ Fax:

Email: ██████████@shaw.ca

Name and Address of Athlete(s): (if different from applicant)

Attach team list to application form if applicable. (athletes only)

Name: _____

Address: _____

Postal Code: _____

Name of Team or Club (if applicable): _____

Name of National or International Sporting Competition:

World Karate Council Canadian Championships

Date(s) of Competition:

May 21-23, 2010

Location of Competition:

Ottawa, Ontario

Name of Sports Governing Body:

WKC - World Karate Council

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested: \$ 200.00
(See Policy for application limits)

Please specify, as accurately as possible, how the financial assistance will be used if approved.

Registration Fee \$60 per event COMMUNITY SERVICES DEPT.
4 events, Hotel & Meals

MAY 17 2010

RECEIVED

5(1)

- 2 -

Have you previously requested financial assistance from the City?

No _____ Yes Amount \$ 200

If yes, please indicate the year(s):

2002 - 2009

If this application for funding is approved, the payment cheque should be payable to:

John Reid

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2010 May 17
Year Month Day

<u>John Reid</u>	<u>Athlete</u>	<u>John Reid</u>	<u>[REDACTED]</u>
Name (Applicant)	Title (If applicable)	Signature	Phone Number

<u>Melanie Robson</u>	<u>Secretary-Treasurer</u>	<u>M.Robson</u>	<u>[REDACTED]</u>
Name (Club Official)	Title	Signature	Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

The information requested above is being collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information collected will be strictly used to determine eligibility for a financial assistance grant to attend a national or international sporting competition as defined in the Financial Assistance Policy. For more information or if you have any questions regarding its collection and use please contact the Recreation and Culture Division of the Community Services Department at 759-5310.



5(1)

REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS
APPLICATION FORM

COMMUNITY SERVICES DEPT.

PLEASE PRINT

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: LINDA RYAN (Mom)

RECEIVED

Address: South Ste Marie

Postal Code: P6A

Phone: 905-521-1111 (W) Fax: _____

Email: linda@shaw.ca

Name and Address of Athlete(s): (if different from applicant)

Attach team list to application form if applicable. (athletes only)

Name: Kelly RYAN

Address: 859 4th Line E

Postal Code P6A 6J8

Name of Team or Club (if applicable): Reids Martial Arts

Name of National or International Sporting Competition:

World Karate Council Canadian Championships

Date(s) of Competition:

MAY 21, 22, 23 2010

Location of Competition:

Ottawa, Ontario

Name of Sports Governing Body:

World Karate Council (WKC)

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested:
(See Policy for application limits)

\$ 200.00

Please specify, as accurately as possible, how the financial assistance will be used if approved.

TRAVEL. HOTEL. FOOD. REGISTRATION FEES. AIRFARE \$1000

Have you previously requested financial assistance from the City?

No _____ Yes Amount \$ 200~~xx~~

If yes, please indicate the year(s):

2009

5(4)

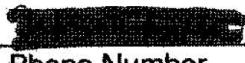
If this application for funding is approved, the payment cheque should be payable to:

Linda Ryan

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2010 05 13
Year Month Day

<u>LINDA RYAN</u>	(Mom)	<u>J. Betz</u>	
Name (Applicant)	Title (If applicable)	Signature	Phone Number
<u>Melanie Robson</u>	<u>Secretary-Treasurer</u>	<u>M. Robson</u>	
Name (Club Official)	Title	Signature	Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

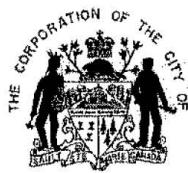
**Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6**

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

The information requested above is being collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information collected will be strictly used to determine eligibility for a financial assistance grant to attend a national or international sporting competition as defined in the Financial Assistance Policy. For more information or if you have any questions regarding its collection and use please contact the Recreation and Culture Division of the Community Services Department at 759-5310.

5(t)



**REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS**
CITY SERVICES DEPT.
APPLICATION FORM

PLEASE PRINT

MAY 20 2010

RECEIVED

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: John Gencarelli
 Address: Dr. Sault Ste. Marie On. Postal Code: P6B 5

Phone: _____ (H) _____ (W) Fax: _____

Email: jgencarelli@hotmail.com**Name and Address of Athlete(s): (if different from applicant)**

Attach team list to application form if applicable. (athletes only)

Name: on team list attached
 Address: _____ Postal Code _____

Name of Team or Club (if applicable): Gencarelli's Martial Arts**Name of National or International Sporting Competition:**WKC National Team Tryouts**Date(s) of Competition:**May 21 - 23 / 2010**Location of Competition:**Crowne Plaza Hotel, Ottawa, On.**Name of Sports Governing Body:**World Kickboxing Council

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested: \$ 750.00
 (See Policy for application limits)

Please specify, as accurately as possible, how the financial assistance will be used if approved.Will be used for registration fees.

5(1)

- 2 -

Have you previously requested financial assistance from the City?

No _____ Yes Amount \$ 400

If yes, please indicate the year(s):

2009

If this application for funding is approved, the payment cheque should be payable to:

Gencarelli's Martial Arts

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2010 May 18
Year Month Day

Signatures on team list attached

Name (Applicant)	Title (If applicable)	Signature	Phone Number
<u>John Gencarelli</u>	<u>President</u>	<u>D. Hall</u>	<u>[REDACTED]</u>
Name (Club Official)	Title	Signature	Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

The information requested above is being collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information collected will be strictly used to determine eligibility for a financial assistance grant to attend a national or international sporting competition as defined in the Financial Assistance Policy. For more information or if you have any questions regarding its collection and use please contact the Recreation and Culture Division of the Community Services Department at 759-5310.

5(b)

Applicants

John Gencarelli



Name

Signature

Guardian

Phone #

Alphonso Giaia



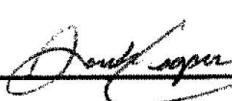
Name

Signature

Guardian

Phone #

Sarah Cooper



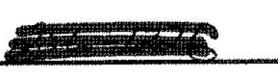
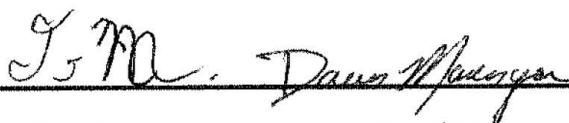
Name

Signature

Guardian

Phone #

Tristan Marenger



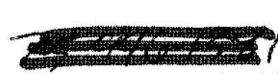
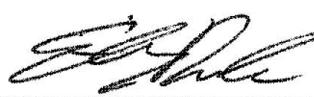
Name

Signature

Guardian

Phone #

Zephyr Rouleau



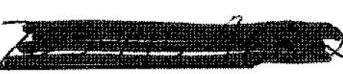
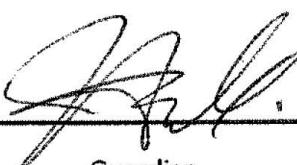
Name

Signature

Guardian

Phone #

Stephen Devoe



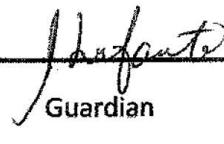
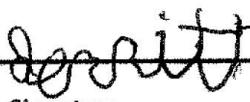
Name

Signature

Guardian

Phone #

Jerritt Infantino



Name

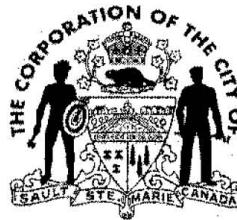
Signature

Guardian

Phone #

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

5(u)

2010 12 13

Our File: A-00-7-10

Mayor Debbie Amaroso
Members of City Council

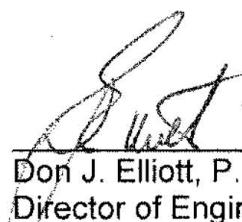
**Re: Environmental Assessment – Agreement for Engineering Services
Second Line East – Old Garden River Road to Black Road**

At the 2010 11 08 meeting, Council approved retaining the firm of Kresin Engineering to provide Engineering Services to complete an environmental assessment for the widening of Second Line from Old Garden River Road to Black Road. Actual costs for an EA are very difficult to estimate. The upset limit in the agreement for the services has been set at \$25,000, and will be covered by the connecting link portion of the approved 2011-12 Capital Works budget.

By-law 2010-175 authorizing the execution of an engineering agreement between the City and Kresin Engineering Corporation can be found elsewhere on Council's agenda and is recommended for approval.

Respectfully submitted,

Recommended for approval,



Don J. Elliott, P. Eng.
Director of Engineering Services

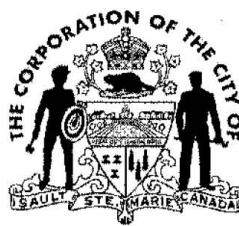


Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning

/bb

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

5(v)

2010 12 13

Our File: Contract 2008-15E

Mayor Debbie Amaroso and
Members of City Council

**RE: CONTRACT 2008-15E
SCADA AUTOMATION AND IMPLEMENTATION
CONSULTANT FEE AMENDMENT**

Background

At the January 9, 2006 meeting of Council, approval was given to proceed with a Supervisory Control and Data Acquisition ('SCADA') project for the municipality's West End Treatment Plant, all sewage pumping stations and overflow manholes. Approval was given to AECOM (formerly Earth Tech) to develop and implement the Wide Area Network ('WAN') SCADA System. This project was the City's successful COMRIF Intake I project. The budget for this project is **\$3,680,000.00** (without GST) in our COMRIF agreement. The COMRIF amount was for \$2,453,334.00.

Tenders received for Contract 2008-15E were opened at a public meeting on Thursday, February 12, 2009 with the low tender from S&T Electrical Contractors Limited for the value of **\$1,889,660.00** (excluding GST).

It should be noted that a significant portion of this project is computer programming. At the December 10, 2007 meeting of Council, approval was given to retain AECOM to complete this portion of the project as they have this expertise within their firm and have completed the SCADA Master Plan at the East End Plant. AECOM's approved fee to-date includes **\$599,728.00** for design and contract administration and **\$398,750.00** for SCADA programming.

At the November 9, 2009 meeting of Council agreed to amend the upset limit in our agreement with AECOM to **\$717,828.** – Engineering Design and Contract Administration and **\$613,650** – SCADA – Programming/Construction plus **\$30,000** contingency for a total of **\$1,361,478.**

Update

The project has reached substantial completion on September 1st, 2010 and is nearing final completion. The Consultant has advised that the contingency fund noted above has been spent and that there have been costs associated with additional construction administration and construction expenses due to extensions awarded to the contractor as well as additional work activities completed at both the East and West End plants. These work items total **\$31,050.** of which 2/3rds funding is obtained through COMRIF.

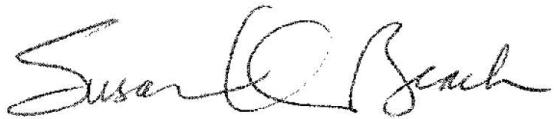
As the COMRIF program ended at the end of October 31, 2010 this will be the last eligible request. Overall the project remains below budget.

5(v)

Recommendation

The Engineering and Planning Department recommends that the upset limit in our agreement with AECOM be revised to a total of **\$1,382,528**.

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Land Development & Environmental Engineer

Recommended for approval,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning

SHB/shb

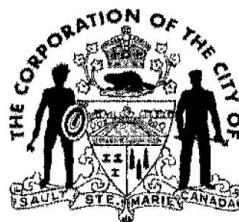
F:\ANNIE\G-2008-15E - SCADA Automation and Implementation\Council Report 2010 12 13 - engineering upset limit.doc

RECOMMENDATION APPROVAL

Joseph M. Pratesi
Chief Administrative Officer

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

5(w)

December 13, 2010

Our File: B10-01

Mayor Debbie Amaroso
Members of City Council

**RE: Sault Ste. Marie West End Wastewater Treatment Plant Upgrades
Pre-Engineering Study – Engineering Agreement**

At the May 31, 2010 meeting, Council approved retaining AECOM for the West End Wastewater Treatment Plant (WEWTP) Upgrade Study at a cost of \$199,600. Based on further discussions with staff and management, an initial project meeting with AECOM Canada Ltd. has led to a more focused study regarding the WEWTP, with reduced costs.

It is believed the most important elements of the study remain included in the scope with the following changes identified:

- Focus on components of the system experiencing operational problems and to identify required upgrading;
- The design will be taken to a conceptual level instead of a preliminary design stage;
- The inspection and assessment of the outfall and two siphons (not known to have operational problems at this time) will be eliminated; and
- There will be limited structural inspections and assessments done.

A list of recommended upgrades, estimated costs and a proposed implementation schedule will be provided.

Based on the revised scope of work, the study price has been reduced from \$199,600 to \$120,000.

Recommendation:

The Engineering Division recommends that an Engineering Agreement be entered into with AECOM Canada Ltd. based on the revised scope of work and reduced upset limit of \$120,000. By-law 2010-182 can be found elsewhere on this evening's agenda and is recommended for approval.

5(w)

Respectfully Submitted,



Susan Hamilton Beach, P. Eng
Land Development & Environmental Engineer

Recommended for Approval:



Jerry D. Dolcetti, RPP
Commissioner Engineering & Planning
Department

Attach.
/bb

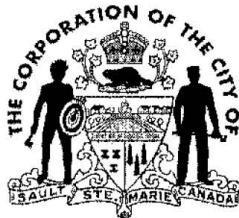
F:\ENGINEERING DATA\COUNCIL\Hamilton Beach\2010\West End Plant- PreEng Study - 2010 12 13.doc



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

5(x)

December 13, 2010

File: 2009-18E
B77-33 Landfill Gas Collection

Mayor Debbie Amaro
Members of City Council

RE: Landfill Gas Collection Project – Engineering Fees

At the 2009 05 11 meeting, Council approved the upset limit of \$343,000 for engineering services in the contract between the City and AECOM Canada Ltd.

The engineering budget for the construction phase was established based on an 18-week construction period. The original schedule submitted by the Contractor for this project included 19 weeks of activity on site. To date they have been active on site for a total of 32 weeks to the end of November and we anticipate they will be active on site until early to mid-December (ie. estimated 34 to 35 weeks total).

The Contractor has suffered a number of delays throughout the duration of the project, some within their control and others beyond (ie. delay in manufacturing the blower skid and related equipment).

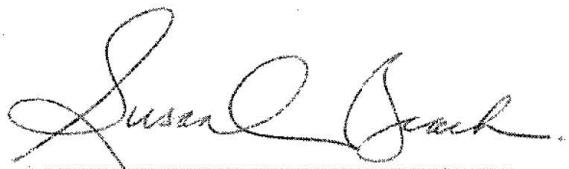
Both substantial completion and final completion dates have been extended one month to October 31, 2010 and November 30, 2010 respectively, however, substantial completion has not yet been met. Commissioning has started during the week of November 28th. Each of the delays and the addition of extra work have resulted in a need for AECOM to be present on site for a much longer period of time than originally anticipated. Although the contract duration has nearly doubled, when possible, AECOM has limited time on-site.

In order to complete the remaining tasks, it is expected that an increase of \$65,000 is required. The contractor is aware that substantial liquidated damages will be charged to cover extra costs due to delays as per the contract.

It is recommended that Council approve the additional \$65,000 in engineering fees for a revised upset limit of \$408,000 in the engineering services contract between the City and AECOM. As stated earlier, the consultant and Engineering staff will work together to resolve the issue of liquidated damages with the contractor in due course.

5(x)

Respectfully submitted,



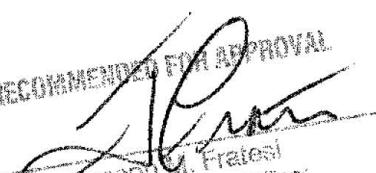
Susan Hamilton Beach, P. Eng
Land Development & Environmental Engineer

Recommended for Approval:



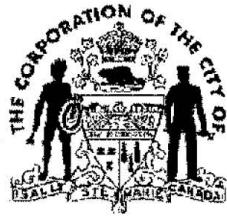
Jerry D. Dolcetti, RPP
Commissioner Engineering & Planning
Department

F:\ENGINEERING DATA\COUNCIL\Hamilton Beach\2010\Landfill Gas Collection Project - 2010 12 13.doc

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(4)

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

December 13, 2010

Mayor Amaroso
And Members of Council
Civic Centre

Subject: Speed Limit on Second Line from People's Road to Korah Road

On August 23, 2010, Council passed the following resolution:

*"Whereas a significant section of Second Line is a 5 lane road with residential houses with very small front yards; and
Whereas the speed limit on Second Line is 60 km/hr; and
Whereas there is safety concerns for young families with children, school buses, people using sidewalks extremely close to curbs, etc.
Now therefore be it resolved that appropriate staff review this situation with a view to reducing speeds of Second Line and report back to Council within two months;
Further that Sault Ste. Marie Police Services be asked to strictly enforce the 60 km/hr speed limit on Second Line."*

Background

The portion of Second Line referred to in the resolution as "a five lane road with residential houses with very small front yards" is from People's Road to Korah Road.

This section of Second Line is a five (5) lane arterial street that was reconstructed over a four-year period starting in the summer of 2004. It is classed as an arterial road and has been designed according to the Ontario Provincial Standards (OPS). The sidewalk locations, boulevard widths and the speed of vehicles have all been taken into account using OPS requirements.

The reconstruction of this portion of Second Line was carried out under the environmental assessment process. At that time, government agencies, as well as the public had the opportunity to comment on the posted speed. This portion of Second Line benefits the whole City since it provides the major east/west connection.

Discussion

Second Line was designed to accommodate a significant volume of traffic at the posted speed of 60 km/hr. The curb lane is extra wide at 5 m. Most arterial type streets have 3.5 m wide lanes, but Second Line has been designed with an additional 1.5 m to accommodate a bike lane. In addition, the boulevard, which is from the face of curb to the edge of the sidewalk, is 1.22 m wide. Added to this is the width of the sidewalk which is 1.5 m wide. Pedestrians walking along the sidewalk on Second Line can be a maximum of 3.72 m or 12.2 feet from the traffic.

Speed Study - Sept 2010

A speed study was carried out by the Public Work's Traffic Division at the beginning of September 2010.

In carrying out speed studies there are a number of factors that are reviewed. The criteria generally used and preferred in determining the specific maximum speed from speed studies is the 85th percentile. It is a standard guideline used by the Ministry of Transportation to determine the maximum posted speed. It is described as follows in the Ontario Traffic Manual:

"The 85th percentile speed has been a major factor in determining a safe speed on highways. It is founded on the premise that 85% of all drivers travel at the speed which is relatively safe for the prevailing conditions. In urban and suburban locations, however, the effect on adjacent property owners and pedestrians must be considered also, and the 85th percentile speed in these cases will normally be the upper limit of the range of speeds being considered."

The speed study carried out provided the following information.

Second Line Traffic – Peoples Rd to Korah Rd – Sept 2010

	East Bound	West Bound
Avg. Speed	57km/hr	55km/hr
85% Percentile	70km/hr	69km/hr

As noted in the above Ontario Traffic Manual guideline, the public will continue to travel at the specific maximum speed (85th percentile) since they feel safe with the existing traffic conditions. With additional police enforcement, the speed of the vehicles may be reduced for a period of time, but ultimately the public will revert back to the specific maximum speed of 70 km/hr period

The Lyons Avenue/Wallace Terrace Example

A good example of making unnecessary speed limit changes occurred on Lyons Avenue and Wallace Terrace a number of years ago.

5(4)

In 1991, a traffic study requested by Council found that the specific maximum speed limit or the 85th percentile speed was 71 km/hr and the average speed was 64 km/hr. As a result, staff recommended that the posted speed remain at 60 km/hr. Council did not accept this recommendation from staff and a resolution was passed lowering the posted speed to 50 km/hr. This posted speed limit of 50 km/hr continued for the next 10 years.

Due to complaints from the public, a speed study was carried out in 2001. Even though the speed limit was posted at 50 km/hr, the average speed was found to be 61 km/hr and the 85th percentile (85% of the traffic) was 69 km/hr. The reducing of the posted speed in 1991 had little effect on reducing the speed of traffic over this section of road. The public felt safe with the speed that they were traveling and therefore there was little difference from the numbers determined in 1991. Even though the speed was posted at 50 km per hour, the public still traveled at 69 km/hr.

Council accepted a staff recommendation to change the posted speed limit back from 50 km/hr to 60 km/hr.

Accidents

There have been on average 4.6 accidents per year over the last five years. Given the volume of traffic that uses this portion of Second Line, the number of accidents is low.

Conclusion

Second Line from People's Road to Korah Road is an arterial road under the official plan. As such, is used to facilitate the safe movement of large volumes of traffic at a moderate rate of speed over extended distances. A posted speed limit of 60 km/hr is appropriate for this section of road.

Recommendations

It is recommended that the posted speed limit for Second Line from People's Road to Korah Road remain at 60 km/hr and no further action be taken.

Respectfully submitted



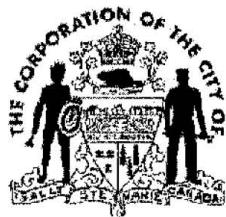
J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

5(z)

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

December 13, 2010

Mayor Amaroso
And Members of City Council
Civic Centre

Subject: Petition for Removing Sidewalk Plowing on Ohio Drive

The Public Works and Transportation Department is in receipt of a petition signed by 10 out of 11 abutting residents asking for snowplowing to discontinue on Ohio Drive.

As seen on the attached evaluation sheets, the request meets or evaluation criteria of 70%. Accordingly it is recommended that we remove the plowing of the Ohio Drive sidewalk this coming winter.

All of which is respectfully submitted.

A handwritten signature of J. M. Elliott.

J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department

RECOMMENDATION FOR APPROVAL
A handwritten signature of Joseph M. Frakas.
Joseph M. Frakas
Chief Administrative Officer

5(z)

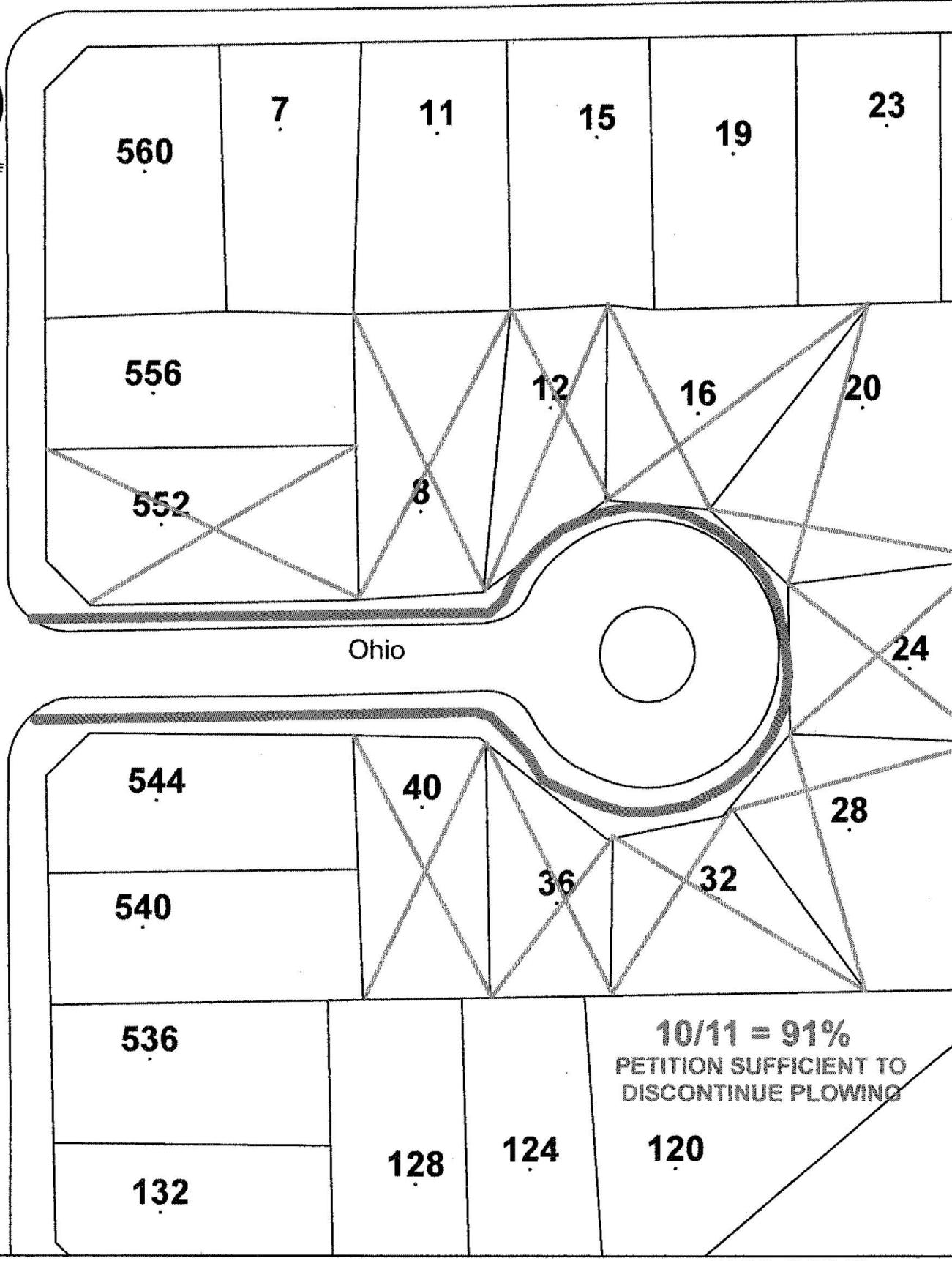
OHIO DRIVE SIDEWALK PLOWING (DISCONTINUE)



NOT TO SCALE

Shannon

Capp



SIDEWALK PLOWING (DISCONTINUE PLOWING)

OHIO DRIVE

PETITION TO STOP SIDEWALK PLOWING
ON OHIO DR.

We, the residents on Ohio Dr., are NOT in favor of having our sidewalk plowed and request that plowing be stopped.

105(z)
II
91%
Percent

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
1. Joan Elliott	40 Ohio Dr.	J Elliott
2. BARRY NISBETT	32 Ohio Dr.	B. Nisbett
3. Lynn MacFarlane	12 Ohio Dr.	L Macfarlane
4. Charlotte Haldenby	24 Ohio Dr.	Charlotte G. Haldenby
5. Julie Zachary	20 Ohio Dr.	J. Zachary
6. Julius Ceresinski	16 Ohio Dr.	J. Ceresinski
7. Wayne Johns	28 Ohio Dr.	Wayne Johns
8. CHRIS TERESINSKI	36 OHIO DRIVE	Chris Teresinski
9. Pam Edmond	8 Ohio Dr.	P. Edmond
10. Jason Vossos	552 Shannon Rd.	Jason Vossos
11. Resident	address Shannon Chankin) want sidewalk plowed	(

5(z)

HALDENBY CHARLOTTE GRACE
WILLIAM
24 OHIO DR
SAULT STE MARIE ON P6A 4M1
P6A 4M1

ZACHARY TREVOR
ZACHARY JULIE ANN
20 OHIO DR
SAULT STE MARIE ON

NISBETT BARRY JOHN
NISBETT LINDA ANN
32 OHIO DR
P6A 4M1
SAULT STE MARIE ON P6A 4M1

TERESINSKI CHRISTINE
36 OHIO DR
SAULT STE MARIE ON

MACFARLANE CATHERINE LYNN
12 OHIO DR
SAULT STE MARIE ON P6A 4M1
P6A 4M1

EDMOND PAMELA J
8 OHIO DR
SAULT STE MARIE ON

LAIDLAW KIRSTY
JR
CSERESNYESI JULIUS
16 OHIO DR
SAULT STE MARIE ON P6A 4M1
P6A 4M1

ELLIOTT GEORGE MARTIN
ELLIOTT JOAN
40 OHIO DR
SAULT STE MARIE ON

JOHNS MARY ANN
JOHNS ALBERT WAYNE
28 OHIO DR
P6A 4L5
SAULT STE MARIE ON P6A 4M1

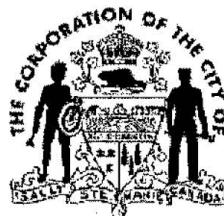
VOSSOS JASON JAMES
552 SHANNON RD
SAULT STE MARIE ON

ROSE BRENDA ELAINE
544 SHANNON RD

19/12/90

5(aa)

Gary Barnes
Waste Diversion
Supervisor



Public Works &
Transportation
Department

December 13, 2010

Mayor Amaroso
Members of City Council
Civic Centre

Subject: Municipalities of Algoma – Use of Household Special Waste Facility

The purpose of this report is to update Council on the status of the Household Special Waste agreements with the surrounding municipalities and to recommend the extension of the existing agreements for 2010/2011.

Discussion

On January 10th 2005, staff met with many of the outlying municipalities to discuss their use of the City's Household Special Waste Facility. The City requested that the municipalities agree to share equally in the cost of operating the facility on a per household basis. The majorities of municipalities have signed agreements with the City and have used the services of the Household Special Waste Facility. These agreements' will expire in 2010.

The funding of the Household Special Waste Program was to be paid by industry stewards and the associated IFO. With the unknown amount or details of the funding the waste diversion office, need to complete an agreement with the outlying communities for the 2010 season. The recent changes to the Household Special Waste Program and the new direction of the Ministry of the Environment have put the onus back on the municipalities for the operation of the Household Waste Facility. For this reason the Waste Diversion Supervisor is requesting an extension to the municipal agreements for one year to December 31, 2011.

Recommendation

It is recommended that Council authorize staff to extend the existing agreements with the outlying municipalities for one year at the current price of \$7.00 per permanent household per year.

Respectfully submitted,

A handwritten signature of Gary Barnes.

Gary Barnes
Waste Diversion Supervisor

Recommended for Approval

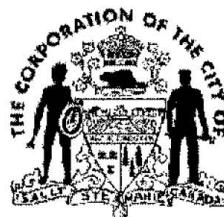
A handwritten signature of J. M. Elliott, P. Eng.

J. M. Elliott, P. Eng.
Commissioner

A handwritten signature of Joseph M. Fratesi, Chief Administrative Officer. Below the signature, the text "RECOMMENDED FOR APPROVAL" and "Joseph M. Fratesi" are printed.

5(bb)

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

December 13, 2010

Mayor Amaroso
And Members of Council
Civic Centre

Subject: Request for an All-way Stop at Farwell Terrace/Rossmore Road Intersection

On August 23, 2010 Council passed the following resolution:

Whereas there is an issue with traffic on Rossmore Road and Farwell Terrace; and

Whereas the residents of this area are asking City Council to help them find a solution;

Whereas a petition to have a three-way stop sign placed at the corner of Rossmore Road and Farwell Terrace has been signed by a significant number of residents in this area;

Be it resolved that appropriate City staff investigate and report back to Council as to the feasibility of placing a three-way stop sign at Rossmore Road and Farwell Terrace intersection.

Background

The Public Works and Transportation Department uses the Ontario Traffic Manual to make decisions with regard to traffic. The use of this manual supports our decision should we have to defend ourselves in a court of law.

The Ontario Traffic Manual states: "**The purpose of the stop sign is to clearly assign the right of way between vehicles approaching an intersection from different directions when traffic signals are not warrant or not yet installed and it has been determined that a yield sign is inadequate.**"

The manual goes on to state: "**STOP signs are not intended to be used as speed control devices.** Their usage should be limited to control of right of way conflicts.

In general, STOP signs should only be used where traffic engineering studies considering such factors as traffic speeds, traffic volumes, restricted sight lines and collision experienced indicate that the use of STOP signs is warranted."

Discussion

In order for an all-way stop to be implemented, Public Works uses guidelines set out in the Ontario Traffic Manual to determine whether the intersection meets the requirements. The following warrants need to be met for an all-way stop to be recommended.

Stop Collision Warrant

Stop sign control may be warranted where three (3) or more right angle or turning collisions per year have occurred over a period of three (3) years.

Since January 1, 2007 there has been zero (0) number of these types of collisions at this intersection.

All-ways Stop Controls Warrant

An all-way stop control results in the disruption to the flow of traffic and introduces delays to all drivers within the intersection and should only be considered at the intersection of two relatively equal roadways having similar traffic volume demand and operating characteristics.

The Ontario Traffic Manual requires that the volume split for three-way control should not exceed **75/35**. The volume split at this intersection is **79/21**; which means that 79% of all traffic uses Rossmore Road and the remaining 21% use Farwell Terrace. As a result, the traffic volumes are not similar enough to warrant a three-way control (all-way control).

All-Way Stop Minimum Volume Warrant

This warrant requires the total volume on all intersection approaches to exceed 500 vehicles per day for an average of eight hours. For the same eight hours, the combined vehicle and pedestrian volume (unit) on the minor street must exceed 200 units per hour.

The minimum vehicle volume warrant is not satisfied with traffic averaging 222 vehicles during the peak eight hours for all approaches and an average of only 46 units using Farewell Terrace. In this case, the warrant is not met.

5(bb)

Summary

- None of the three warrants for an all-way stop have been met according to the criteria and therefore an all way stop should not be installed.
- All way stop controls operate more effectively at intersections with higher traffic volumes and a balanced split between the traffic on the major street and the minor street.
- All- way stop controls are intended to control right of way movements and are not intended as speed control devices.

Recommendation

It is recommended that an all-way stop configuration should not be installed at the Farewell Terrace /Rossmore Road Intersection.

All of which is respectfully submitted.



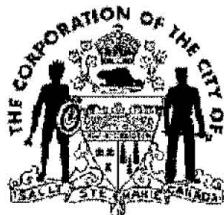
J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(cc)

Larry Girardi
Deputy Commissioner



Public Works &
Transportation
Department

December 13, 2010

Mayor Amaro
And Members of Council
Civic Centre

Subject: Wilcox Avenue Parking Regulations

On September 10th, 2010 Council passed the following resolution:

Be it resolved that appropriate staff review current parking regulations with respect to the Wilcox Avenue area in response to concerns raised by area residents and report back to Council.

Background

Wilcox Avenue is a local residential street that is 12 metres wide from curb face to curb face. Most residential streets are between 9-10 metres wide. The road width of Wilcox Avenue allows ample room for parking on both sides of the street during the summer months while still allowing traffic to flow quite easily.

Presently there is a By-Law 77-200 Schedule "A" Parking Prohibition for the winter maintenance program which prevents parking on the south side from November 1 to March 31 during all hours stretching from Railroad Avenue running east to Wilson Street. A Council resolution was passed in 2008 to allow ploughing of the sidewalk on the south side starting in the winter of 2009-2010. Wilcox Avenue has a curb faced sidewalk and if ploughing is to be done on the sidewalk then the curb lane will need to be used to store snow. During months not listed in the prohibition, parking is allowed on both sides of the street.

Discussion

There has been some concerns from area residents regarding covered automobile trailers owned by a resident on Wilcox Avenue that are apparently being parked on Wilcox Avenue for long periods of time.

PWT staff contacted Police Services to inquire into whether they have had to respond to complaints regarding parked trailers on Wilcox and they have recorded a number of calls regarding this issue. In response to the calls Police Services have been monitoring the

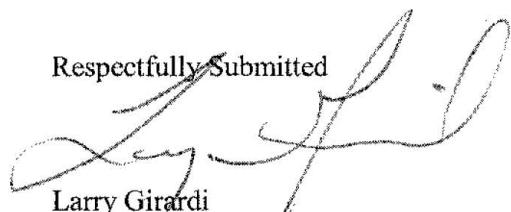
5(cc)

parking of trailers and the amount of time that they are parked on the road. On occasion the trailer tires have been chalked in order to verify if the trailers have been exceeding 18 hours. This is the maximum time allowed for any vehicle or trailer to be parked on a road (City By law 77-200 section (7)). On occasion the owner has been ticketed but for the most part the trailers have been moved in an appropriate amount of time.

Recommendation

It is recommended that there be no change to the existing parking status.

Respectfully Submitted



Larry Girardi
Deputy Commissioner
Public Works and Transportation

Recommended for Approval



J. M. Elliott P. Eng.
Commissioner
Public Works & Transportation

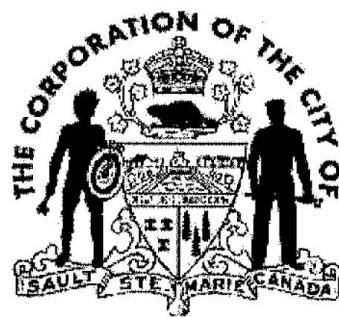


RECOMMENDED FOR APPROVAL
Joseph N. Frateci
Chief Administrative Officer

Mr. Don Scott
Manager of Transit and Parking

Public Works and Transportation
Department
Transit Division

5(dd)



2010 12 13

Mayor Debbie Amaroso &
Members of City Council
Civic Centre

RE: TRANSIT SERVICE TO THE NEW SAULT AREA HOSPITAL

PURPOSE

The purpose of this report is to inform Council of the planned transit service to accommodate the new location of the Sault Area Hospital on Great Northern Road.

BACKGROUND

The primary goal for Transit staff was to provide expanded bus service to the new hospital site by utilizing current budget and existing fleet. Recognizing fiscal restraint and the need for expanded service to the new hospital, staff needed to find a balance between acceptable service and affordability.

After evaluating all of the available bus route options from a scheduling perspective, with the goal of maintaining existing transfer points and current routes, the North Street bus route was selected as the most cost effective and practical option for expansion to the new hospital.

COST

The cost to expand the North St. bus route will have a net amount of \$217,000. To fund said cost, staff will eliminate the current provision of Saturday half hour service between 12 noon and 7 p.m.; therefore, redirecting the \$100,000 in operating funds towards the North St. bus route. One hour service will remain in effect for all bus routes on Saturday.

Half hour Saturday bus service was introduced in May 2008, and has provided a minimal increase in ridership, averaging 5 passengers per hour, per route.

The remaining \$117,000 in operational costs required for the expanded bus service to the hospital will be funded from our annual provincial gas tax for transit funding program.

5(dd)

SERVICE SCHEDULE TO NEW HOSPITAL

On January 09, 2011 the Transit Services Division of the Department of Public Works and Transportation will provide the following bus service to the new Sault Area Hospital:

NORTH STREET BUS: Half hour service will be provided to the hospital, five days per week, Monday through Friday, with the first bus arriving at the hospital at 6:15 a.m. The bus service will continue to arrive at thirty minute intervals until 6:45 p.m.

All of our transit routes revert to one hour service beginning at 6:45 p.m. to last run, Monday through Friday and all day Saturday and Sunday; therefore, the North St. bus will arrive at the hospital at 7:15 p.m. and continue to arrive at sixty minute intervals until 11:15 p.m. The 11:15 p.m. departure from the hospital is the final bus for those individuals who wish to return to the bus terminal and transfer to another bus route, which will take them to their final destination. The very last bus will leave the hospital at 12:05 a.m., but the option to transfer does not exist as this bus only travels the North St. route returning to the bus terminal at Queen/Dennis for the night. (Please see figure 1)

CEDAR HEIGHTS BUS: Service will be provided to the hospital on an hourly basis, seven (7) days per week, with the first bus arriving on site at 6:05 a.m. The final bus will leave the hospital at 11:05 p.m. (Please see figure 2)

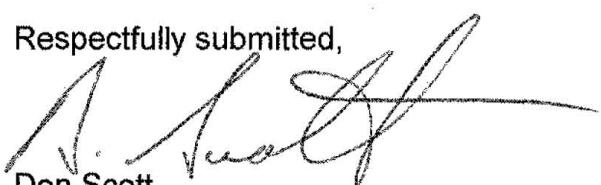
COMMUNITY BUS: Service will provided to the hospital on an hourly basis, on Tuesdays, Thursdays and Fridays, arriving on site five times per day at approximately 10:00 a.m., 11:30 a.m., 1:30 p.m., 3:00 p.m. and 4:30 p.m. (Please see figure 3)

SUMMARY

Over the next year, staff will monitor the efficiency and ridership of the bus routes to the new hospital in an effort to provide the most suitable and affordable public transportation service. All route and schedule information is posted on the City's website www.cityssm.on.ca.

All of which is submitted for Council's information.

Respectfully submitted,

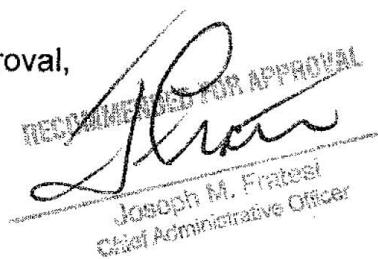


Don Scott
Manager of Transit and Parking
Public Works and Transportation

Recommended for Approval,



J. Elliott, P. Eng.
Commissioner
Public Works and Transportation

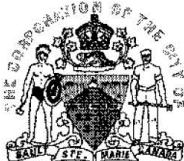
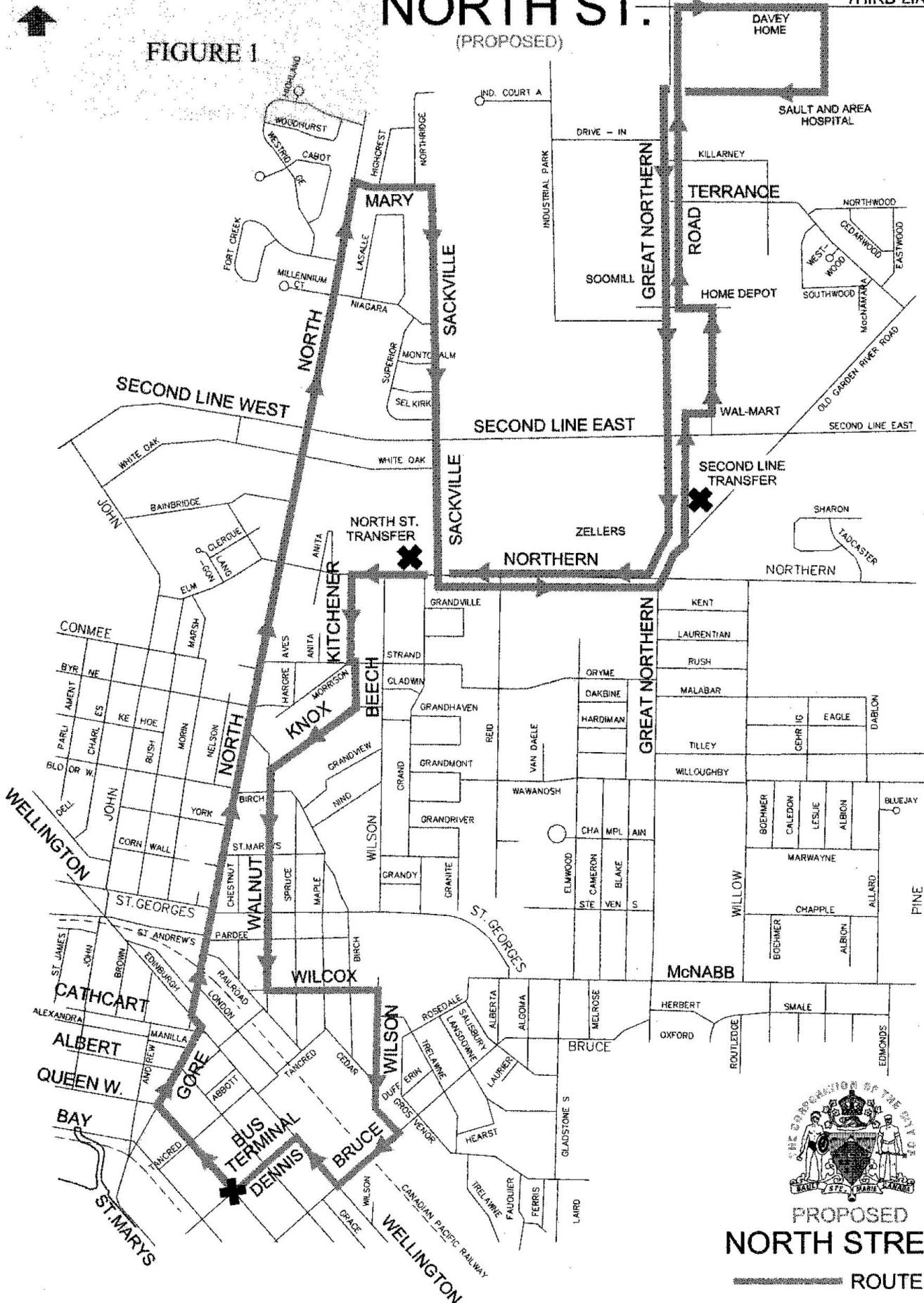


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

NORTH ST.

(PROPOSED)

FIGURE 1



PROPOSED
NORTH STREET

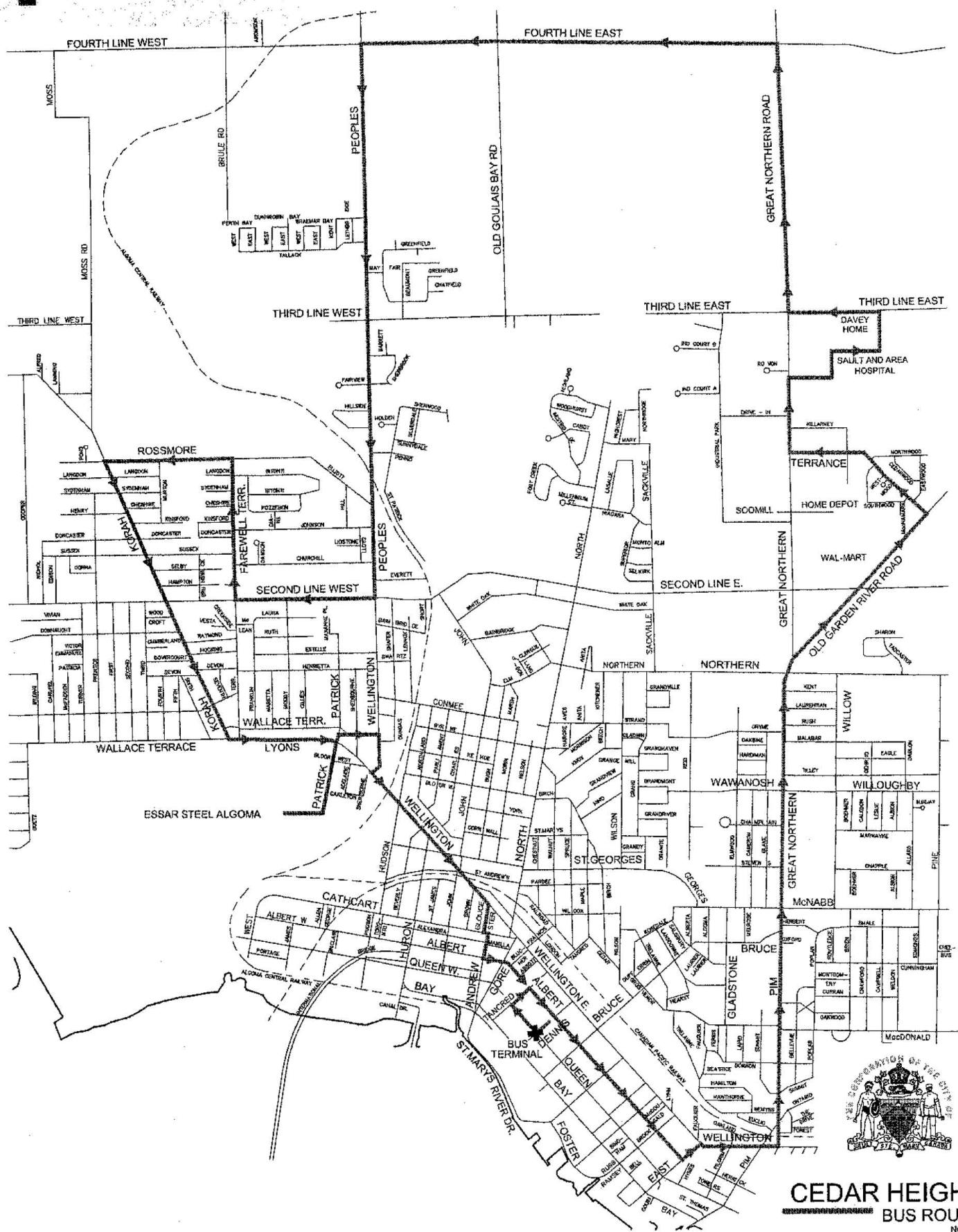
ROUTE 7

NOV. 2010

FIGURE 2

CEDAR HEIGHTS

5(dd)



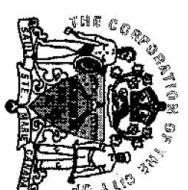
CEDAR HEIGHTS
BUS ROUTE 6
NOV. 2010

FIGURE 3

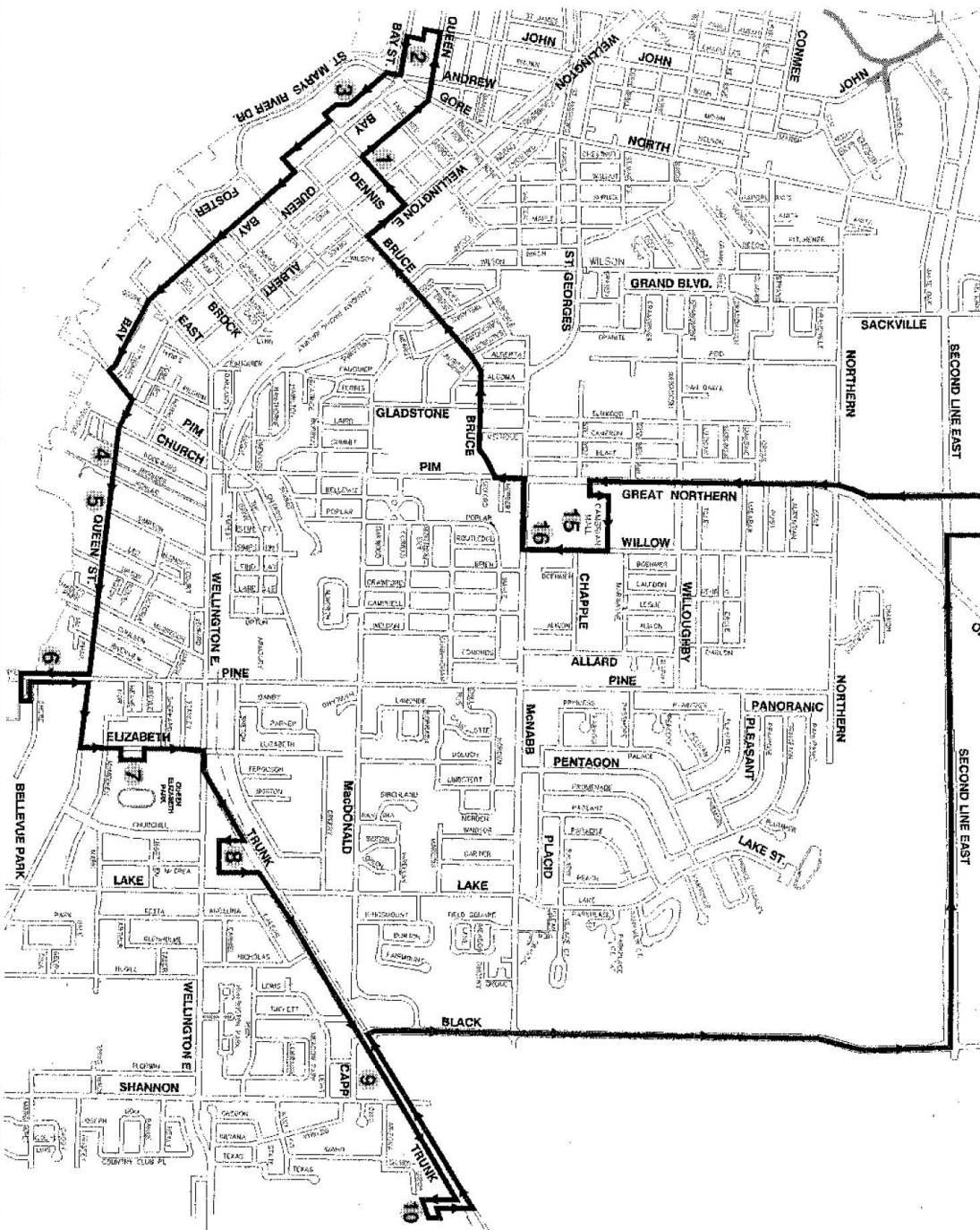
THIRD LINE
SECOND LINE EAST
OLD GARDEN RIVER RD
GREAT NORTHERN
NORTHERN
SECOND LINE EAST
GLENMALLAN
CHAPPLIE
ALLARD
PINE
MONAB
PENTAGON
PIACID
BLACK

Community Bus "B" Davey Home Route

- 1 Bus Terminal
- 2 Casino
- 3 Station Mall
- 4 General Hospital
- 5 Plummer Hospital
- 6 Harbour View Apts.-St.Bernard
Bellevue Marina
- 7 John Rhodes
- 8 Churchill Plaza
- 9 Pathways
- 10 Moose Lodge Apts.
- 11 Walmart / Home Depot
- 12 Davey Home
- 13 Sault Area Hospital
- 14 Great Northern Retirement
- 15 Winners / Romes
- 16 Group Health

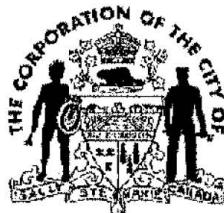


Community Bus "B"
Davey Home Route



5(ee)

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

December 13, 2010

Mayor Debbie Amoroso
And Members of Council
Civic Centre

Subject: Winter Operation Issues

As a result of the recent snow falls that occurred, I've been asked to update Council on PWT's snowplowing operations and the need for the public's cooperation during these types of events.

In carrying out our operations, the Public works and Transportation Department follows a *Winter Maintenance Policy*. It is important that we follow this policy in order that staff has clear objectives and most importantly we are protected against insurance claims should an accident occur. I will outline some of the objectives in this policy that determines the way we carryout winter operations.

- *Under normal weather conditions, all streets will be plowed within a 24-hour period from the end of the event unless extreme weather conditions exist.*

The most recent snow storms that occurred starting December 2nd deposited in excess of 40 cm of snow in certain parts of the city. In this case we consider this to be an extreme weather event and the public should expect that there will be delays with respect to snowplowing operations, especially within residential areas.

The policy sets out priorities that we abide by.

- *Under extreme weather conditions, every attempt will be made to plow arterial and collector streets followed by residential streets.*
- *Emergency vehicles must have access to areas of the city within a reasonable amount of time. The Commissioner or his designate may*

5(ee)

determine from time to time that certain streets must be done ahead of others.

During the recent snow storms, the amount of snow that fell (40 cm) as well as the timing of the snowfall required that PWT staff concentrate on keeping the arterial/collectors open. This was to ensure that emergency vehicles as well as the general public had access to areas within the city. As a result of concentrating on arterial/collector streets, the cleaning of residential streets was delayed.

We asked that the public be patient with respect to the city's snow plowing operations especially during an extreme weather event. Our priority as mentioned above is to maintain the main streets (arterials/collectors) in acceptable condition in order to allow emergency vehicles as well as the public to move within the city. Our next priority is to clear the residential streets as the weather conditions permit.

There will always be room for operational improvements and PWT will continue to review operations with the goal of providing a good service to the public. It is expected that the public will continue to have issues with the snow plowing operations, but hopefully they will understand that staff must abide by certain objectives set out in the City's Winter Maintenance Policy.

This report has been prepared for Council's information.

Respectfully submitted



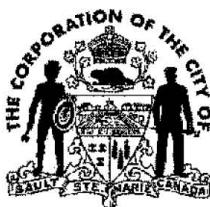
J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(2)(a)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

December 13, 2010

Mayor Debbie Amaroso
and Members of City Council

West End Community Centre – Tender and Project Update

Background

At their February 22, 2010 meeting Council received reports (see Appendixes I and II) from the Commissioner of Community Services and the Commissioner of Finance and subsequently authorized staff to proceed to tender and construction subject to the approved funding model; the following resolution was passed:

"Resolved that the reports of the Commissioner Community Services on behalf of the West End Community Centre Steering Committee and the Commissioner of Finance and Treasurer dated 2010 02 22 concerning West End Community Centre (WECC) be accepted and the recommendation that Council authorize proceeding with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at an estimated cost of no more than \$10.7 million with funding to come from revenue received from the Invest in Ontario grant and the issue of long term debt in the amount of \$5.1 million, be approved; and Further resolved that Council acknowledges that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to 5 years in the absence of substantial funding from senior levels of government or other outside sources."

Since February, the design was finalized, construction documents were prepared, tender documents were issued, and tender submissions were received and evaluated.

Tender Process

The consultant, in conjunction with the City's Purchasing Division, prepared and issued the tender for this project. The tenders were structured to allow for each contractor to provide a base tender and a list of "separate price" items. The reason for the "separate price" items was to allow for them to be added to the project if the budget (funding) is available.

Three (3) tender submissions were received from general contractors. An analysis of the tender submissions by the consultant and City staff was conducted and is attached (Appendix III). The low tender, meeting specifications, is from George Stone and Sons.

The low tender is approximately 10% (\$1 million) over the original estimate that was approved by Council.

Reduction of Construction Costs

As a result of the low tender being almost \$1 million over the original estimate, the consultant along with City staff, worked with the contractor through a value management process to lower the construction cost to a level that fits into the project budget. Through the value management process a list of cost savings items was compiled, prioritized, and evaluated. Some of these items will be implemented as they do not affect the project in any way. Others can be implemented, if it is necessary to do so, in order to get the costs in line with the budget and which, to a minor degree, affect the quality/function of the facility.

As a result of the Value Management process, various scenarios were reviewed and compared to anticipated funding levels which included various contribution scenarios from the Northern Ontario Heritage Fund Corporation (NOHFC) up to a maximum of \$2 million. This effectively allowed for evaluation of each scenario to determine if the project could be recommended to be implemented at the various funding levels.

Factors Negatively Affecting the Cost of the Project

The soil conditions at the site are poor, making it necessary for steel piles to be part of the foundation. This condition was not anticipated in the early stages of design when the original budget was established; rather it was discovered by the installation of two test piles during the final stages of the Construction Documents phase. This has added approximately \$1 million to the cost of the construction, when compared to original foundations assumed in the early stages of design.

At the outset of this project, the scope involved three phases including an indoor turf facility, a library, and a new arena (replacing the W.J. McMeeken Arena). The cost of this original project was approximately \$20 million and was anticipated to be funded under the Infrastructure Stimulus Fund program. Once we were notified that our application for Infrastructure Stimulus Funding was denied, the project was redesigned based on a scaled down version, which forms the basis for the current project (library and indoor turf facility valued at \$10.7 million). Because the first two stages of design were based on the larger \$20 million project, some professional fees were incurred for the preliminary design of the arena component and should be factored into the project cost at this time. It is important to note that the arena design has been advanced to the end of the Design Development stage and can move forward into Construction Documents stage without re-incurring the cost of Schematic and Design Development when the project resumes at a later date. In other words, the associated design fees incurred at this time, for the arena project are not "throw away" costs and will be credited to the future arena project providing that the project scope and design remains consistent with the current design.

The Building Permit Fee, approximately \$90,000., was not calculated into cost of the project but is included within the tender submissions. When the Essar Centre was constructed we were allowed to waive this fee, however, we have since learned that new legislation prohibits the waiving of this fee.

Factors Positively Affecting the Project

The estimated cost for constructing the Library as part of the West End Community Centre is \$2.2 million. This is much lower than the original estimate of \$4 to \$6 million for a stand-alone cultural facility of this nature.

6(a)(a)

The Naming Rights Process has been initiated and a short list has been developed. There are several local companies that have expressed an interest in the Naming Rights and meetings will be scheduled once the project is approved to proceed. It is anticipated that the City will be able to negotiate an agreement which will provide future revenue to be used towards defraying the operating costs of the facility.

Further to Council's resolution for staff to investigate the feasibility of solar panels on the roof of the structure (attached Appendix IV), the project team has met with a local company and preliminary results are that the project is well suited for solar panel installation, and that revenue of approximately \$190,000. annually could be realized. This will be further developed by the project team once the project is approved by Council.

Financing/Funding Strategy

The funding that was approved for the project was detailed in a report from the Commissioner of Finance (attached Appendix II). Regarding our application to the NOHFC for \$2 million, we are of the understanding that NOHFC Board will be dealing with it at their December meeting. It is hoped that we will be in a position to provide a further report by way of addendum to Council at the December 13, 2010 meeting. This report will have a firm recommendation to Council regarding the award of this tender, based upon the level of support that is provided by the Province through the NOHFC program.

WECC Steering Committee

The Committee met and undertook a thorough review of the tenders, the value management list of items, and the possible funding scenarios. They agreed that the entire project should proceed, as presented, subject to funding from the NOHFC.

This report is provided as information only. There will be a further report presented to Council with a firm recommendation based upon the NOHFC decision on our funding application.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL

Joseph M. Fecteau
Chief Administrative Officer

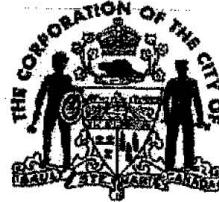
jb/council/wecc tender dec 13

cc: B. Freiburger, Commissioner of Finance & Treasurer
E. Rossnagel, Director of Libraries

attachments

6(2)(a)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

Appendix I

2010 02 22

Mayor John Rowswell
and Members of City Council

WEST END COMMUNITY CENTRE (WECC) – UPDATE

This report is provided to Council as a supplement to the presentation by the architect for the project, Franco Pastore of EPOH Inc. In addition, elsewhere on your agenda is a report from the Commissioner of Finance and Treasurer regarding the financing of the project.

Background

As Council may recall, the West End Community Centre (WECC) project consists of a new indoor turf facility, a library - replacing the existing Korah Branch Library, and an arena replacing the existing McMeeken Centre. This project was ranked as the City's number one priority under the Infrastructure Stimulus Fund (ISF) program.

An ISF application was submitted under Round One of the program. It did not get approved; however, the City was encouraged by the senior levels of government to further develop the project by getting it to a shovel-ready state and to apply for Round Two of the ISF program. Council subsequently approved the hiring of EPOH Inc. to proceed with developing the project to the end of the Design Development stage. In addition, Council approved the acquisition of two properties adjacent to the McMeeken Centre site that are necessary for accommodating the West End Community Centre.

The WECC Steering Committee, recognizing that all of the funding may not be available for a total project at this time, had the architect, Mr. Pastore, develop an implementation strategy that would see the Centre designed into three phases:

- Phase 1 - indoor turf facility
- Phase 2 - library
- Phase 3 - arena

In November 2009, the Committee directed the architect to scope the Phase 1 component of the project based on funding of \$8 - \$10 million.

Correspondence was received in December 2009 from the ISF stating that the WECC project was not approved for funding under their program.

Appendix I

Recent Developments

At the WECC Steering Committee on January 25, 2010 Mr. Franco Pastore presented a detailed report on the design and costing for Phases 1 and 2 of the project that could be achieved for \$8 -10 million. His report was basically the same report that Council is receiving at their meeting today. The highlights of the report are:

- Phase 1 project costs are approximately \$9.1 million including ancillary costs such as professional fees and fit-ups (FF&E)
- Phases 1 and 2 project costs are approximately \$10.7 million including ancillary costs such as professional fees and fit-ups (FF&E)
- The cost estimate for the design was provided by the same cost consultant (Hanscomb Ltd.) used on the John Rhodes Community Centre and Essar Centre projects, where they provided highly reliable cost estimating. Design information was provided to Hanscomb Ltd., including a wide range of elements such as materials, local construction market, and area geology (received from bore hole samples).
- The architect is ready to commence working drawings immediately which would allow for construction to start in September 2010 with completion by September 2011.

At the conclusion of Mr. Pastore's January 25th presentation, the Committee had a discussion regarding whether to recommend proceeding with the project without funding from the senior levels of government or to wait for further funding opportunities. It was noted that recent information from the senior levels of government points to further Stimulus Funding programs not being offered for recreational opportunities in the very near future. In addition, staff informed the Committee that there was no reason not to believe that the McMeeken Centre could operate for an additional five years without too much problem. Therefore the Committee felt that the project should be recommended to proceed with Phases 1 and 2 right away, and not to proceed with Phase 3 (replacement of the McMeeken Centre) within the next five (5) years unless there is substantial funding from the senior levels of government or other outside sources. The Committee unanimously approved the following resolution:

"The WECC Steering Committee recommends that Council proceed with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at a cost estimated to be no more than \$10.7 million; and further that it is acknowledged that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to five (5) years in the absence of substantial funding from the senior levels of government or other outside sources." CARRIED.

6(2)(a)

Appendix I

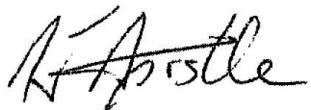
Letters supporting the project from the Sault Amateur Soccer Association, Tourism Sault Ste. Marie and the Sault Ste. Marie Library Board are attached.

Finally, it should be noted that the WECC project is the only project of the City's top four priorities not to receive funding from the senior levels of government. Algoma Public Health, Hub Trail, and Historic Sites Board's Visitors Centre all received funding.

Recommendation

The West End Community Centre Steering Committee unanimously recommends that Council proceed with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at a cost estimated to be no more than \$10.7 million; and further that it is acknowledged that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to five (5) years in the absence of substantial funding from the senior levels of government or other outside sources.

Respectfully submitted on behalf of the WECC Steering Committee,



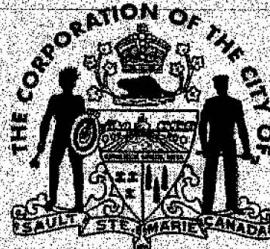
Nicholas J. Apostle
Commissioner Community Services

JAC/nc/2010/reco Update Feb 22

cc: WECC Steering Committee

attachments

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

Appendix II

2010 02 22

Mayor John Rowswell and
Members of City Council

Re: West End Community Centre

Background

Under the Infrastructure Stimulus Fund program, the City had submitted an application for two-thirds funding to construct a \$22 million West End Community Centre with two soccer fields, library and single ice pad. A one-third municipal share would have resulted in a local cost of \$7.5 million. The West End Community Centre was not approved under the Infrastructure Stimulus Fund program.

Estimated Capital Project Costs for West End Community Centre

Soccer fields	\$ 8,136,500
Library	1,500,000
Architecture and Engineering	809,500
Furniture and Fixtures	<u>250,000</u>
Total	<u>\$ 10,696,000</u>

The Sault Area Soccer Association (SASA) will arrange financing for an office space addition to the West End Community Centre should it wish to build such at an estimated cost of \$500,000.

Estimated Operating Costs

A Business Plan prepared by BDO Chartered Accountants was presented to the West End Community Centre Steering Committee with Projected Statements of Operations and Cash Flow for the Sault Ste. Marie Indoor Multi-Use Sports Facility (Exhibit A).

Total annual revenues over five years range from \$457,000 in 2012 to \$521,000 in 2016. Total annual operating expenditures range from \$543,000 in 2012 to \$611,000 in 2016 resulting in a net City cost of approximately \$85,000 per year.

In addition, SASA has projected an annual contribution to the City of \$45,000 resulting in a net operating cost of approximately \$40,000.

City Operating Risk

If annual revenue projections are not achieved or operating costs are greater than planned, the annual net City cost could be greater than the projected \$40,000 per year. The City is responsible for the annual operating costs of approximately \$550,000 and is expecting the majority of these costs will be offset by rental revenue from user fees.

Funding from SASA

SASA has stated that they will have approximately \$150,000 in a reserve fund which may be available for either capital or operating expenditures, but this has not been approved by their board.

City Funding of the West End Community Centre

In a report to Council on April 4, 2009, staff recommended the following plan to finance the local share of a federal, provincial and municipal infrastructure program.

Invest in Ontario Grant (August 2008)	\$ 7.1 million
New Municipal Debt Issue	<u>5.1 million</u>
Total Municipal Contribution	\$12.2 million

This local share would have leveraged a total infrastructure program of \$36.6 assuming an equal one-third contribution from each participant.

Infrastructure Stimulus Fund Approvals

The City had submitted several projects for approval. On July 17, 2009 the City received federal and provincial funding of \$14,666,666 for an Algoma Public Health building. The local share of this building will be funded from the Algoma Public Health with no cost to the City.

The City also received federal and provincial funding of \$3,333,334 for a Hub Trail & Waterfront Walkway expansion with a local share of \$1,666,667.

Recreation Infrastructure Canada Grant Program

On July 8, 2009, the City received approval under the Recreation Infrastructure Canada program to upgrade the Bondar Park tent canvas, John Rhodes Centre improvements, and renovations to Manzo and Greco Pools. The estimated net City cost is approximately \$700,000.

Appendix II**Infrastructure Financing Summary****Revenues**

Invest in Ontario Grant (August 2008)	\$ 7,100,000
New Municipal Debt Issue	<u>5,100,000</u>
Total Municipal Funding Available	<u>\$ 12,200,000</u>

Expenditures

Hub Trail & Waterfront Walkway	\$ 1,700,000
Recreation Infrastructure Canada Program	<u>700,000</u>
Subtotal Expenditures	<u>\$ 2,400,000</u>
Net funding available for West End Centre	<u>9,800,000</u>
Estimated cost of West End Centre	<u>10,696,000</u>
Funding Shortfall for West End Centre	<u>896,000</u>
Application to the Northern Ontario Heritage Fund	<u>\$ 2,000,000</u>

The City has made application to the Northern Ontario Heritage Fund Corporation for a grant to finance this project. The City is requesting a \$2 million grant for the new facility however the Northern Ontario Heritage Fund Corporation normally contributes \$1 million per facility unless there are extraordinary circumstances.

Other Issues

The original infrastructure financing plan assembled \$12.2 million to leverage an equal amount of federal and provincial funding. As listed above, our funding sources will be fully allocated with the approval of the West End Community Centre based on the 100% City funding.

At an estimated cost of \$11.4 million to replace the McMeeken Centre, I would recommend the replacement of this ice surface be postponed for approximately 5 years due to debt considerations. The City may consider the project if a significant grant program is offered.

Appendix II

Debt Issue

The attached Exhibit B is a revised debt schedule. The long term debt of \$5,100,000 is expected to be issued for a 10 year period with annual payments of approximately \$630,000 for a total cost of \$6,300,000.

The debt service costs for this project will be financed within the current budget allocation for debt repayments due to retirement of previous debt obligations.

Recommendation

City Council fund the West End Community Centre from revenue received from the Invest in Ontario grant and the issue of long term debt in the amount of \$5.1 million dollars.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachments

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

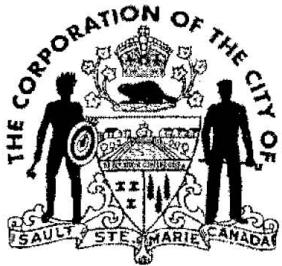
West End Community Centre

TENDER REVIEW FORM (consultant / client form only do not circulate)

	Note	Units	Bondfield Construction	Ref.	George Stone & Sons	Ref.	TESC Contracting	Ref.
Package A								
1.00	Time Received	>12:00:00 PM		11:59		11:58		11:58
2.00	Addenda	7 required	(#)	7		7		7
3.00	Tender Amount		(\$)	11,395,000.00		10,567,500.00		10,967,000.00
4.00	HST		(\$)	1,481,350.00		1,373,775.00		1,425,710.00
5.00	Total Contract Price		(\$)	12,876,350.00		11,941,275.00		12,392,710.00
6.00	Completion Time	weeks from tender award	(#)	52		60		48
7.00	Bid Bond	5%, minimum \$500,000.00	(X) received		X		X	
8.00	Agree. to Bond	100% performance and 50% labour material Payment	(X) received		X		X	
9.00	Appendix A	Subcontractor List	(X) received		X		X	
Package B								
10.00	Time Received	>14:00:00 PM		13:53		13:58		13:41
11.00	Appendix B-r1	Separate & Alternate Prices	(X) received		X		X	
11.10	Separate Price # 1	Storage Room Addition	(\$)	368,000.00		133,338.00		142,000.00
11.20	Separate Price # 2	Add: Additional Site Work	(\$)	382,000.00		193,586.00		190,800.00
11.30	Separate Price # 3	Soccer Field Protective Cover Floor	(\$)	295,300.00		192,449.00		192,000.00
11.40	Separate Price # 4a	PUC Watermain Work. Goulias Avenue/Walter St. Loop	(\$)	64,200.00		30,008.81		45,000.00
11.50	Separate Price # 4b	PUC Watermain Work. Building Service Loop Goulias Ave/Walter Street to Building.	(\$)	41,800.00		32,152.29		33,000.00
11.60	Separate Price # 5	Canopy Construction	(\$)	271,180.00		65,582.74		96,000.00
11.70	Alternate Price # 1	Artificial Grass FieldTurf "Duraspine-Pro"	(\$)	32,200.00		11,608.00		12,000.00
11.80	Alternate Price # 2	Artificial Grass "Alternate Product"	(\$)	32,200.00		Not Provided		Not Provided
11.90	Alternate Price # 2a	Soccer Field Protective Cover Floor (Sep. Price No. 3)	(\$)	205,300.00		Not Provided		Not Provided
11.10	Alternate Price # 3	Deduct: Floor Finishing Alternate	(\$)	(4,500.00)		Not Provided		Not Provided
11.11	Alternate Price # 4	Sliding Door Alternate	(\$)	5,100.00		9,328.00		13,000.00
12.00	Appendix C-r1	Unit Prices	(X) received		X		X	
12.10		Pile Length	(\$/M add \$/M deduct)	190.00/0.00	1	176.00/-15.00	1	184.00/-15.00
12.20		Pile Splice	(\$/splice add \$/splice deduct)	350.00/0.00	1	481.25/-275.00	1	503.00/-275.00
13.00	Appendix D	Unsolicited Bidder's Alternatives	(X) received, optional	X, None provided		X, Options provided		X, None provided
		Mondo Turf k-45	(\$)			103,876.00		
		Mondo Turf 4560	(\$)			62,453.00		
		ABC Composite wall panel	(\$)			(35,761.00)		
		Vic West Composite wall panel	(\$)			(88,000.00)		
25	Comments			Unit price variation exceeds 25% requirement	1	Unit price variation exceeds 25% requirement	1	Unit price variation exceeds 25% requirement

Appendix III

6(e)(a)



CITY COUNCIL RESOLUTION

6(2)(a) Appendix IV

Agenda Item

7(b)

Date: June 28, 2010

MOVED BY
SECONDED BY

Councillor
Councillor

J. Caicco
S. Butland O. Grandinetti

Whereas the architectural drawings for the West End Community Centre are only 30% complete and likely will not create any additional cost in incorporating energy related initiatives; and

Whereas the Gas Tax report submitted by the Engineering and Planning Department provides an appropriate process to consider the above and/or other similar initiatives on corporate structures;

Therefore Be It Resolved that Council authorize appropriate staff in consultation with EPOH Inc. to prepare a report on the feasibility, cost or operational implications and time-line issues that would apply to installing solar panels on the West End Community Centre and report back to Council as expediently as possible.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED


SIGNATURE

C.A.O.
 City Solicitor
 Comm. Finance/Treasurer
 Comm. Eng. & Planning
 Comm. Human Resources

Comm. Community Services
 Comm. P.W. & Transportation
 City Clerk
 Fire Chief
 Police Chief

Mayor
 Dir. Libraries
 E.D.C.
 Cons. Authority



David Orazietti, M.P.P. Sault Ste. Marie

Backgrounder

7(b)

Ontario

For Immediate Release
September 17, 2010

Backgrounder: Support For The Proposed Water Opportunities and Water Conservation Act

"The Water Opportunities Act will help cement Ontario's global leadership position on water technology. We have very strong water-related innovation in this province, in both academia and industry, and the Act will help propel that innovation into commercial-scale installations in Ontario municipalities. That, in turn, will lead to global opportunities in a sector that will see significant growth over the next few decades. It's a key piece of legislation for the sector."

Tom Rand, Cleantech Lead, MaRS Discovery District

"The proposed Water Opportunities Act marks a milestone in Ontario public policy. With this legislation the government is recognizing the importance of water in society and positions Ontario to become a leader in North America in terms of water policy."

Dr. Brent Wootton, Ph.D., Director, Centre for Alternative Wastewater Treatment, Fleming College

"At no time in history has the global demand for innovative water technologies needed to efficiently upgrade aging infrastructure and enhance water supply security been greater than it is today. The economic opportunity this presents to Ontario is unprecedented — the Province is not only home to many of the industrial world leaders in advanced water technology but also supports internationally recognized excellence in water research within its academic institutions. Through the leadership and vision contained within the Province of Ontario's proposed Water Opportunities Act, strategic partnerships between government, industry and the research community can be forged that will accelerate innovation in the water technology sector and will uniquely position Ontario to become a world leader within the emerging global water market."

Dr. Dave Rudolph, Executive and Scientific Director, Water Institute, University of Waterloo

"Smart water infrastructure is critical to Ontario's future; it's as much about improving the capacity of the existing system as is it about utilizing new technologies to support the necessary growth of communities and employment centres in Ontario."

BILD - Building Industry Land Development Association

"I am encouraged to see that Ontario recognizes that improved water and energy efficiency are tightly inter-related. We have seen how standards for fixtures, appliances and other products have led to enduring water and energy savings - we've estimated as much as \$7 billion savings in the US. Ontario's initiatives to

USING WATER MORE EFFICIENTLY

The proposed act aims to encourage efforts to significantly reduce Ontario's residential water use. It would also:

- Allow the government to bring in water efficiency labelling like the WaterSense program in the United States for appliances and consumer products such as faucets, showerheads, and rain sensors. WaterSense products are generally about 20 per cent more water efficient than average products.
- Allow the government to require standardized information about water use on water bills
- Enable government to demonstrate leadership through considering water conservation in procurement and through conservation planning by all public agencies.

NEXT STEPS

The government will continue to consult widely with the public, municipalities and stakeholders as the legislation moves forward and as new regulations are developed, if the act passes.

-30-

Contact David Orazietti at (705) 949-6959.

Constituency Office: 726 Queen St. E., Sault Ste. Marie, ON P6A 2A9 Tel: 705-949-6959 Fax: 705-946-6269
Queen's Park: Suite 6522, 6th Floor, Whitney Block, 99 Wellesley Street West, Toronto ON M7A 1W3
Tel: 416-314-6467 Fax: 416-314-6470
Email: dorazietti.mpp.co@liberalola.org



David Orazietti, M.P.P. Sault Ste. Marie **Backgrounder**

Ontario

For Immediate Release
September 17, 2010

Backgrounder: The Proposed Water Opportunities And Water Conservation Act

Sault Ste. Marie - The Water Opportunities and Water Conservation Act, currently in second reading in the provincial legislature, would, if passed, drive innovation, create economic opportunities, sustain water infrastructure and promote water conservation. The proposed act and its complementary initiatives would achieve three key outcomes:

- Making Ontario the North American leader in developing and selling new technologies and services for water conservation and treatment at home and around the world.
- Creating an integrated approach to water infrastructure planning to achieve long-term sustainability.
- Helping Ontarians use water more efficiently.

MAKING ONTARIO A NORTH AMERICAN LEADER

The proposed act would make Ontario a North American and world leader in the growing global field of innovative technologies and services by:

- Creating a new partnership of internationally recognized experts in water technology, researchers, and innovators (Water Technology Acceleration Project) to help bring new innovative water solutions and technology developed in Ontario to domestic and international markets.
- Creating jobs as part of a growing water technology and services industry in a strong Ontario economy.

STRENGTHENING MUNICIPAL WATER SUSTAINABILITY PLANNING

The proposed act would help municipalities improve the efficiency of municipal infrastructure and services by:

- Looking for innovative, cost-effective solutions to solve water challenges including water conservation.
- Optimizing systems and improving water conservation.
- Identifying opportunities to demonstrate and implement new and emerging Ontario water technologies and services.
- Moving towards measures and targets to demonstrate progress.

help utilities conserve energy and water will translate into savings across the province."

Mary Ann Dickinson, Alliance for Water Efficiency, Chicago, Illinois

"The technology that we have developed in Ontario to reduce water and energy use can address a huge international market opportunity. Support by local government for companies like ours can have a significant impact on our growth and accelerate development of international markets while creating jobs in Ontario."

Paul Wickberg, CEO, EnviroTower Inc.

"The leadership shown by the government in Ontario in both energy and water has provided the perfect catalyst for the development of Sempa's smart grid technology in the water energy nexus. Making these sectors a priority has meant that Ontario's electricity and water sectors will be the first in the world to demonstrate and receive the benefits of Sempa's leading edge smart grid technology using sophisticated management of demand side resources to help manage the electricity system."

Ron Dizy, President & CEO, Sempa Power

"Trojan Technologies is very supportive of the introduction of the Water Opportunities Act and believes it has exciting potential to accelerate the rate of innovation in leading-edge water treatment solutions. In a world of ever-increasing water stress, there is an urgent need not only to accelerate such innovation, but also to accelerate the rate of adoption, both at home and in the broader global context. Trojan's large-scale ultraviolet (UV) light water disinfection systems have already been adopted in more than 50 countries, and this legislation opens the door for even greater advancements in municipal water and wastewater treatment, as well as in industrial, commercial and residential applications. With the support provided by this Act, there is great potential for Ontario-grown, innovative technologies to play an even more prominent role in addressing water stress globally."

Marvin R. DeVries, President, Trojan Technologies

Mary Clare Helmsen

"Ontario's Water Opportunities Act provides the catalyst to accelerate the commercialization of Ontario technologies to preserve and protect Ontario's water supply as well as meet the global need for water technology solutions. Under the stewardship of the Ontario government, companies located in this province are already leading the way in innovative water technologies and are recognized worldwide. Today's legislation builds upon Ontario's existing leadership role and will create new synergies within post secondary research institutions and the private sector to drive innovation in this area. OCE and its extensive network of companies and researchers are excited and committed to working with the province on this initiative and build on our 22 years of leadership in the water sector."

Doug Wright, Managing Director, Centre for Earth & Environmental Technologies, Ontario Centres of Excellence

"I applaud the vision and direction regarding the conservation of one of our most undervalued resources - water. This legislation provides a framework for innovation and growth in the water sector with opportunities to benefit public health, the environment and the Ontario economy. OCWA looks forward to working with both its public and private sector partners to provide safer and more efficient clean water services for the people of Ontario."

Michael Garrett, Chair of the Board of Directors, Ontario Clean Water Agency

"The project that Durham Region undertook with Tribute Communities clearly illustrates that by using high efficiency fixtures and appliances in new homes, we could achieve a level of residential water efficiency of 150 litres per person per day, comparable to European countries. This project also achieved 11% reductions in electricity use and 10% less natural gas. These savings culminate in reducing greenhouse gas emissions per home by 10%. It clearly shows how saving water reduces climate change impacts of new homes."

Glen Pleasance, Water Efficiency Coordinator Durham Region

"By seizing water conservation and efficiency opportunities, Ontario will reduce energy consumption, free up funds for struggling municipalities and greatly contribute to Ontario's fight against climate change."

Carol Maas, M.A.Sc., Innovation and Technology Director, The POLIS Project on Ecological Governance

"With the introduction of the Water Opportunities and Conservation Act we can begin to reimagine how we use water in Ontario. Water conservation is a key component of sustainably using and managing the resources our communities rely on. This legislation should enable us to plan for the best use of our treated water, for better use of storm and sewer systems, and to integrate those systems with conserving energy use in our communities."

Theresa McClenaghan, Executive Director of the Canadian Environmental Law Association

"Water conservation is becoming necessary in Canada as demonstrated by a number of municipalities creating their own bylaws to water conservation as a method of dealing with aging (and growing) infrastructure. Individual bylaws create non-uniformity for manufacturers, wholesaler distributors, retailers and inspectors. In addition they absorb precious municipal budgets to develop. Today's announcement of a Water Opportunities Act hopefully is a signal for all other provinces and territories to follow Ontario's lead as we approach a national uniform solution to meet future water demands. The Institute applauds this positive approach. Today's announcement is also indeed a reflection of how industry and government partnerships can truly work to get things done meaningfully in our collective efforts to help conserve water not only for today but for future generations."

Ralph Suppa, President and General Manager, Canadian Institute of Plumbing and Heating

"This legislation shows the Ontario government recognizes water conservation cuts pumping and heating expenses, quells greenhouse gases, and eliminates the costly expansion of delivery and treatment systems saving the environment and Ontario taxpayers hundreds of millions of dollars every year."

Derek Stack, Executive Director, Great Lakes United

"We are pleased that the Government of Ontario is taking bold, decisive action with the Water Opportunities Act - providing the leadership and sending a clear message that water must be managed in a manner that ensures sustainable availability of this vital and precious resource. We are also strongly encouraged by the government's plans to better align existing policies and program initiatives across the entire innovation value chain - creating the market conditions to position Ontario as a global water technology leader, and enabling Ontario's firms to capture a greater market share of the rapidly growing global water industry."

Kevin Jones, President and CEO, OCETA

"For Xogen, the introduction of the Water Opportunities Act is yet another step on the amazing journey we have been able to embark upon with the help of the provincial government and Ontario Centres of Excellence. Our patented technology has the potential to revolutionize the wastewater treatment process and create jobs at the same time. Today's announcement is a win-win for both the economy and the environment."

Angella Hughes, President, CEO, and Director Xogen Technologies Inc.

"For Purification Research Technologies Incorporated (PRTI), the introduction of the Water Opportunities Act is yet another step that will enable the commercialization of the technology we have developed with the help of the provincial government, University of Guelph and Ontario Centres of Excellence. Our patented ozone technology has the potential to literally revolutionize the application of water sterilization in the home as well as the industrial and agricultural sectors. That's going to translate into jobs and of course, improved water quality for all Ontarians."

Laura Greenway-Balner, Manager, Filtration and Purification, Greenway Home Products and Owner, Purification Research Technologies Inc.

"We're going to have to get a whole lot smarter about how we use and manage fresh water as our climate changes. With the Water Opportunities Act, the Government of Ontario is setting us on a course to much more efficient use of this vital and increasingly scarce resource, a step that will help ensure we keep our rivers, lakes and wetlands healthy for this and for future generations."

Tony Maas, Director, Freshwater Program, WWF-Canada

7(b)

Ontario's New Water Opportunities Act Information Session Participants List	Confirmed
	September 16, 2010
• Sault Ste. Marie MPP David Orazietti	YES
• Carmine Biasucci, EA to SSM MPP	YES
• James Caiocco, City Councillor	YES
• Steve Butland, City Councillor	YES
• Joseph Fratesi, CAO City of SSM	YES
• Jerry Dolcetti, City Engineering	YES
• Susan Hamilton Beach, City Engineering	YES
• Madison Zuppa, City Engineering	YES
• Jim Harmar, SSM Innovation Centre Board of Directors	YES
• Dr. Paula Antunes, Development Officer SSM Innovation Centre	YES
• Jim McAuley Representing the SSM Chamber of Commerce	TBC
• Brian Curran, President & CEO PUC	YES
• Dominic Parrella VP Operations PUC	YES
• Ralph Stefano, Operations and Maintenance Manager for the Sault Hydro Operations, Brookfield Power	YES
• Ted Van Lunen, Regional Director General, Natural Resources Canada	YES
• Colin Kirkwood, Sault College	YES
• John Coccimiglio, Sault College	Regrets
• Karen Smokorowski, DFO	YES
• Tom Vair, Executive Director, SSM Innovation Centre	YES
• Errol Caldwell, Executive Director SSM Innovation Centre	YES
• Bruce Strapp, CEO SSM Economic Development Corporation (SSMEDC)	YES
• Dave Murphy, Executive Director Business SSM (SSMEDC)	YES
• Linda Whalen General Manager SSM Conservation Authority	
• Helen Gillespie Director Development Convergence Centre SSM Innovation Centre	Regrets
• Rhonda Bateman, Drinking Water Source Protection Planning Coordinator SSMRCA	YES
• Dipika Damerla, Senior Policy Advisor, Economic Development and Trade	YES
• Ken Albright, Director Economic Development Division, Economic Development and Trade	YES
• George Cadete, Manager Technology Programs and Innovation	YES
• Rod Stewart, District Officer MOE	
• Via Conference Call	
• Brenda Luca, Senior Policy Advisor, Minister's Office MOE	YES
• David Harth, Senior Policy Advisor, Deputy Minister's Office MOE	YES
• Ian Parrott, Manager Operations Division – Environmental Assessment and Approvals Branch MOE	YES
• Kelly Brown, Manager, Integrated Environmental Policy Division – Land and Water Policy Branch MOE	YES
• Anna Trikoupis, Project Manager, Environmental Program Division – Project Environmental Programs MOE	YES

Ontario Research Fund for Research Excellence, Water Round Application by Algoma University and the Sault Ste. Marie Innovation Center

Here's a general overview of what the project (being put together for the ORF-RE grant (<http://www.mri.gov.on.ca/english/programs/orf/re/water/applicationInstructions.asp>) entails. The goal is to develop a community-based certification program that has flexible enough criteria to allow it to be applied to communities of different sizes. The project will focus on developing the certification program, using Sault Ste. Marie as a model city (i.e., meaning that some science-based research will also be carried out within Sault Ste. Marie).

The proposed study seeks to make Ontario's communities world leaders in water conservation and management through the creation of a technical certification process designed to bridge existing planning and action gaps through increased stakeholder involvement and economic investment. The ultimate goal of the certification process will be to ease the magnitude of the issues that leading organizations dealing with water conservation and management need to address, to the extent that their mandates are then achievable within reasonable economic, political, and scientific means. A key output would be the construction of a framework with which city-wide performance can be evaluated, including: demonstrated community level planning and re-engineering of key areas to make water move more efficiently through the city (e.g., to increase the capture and filtration of storm-water before the point of outflow where pollutants have adverse affects on aquatic life); implementation of plans for strategic growth (as the city boundaries expand and populations increase); priority upgrades to city infrastructure; identification and investment in the most relevant new and/or existing water and waste-water technologies; demonstrated fulfillment of prioritized actions among citizens and organized groups; and demonstrated investment by local businesses and industries in sustainable water use and management practices.

Major benefits to Ontario include increased capital investment and multiple stakeholder involvement to ensure the long-term sustainability of water resources and protect against extreme weather events (through increased efficiency in water capture and purification measures). A major benefit of a 'sustainable community' certification will be formation of an expert advisory panel and user-friendly certification support material through which community stakeholders (including private citizens) can access information on new and emerging technologies, scientific and engineering models, consulting agencies, and regulatory guidelines relevant to sustainable water use planning. The certification material is intended to provide a key resource for translating the explosion of new water-related technologies to individual cities needing to construct and implement local solutions for local challenges, and to help Ontario-based companies market their services and technologies.

Deliverables of the project include (but are not limited to):

- Formation of a local network of water-quality experts who can represent their organization and are qualified to speak about past and present projects, collaborative opportunities, and issues of concern.
- Formation of an expert steering committee for the certification board who can advise on technology transfer and implementation, municipal planning, water and waste-water management, government regulations and programs.
- A cohesive list and description of Ontario-based services (e.g., consulting and engineering firms, analytical companies, technology suppliers), organizations and community groups (e.g., not-for profit organizations, public advisory councils, universities and government agencies), technologies (e.g., water-purification equipment, in-situ water remediation devices), and methods (e.g., risk-assessment models) related to water quality management.
- A certification framework that clearly outlines the step-wise process required for communities to attain the various levels of certification. The ways by which communities can obtain points in the different areas will be based on the extent of personal, municipal, industry and government investments in

water-quality practices and the impact of those projects on different aspects of water quality (e.g., related to human health, ground-water, aquatic ecosystem function, etc.).

- An interactive map similar to the Green Atlas for energy projects (<http://www.vsjf.org/resources/renewable-energy-atlas>) whereby the various investments related to water-quality are depicted (e.g., locations of commercial enterprises or private homes that have been landscaped to capture storm-water which reduces the burden on municipal storm-sewer infrastructure), technology implemented within industry (pollution or water-use reduction measures) and local water and waste-water treatment operations (e.g., secondary waste-water treatment facilities with biological nutrient removal), sites of regular government-run water-quality monitoring or source-water protection projects, and also colour-coded risk-assessment indicators flagging areas of concern for public health (e.g., beach closures due to bacteria, harmful algal bloom outbreaks, etc.).
- Scientific studies in Sault Ste. Marie related to storm water and ecotoxicology, and also consumer products and total contaminant loading. Details for these projects are in the process of being formulated. The goal is to have results that provide tangible examples of quantifiable results that we can expect to see in terms of contaminant loading due to greater community-wide participation in ensuring a high level of water quality.

Any information or data related to source-water protection programs, routine water-quality sampling, storm-water studies, measurements of bacteria, harmful algal blooms, and engineered structures (including landscapes) that relate to water-quality management etc. will be very useful for this project. In-kind contributions from different organizations or community stakeholders can include guidance and peer-review the certification program as it develops. The total of any in-kind support should reflect the total contribution of a 5-year period (the project duration).

Thank you again for helping to seek support for this project!

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-175

AGREEMENT: (E.3.4.4.) A by-law to authorize the execution of an engineering agreement between the City and Kresin Engineering Corporation to provide an environmental assessment for the widening of Second Line from Old Garden River Road to Black Road.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to The Ontario Heritage Act, R.S.O. 1990, c.O.18, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an engineering agreement between the City and Kresin Engineering Corporation in form of Schedule "A" hereto dated December 13, 2010.

2. **SCHEDULE "A"**

Schedule "A" forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

cf Bylaws\2010\2010-175 Agreement Kresin

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(a)

Schedule A

**AGREEMENT
FOR
PROFESSIONAL ENGINEERING SERVICES**

MEMORANDUM OF AGREEMENT dated the 9 day of November, A.D. 2010

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to:

Conduct a Municipal Class Environmental Assessment for the widening of Second Line from Old Garden River Road to Black Road.

and WHEREAS the Environmental Assessment shall include the requirements of Phases 1 and 2 of the MEA Municipal Class Environmental Assessment for the provision of additional traffic lanes on Second Line.

and WHEREAS the Client has requested the Engineer to furnish professional services in connection therewith as outlined in Article 2 of this Agreement;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Engineer mutually agree as follows:

ARTICLE 1 - GENERAL CONDITIONS**1.01 Retainer**

The Client hereby retains the services of the Engineer in connection with the Project and the Engineer hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Engineer shall mean professionals and specialists engaged by the Client directly and whose names are party to this Agreement.

1.02 Services

The services to be provided by the Engineer and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

1.03 Compensation

The Client shall pay the Engineer in accordance with the provisions set forth in Article 3.

1.04 Staff and Methods

The Engineer shall use current state of the art principles and shall skilfully and competently perform the Services and shall employ only skilled and competent staff who will be under the supervision of a senior member of the Engineer's staff.

1.05 Drawings and Documents

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Engineer for the Client may be used by the Client, for the Project herein described, including "as built" records. The Client has ownership of the drawings.

All drawings shall be prepared and submitted in digital format compatible with AutoCAD 2004.

1.06 Patents

All concepts, products or processes produced by or resulting from the Services rendered by the Engineer in connection with the Project, or which are otherwise developed or first reduced to practice by the Engineer in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be and remain the property of the Engineer and the Municipality.

The Client shall also have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Engineer in connection with the Project and for any other municipal purpose or project.

1.07 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Engineer shall keep a detailed record of the hours worked by and salaries paid to his staff employed for the Project.

- (b) The Client may inspect and audit the books, payrolls, accounts and records of the Engineer during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Engineer, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Engineer claims payment under this Agreement.

1.08 Changes and Alterations and Additional Services

With the consent of the Engineer, the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Engineer shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4.

1.09 Suspension or Termination

The Client may at any time by notice in writing to the Engineer suspend or terminate the Services or any portion thereof at any stage of the undertaking. Upon receipt of such written notice, the Engineer shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Engineer shall be entitled to payment in accordance with Section 3.2.1 for any of the Engineer's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.2.4.

If the Engineer is practising as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Engineer to the date of such termination.

The Engineer may by notice in writing suspend the services, at his sole discretion, on failure of the Client to pay for outstanding services should payment for those services not have been rendered within the time specified under Section 3.3.1 of this Agreement.

1.10 Indemnification

The Engineer shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer as a result of the negligence of the Engineer, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Engineer from and against any and all claim, losses, damages, liability and costs of defence arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligence of the Engineer in the performance of consulting services to the Client within this project.

The Client shall indemnify and save harmless the Engineer from losses arising from the use of the material provided to the Engineer by the Client under Article 2 of this Agreement.

1.11 Insurance

The Engineer agrees to provide the following insurance coverage for the duration of the Project:

a) Comprehensive General Liability and Automobile Insurance

The Insurance Coverage shall be \$2,000,000.00 for general liability and \$2,000,000.00 for automobile insurance. When requested, the Engineer shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

b) Professional Liability Insurance

The Insurance Coverage shall be in the amount of \$2,000,000.00. When requested, the Engineer shall provide to the Client proof of Professional Liability Insurance carried by the Engineer.

c) Change in Coverage

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project, then the Engineer shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.2.4.

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Engineer until (60) days after written notice of such change or cancellations has been personally delivered to the Client.

1.12 Contracting for Construction

Neither the Engineer nor any person, firm or corporation associated or affiliated with or subsidiary to the Engineer shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

Neither party may assign this Agreement without the prior consent in writing of the other.

1.14 Previous Agreements

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Engineer is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Engineer, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Engineer with such other authority, department of government or agency.

1.16 Principals and Executives

The use of Principals and Executives on a time basis by the Engineer, will be in accordance with

Section 1.23.1 (c).

1.17 Specialized Services

The Engineer may engage others for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client.

1.18 Inspection

The Client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Engineer agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20 Confidential Data

The Engineer shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. No such information shall be used by the Engineer on any other project without the approval in writing of the client.

1.21 Arbitration

The Engineer and Client mutually agree that any disputes relating to the completion of the Project shall be resolved through arbitration as follows:

- (a) Any dispute, difference or disagreement between the parties hereto in relation to the Agreement shall be referred to arbitration.
- (b) No person shall be appointed to act as arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Engineer.
- (c) The award of the arbitrator shall be final and binding upon the parties.
- (d) The provisions of The Arbitrations Act, R.S.O., 1990, C-A. 24, as amended shall apply.

1.22 Time

The Engineer shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require and the Client shall have the right to take possession of and use any completed or partially completed portions of the Work notwithstanding any provisions expressed or implied to the contrary.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Engineer, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as

not to delay the work of the Engineer.

1.23 Estimates, Schedules and Staff List

1.23.1 Preparation of Estimate of Fees/Upset Fee Limits, Schedule of Progress and Staff List

When requested by the Client, the Engineer shall within fourteen days of the execution of this Agreement provide, for approval by the Client:

- (a) An estimate of the total fees and/or upset fee limit(s) to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and salary ranges of staff and/or hourly rate ranges for Principals and Executives, for which the Engineer will seek payment on a time basis. The Engineer shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Engineer's staff who is to be the liaison person between the Engineer and the Client.

1.23.2 Subsequent Changes in the Estimate of Fees/Upset Fee Limits, Schedule of Progress and Staff List

The Engineer will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees/upset fee limits beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule of progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and salary ranges of the staff provided under Subsection 1.23.1 (c).

Such approval shall not be unreasonably withheld by the Client.

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Engineer shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

ARTICLE 2 - SERVICES

The following definitions shall apply:

2.1 Engineer's Services for Planning (Class EA) of the Project

The Engineer shall provide the services for planning of the Project and such work shall include the following:

1. Meeting with the Client to confirm the applicable Class EA schedule, and review of the proposed work program, including the preparation of a meeting report.
2. Preparation for (including the production of relevant plans, notices, information sheets, etc.) and participation in a public open house.

2.2 Client's Services for Planning (Class EA) of the Project

The Client shall provide the Engineer with:

1. Confirmation of appropriate Class EA schedule.
2. General direction in the provision of services and approvals within reasonable time as necessary during the currency of this Agreement.
3. Assistance in advertising for, coordinating and conducting any public consultation events.
4. Copies of all related plans, drawings, documents and reports relating to the Project.

2.3 Engineer's Services for Preliminary Design of the Project

The Engineer shall provide the services for preliminary design and such work shall include the following, unless already provided during a previous study:

1. Preparation of preliminary project schedules and construction cost estimates.
2. Preparation and recommendation of alternative concepts and designs considering geometrics, property, cost and environmental features.
3. Development and recommendation of horizontal and vertical alignments for the Project on a plan scale acceptable to the Client.
4. Development of proposed typical cross-sections for the roadway, including number of driving lanes, turning lanes, rights-of-way, curbs and sidewalks, intersecting roads and other cross section elements.
5. Preparation of a design criteria with due consideration being given to such ancillary features as curbs, sidewalks, illumination, signs, signals, fences, landscaping and zone painting.
6. Preparation of a design brief indicating the principle design features, and including an estimate of construction cost.

7. Meeting with and presenting to the Client alternative design concepts and obtaining input on the preferred.
8. Development and recommendation to the Client of a preliminary soils investigation program to permit the completion of the preliminary and detail design phases of the Project.
9. Preparation and distribution of minutes of Project meetings.
10. Preparation of correspondence on behalf of the Client and circulation thereof to governmental ministries, agencies and other public authorities for design information.
11. Assembling and evaluating existing drainage data.
12. Preparation of general drainage requirements.
13. Identification of major utility installations and adjustments.
14. Preparation of preliminary design drawings.
15. Preparation of property acquisition plans, if any.
16. Development of construction cost estimates.
17. Preparation of MTO Justification Report for submission to MTO for connecting link funds, if required.

2.4 Client's Services for Preliminary Design of the Project

The Client shall provide the Engineer with:

1. Copies of available Functional Study or Predesign Investigations undertaken for the Work.
2. Access to and the use of existing plans, profiles, utility information, legal documents and correspondence relevant to the Project.
3. Copies of all survey data, bench marks and plans of the Project, including digital data.
4. Copies of available traffic information including traffic counts, accident reports, etc.
5. Copies of available Traffic or Transportation Study Reports of the area.
6. Copies of available Functional Planning or Preliminary Design Reports of adjoining Projects.
7. Copies of CCTV inspector reports of both sanitary and storm sewers located in the area of the Project.
8. Copies of future land use plans/development densities for sanitary/storm areas affecting the Project.

9. Copies of available sanitary sewage drainage area plans/reports prepared for the study area.
10. Copies of available storm drainage area plans/reports prepared for the study area.
11. Copies of the most current contract documents from adjacent reconstruction projects completed by the City.
12. General direction of the Engineer in the provision of services and approvals within reasonable time as necessary during the currency of this agreement.
13. Any information regarding utilities in the possession of the Client necessary for the preparation of the plans.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses (I) to (13) hereof, inclusive, as being accurate, in the performance of the Engineer's services under this Agreement.

2.5 Engineer's Services for Detailed Design of the Project

The services to be provided by the Engineer in the execution of the detailed design of the Project shall include:

1. Provision of expertise required for the design of all facilities to serve the best interests of the public, with due regard for environmental concerns, capital cost and operating efficiency in accordance with current state of the art and acceptable standards established by the Client and regulatory authorities.
2. Conducting field survey work, if required, after the design criteria and functional alignment have been established, which shall include all survey work necessary for the estimating of quantities, the detailed setting of alignment and grade to fit controlling natural and artificial topographic and underground features, and design of drains, storm sewers, sidewalks, street lights, sanitary sewers, and water services, and the positioning of all appurtenances associated with the construction of the Project.
3. Investigation and confirmation of the present location of all above ground utilities, updating of the Client's plans and profiles to show the present location and the proposed location, and preparation of additional drawings required for alternative utility relocation as required by the Client, subject to clause 8 of Section 2.5.

Underground utilities shall be indicated on the plans and profiles in accordance with information submitted by the respective utility. The Engineer shall be entitled to rely upon the information and direction provided to it by the Utilities as being accurate in the performance of his services under this Agreement.

4. The preparation and submission of preliminary drawings, investigations, and recommendations to the Client, on such alternatives or modifications to the Project that the Engineer in his professional judgement, deems advantageous to the Client.
5. Advising the Client of the need to seek permission to enter private lands for investigation purposes. Such permission to enter private lands shall be obtained by the Client on behalf of the Engineer.

6. Participation in a reasonable number of meetings for information, negotiation or presentation purposes with the Client in connection with the services provided under this Agreement, after the establishment of the design criteria and functional alignment.
7. Preparation of contract documents for the Project including: detailed construction drawings, tender quantity forms, general conditions, specifications, information to bidders, and special provisions.
8. Preparation of detailed quantity and cost estimates, including sundry engineering and materials.
9. Provision of ten (10) complete sets of tendering documents and drawings.
10. Incorporation, into the contract document package of design drawings and specifications of work designed by others, when required.
11. Submission of plans, specifications, schedules, and applications for approval to the Client and to appropriate authorities, as required. Attending meetings at the offices of these public authorities to discuss designs and to provide explanations for the purpose of furthering the applications towards approval.
12. Assisting the Client in advertising for tenders.
13. Consultation during the tendering of a contract for the Project, the comparative analysis of bids and recommendations thereon, and the preparation of contract documents for execution.

2.6 Client's Services for Detailed Design of the Project

The Client shall provide the Engineer with the following services, notwithstanding that, should the Client be unable to provide any of the services hereunder, they may be assigned to the Engineer under Section 1.08 of this Agreement.

1. Access to and, where necessary, copies of existing plans, profiles or other topographic information showing or pertaining to existing conditions within the Project area.
2. Detailed site survey data, in digital form.
3. Registered land plans, legal documents and surveys, where necessary, defining the property limits of existing rights-of-way and other parcels of land affected by the Project, and as required in the acquisition of property and lands for the Project.
4. Specimen contract documents for the guidance of the Engineer in the design of the Project to the standards required by the Client.
5. Standard drawings for specific installations required by the client.
6. General direction of the Engineer in the provision of the services.
7. Any available information regarding utilities necessary for the preparation of the plans.

8. Arranging and making provision for the Engineer's entry and ready access to property (public and private) as well as to the site of the Project, as necessary to enable him to perform his services.
9. Designating in writing an individual to act as his Representative who will transmit instructions to and receive information from the Engineer.
10. Acquisition of any lands that may be required.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to Clauses 1 through 10 hereof, inclusive, as being accurate, in the performance of the Engineer's services under this agreement.

2.7 Engineer's Services for Contract Administration and Construction Supervision of the Project

The Engineer, on behalf of the Client, shall provide a review of the work during construction. It is understood that the Contractor is responsible for discharging his obligations under the terms and conditions of the construction contract, the performance of the Contractor is not the Engineer's responsibility nor are his review services rendered for the Contractor's benefit; and the Contractor is responsible for the quality of the work. It is further understood that only work which has actually been seen during examination of representative samples can be said to have been appraised, and comments on the balance of the work are assumptions based upon extrapolation.

The extent of the Engineer's duties for general review are as follows:

(a) Contract Administrative Services

1. Review, modification and approval of the Contractor's construction schedule, the processing of progress and final payment certificates, and the preparation of progress reports to the Client at such time and in such form and detail as the client may require.
2. The review and checking of formwork drawings and proposed construction methods as warranted, to ensure that the Contractor's drawings and methods comply with the design requirements for the Project.
3. Consideration and recommendation in respect to alternatives of construction methods or material proposed by the contractor, and preparation of change orders.
4. Review of shop drawings submitted to the degree necessary to ensure they conform with the design requirements and contract documents.
5. Provision of recommendations on the validity of charges for additions or deletions and recommendations on the issue of change orders.
6. Processing and issuing of payment certificates.
7. Conducting progress meetings as may be required.

(b) **Construction Inspection Services**

1. Direction of the Engineer's field staff, and review of the Contractor's work to ensure compliance with the plans and specifications.
2. Surveying and calculation of pay quantities for the work.
3. Calculation and recording of quantities, for the preparation of progress and final payment certificates prescribed by the Client, together with the compilation of such survey notes, diaries, records and reports substantiating such certificates during construction and on completion of the work.
4. Arranging, preparing and shipping for testing materials supplied by the Contractor for incorporation into the work, and the review of test results and judgement of acceptability of said materials.
5. Coordinating on-site testing during the construction of the work to verify acceptability according to the specifications.
6. Assigning necessary field staff to perform such field operations necessary in the provision of the foregoing construction administration services.
7. Investigating, reporting and recommending on unusual circumstances which may arise during construction.
8. Carrying out final inspection at the conclusion of the construction contract, at the end of the maintenance period and as part of the acceptance program of the Client.
9. Preparing and submitting to the Client one complete set of reproducible, revised contract drawings showing the 'as constructed' Project, to the extent requested by the Client and to the extent possible from information provided by the Contractor or otherwise patently visible. It is understood that the Engineer is not responsible for the accuracy or completeness of field changed information supplied (or to have been supplied) by persons not in the Engineer's employ.

2.8 Client's Services for Contract Administration and Construction Inspection of the Project

The Client shall provide the Engineer with the following services notwithstanding that, should the Client be unable to provide any of the services hereunder, they may be assigned to the Engineer under Section 1.08.

1. Supplementary factors governing the Contractor's operations, such as by-laws, property considerations, maintenance of public services and traffic.
2. General direction of the Engineer in the provision of the services.
3. Arranging and making provision for the Engineer's entry and ready access to property (public and private) as well as to the site of the work, as necessary to enable him to perform his Services.
4. Designating in writing an individual to act as his Representative, who will transmit

instructions to, and receive information from, the Engineer.

5. Providing material testing services for granulars, concrete and asphalt during construction.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses 1 through 5 hereof, inclusive, as being accurate in the performance of the Engineer's services under this Agreement.

2.9 Milestones

The Engineer shall endeavour to perform the services set forth in paragraphs 2.1, 2.3, 2.5, and 2.7 of this Agreement in the time frames provided for in Schedule "1" attached hereto.

ARTICLE 3 - FEES AND DISBURSEMENTS**3.1 Definitions**

For the purpose of this Agreement, the following definitions shall apply:

(a) Payroll Cost:

Payroll Cost is defined as hourly salary plus payroll burden.

The following formula shall be used to calculate the hourly salary for billing purposes.
Hourly salary equals:

$$\frac{\text{Annual Salary}}{\text{Hours Per Week} \times 52 \times .85}$$

Payroll burden equals fringe benefits expressed as a percentage of salary that provides for health and medical insurance, group life and disability insurance, company and Canada Pension employer contribution, Workers' Compensation and Unemployment Insurance, but excludes bonuses or profit sharing. For the purpose of this Agreement payroll burden shall be 8.97% of hourly salary.

(b) Cost of the Work:

(NOT APPLICABLE)

(c) Site

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

3.2 Basis of Payment**3.2.1 Fees Calculated on a Time Basis**

3.2.1.1 The Client shall pay the Engineer a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis shall be as follows:

- a) Staff on normal assignments - Payroll Cost multiplied by a factor of 2.0.
- b) Services During Construction:

- (i) For all services, except for staff full-time continuously on site - Payroll cost multiplied by a factor of 2.0.
- (ii) For site staff working full-time continuously on site - Payroll cost multiplied by a factor of 1.7.

For purposes of this Agreement, the Engineer shall use the Billing rates as outlined in Schedule "2" of this Agreement. Any subsequent changes or amendments to this schedule shall be in accordance with Section 1.23.2.

3.2.1.2 Time Expended

All time expended on the assignment, whether in the Engineer's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports, and specifications.

3.2.1.3 Estimate of Fees

The Client shall only be required to pay for those services actually rendered on a time and materials basis. The Engineer estimates that the total fees to be paid for the services outlined in Sections 2.1, 2.3, 2.5, and 2.7 shall not be greater than those fees identified in Schedule "2" of this Agreement. Any subsequent changes or amendments to the estimated fees contained in Schedule "2" shall be in accordance with Section 1.23.2 of this Agreement.

3.2.3 Computer Services and Total Station Survey Services

The usage of computer equipment shall be considered a reimbursable expense, except where a computer is used for design under the percentage fee scale or for the Engineer's normal office administration.

The usage of total station survey equipment shall be considered a reimbursable expense.

3.2.4 Reimbursable Expenses

In addition to the fee, the Engineer shall be reimbursed at cost plus an administrative charge of 5% for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, long distance telephone charges, facsimile charges, printing and reproductions, progress photography and video charges, special delivery and express charges, overtime premium costs, on-site quality control equipment, materials and supplies; and survey supplies.

3.3 Payment

3.3.1 Fees Calculated on a Time Basis

The Engineer shall submit an Invoice to the Client for all Services completed in the immediately preceding month. Interest at the rate of 1½% monthly will be paid on the total outstanding unpaid balance commencing 30 days following the date of issuance of the Engineer's invoice.

In the event that payment is NOT received within 30 days from the date of issuance of an invoice the Engineer may suspend the services as specified under Section 1.09.

10(a)

IN WITNESS THEREOF the parties hereto have caused to be executed those presents by their officers properly authorized in that behalf on the day and year first above written.

SIGNED, DELIVERED

in the presence of:

ENGINEER: **Kresin Engineering Corporation**



Chris Kresin, P.Eng.
PRESIDENT



Michael Kresin, P.Eng.
SECRETARY/TREASURER

WITNESS

signature

name and title of person signing

CLIENT: **The Corporation of the City of Sault Ste. Marie**

Signature - Debbie Amaro so

WITNESS

AYOR DEBBIE AMAROSO

signature

name and title of person signing

signature - Malcolm White

name and title of person signing

CITY CLERK MALCOLM WHITE

name and title of person signing

10(a)

Schedule "1"

MEMORANDUM OF AGREEMENT dated the 9 day of November, A.D. 2010.

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

Estimated Project Schedule

The project is to be initiated immediately and conclude at the earliest opportunity within the requirements of the MEA Municipal Class Environmental Assessment process.

10(a)

Schedule "2"

MEMORANDUM OF AGREEMENT dated the 9 day of November, A.D. 2010

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

Upset Project Fees - \$25,000.00

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-179

AGREEMENT: (L.5.2.) A by-law to authorize an agreement between the City and the Algoma District School Board and Huron Superior Catholic District School Board for the use of ice surfaces for high school hockey.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 13th day of December, 2010 and made between the City and the Algoma District School Board and Huron Superior Catholic District School Board for the use of ice surfaces for high school hockey.

2. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the date of its final passing.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

cf:\staff\by-laws\2010\2010-179 Agreement Highschool hockey

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(b)

SCHEDULE A

DECEMBER

THIS AGREEMENT made in triplicate this 13 day of ~~October~~, 2010.

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Hereinafter called the "City"
OF THE FIRST PART

-and-

THE ALGOMA DISTRICT SCHOOL BOARD

-and-

THE HURON SUPERIOR CATHOLIC DISTRICT SEPARATE SCHOOL BOARD
Hereinafter called the "Board"
OF THE SECOND PART

WHEREAS the Corporation of the City of Sault Ste. Marie is the owner and operator of the Essar Centre, John Rhodes Community Centre and the McMeeken Centre (known as the Centres); and

WHEREAS the City has the authority to provide others with the ice surfaces situated in the Centres; and

WHEREAS the Board wishes to use the said ice surfaces, subject to the covenants and conditions hereinafter set forth and contained;

NOW THEREFORE THIS AGREEMENT witnesseth that in consideration of the premises and the mutual covenants hereinafter set forth, the parties hereto mutually covenant, promise and agree the one with the other as follows:

- 1(a) The agreement is for the 2010-2011 season, and shall renew annually subject to successful negotiations between the City and the School Boards;
- 1(b) The gate receipts shall be paid out as follows:
 - (i) all applicable taxes including but not limited to the Harmonized Sales Tax (HST) shall be paid first and then;
 - (ii) rental for prime practice ice time and league games plus staffing costs for the ice time used by the Board shall be paid to the City;
 - (iii) any surplus shall be paid over to the Algoma District School Board and the Huron Superior Catholic District Separate School Board and divided between the Boards as the Boards see fit.
2. The City agrees that it shall make the Centres available for practice times and game times as scheduled by the Manager of the Community Centres division.
3. The ticket prices for the games scheduled in the Centres shall be set by the City in conjunction with High School Hockey.
4. The City agrees to provide staffing as required including, but not limited to ticket takers, ticket cashiers, security guards and rink helpers.
5. The Board hereby agrees to supply all game officials and public address announcers required by the Board during the times that ice is provided under this

10(b)

agreement. The Board further agrees that the City shall not be responsible for producing or supplying programs for any hockey games played during the times covered by this agreement.

6. The Board agrees that the City shall not be liable for failure to perform any of the covenants or conditions herein contained if such failure is due to strikes, act of God, or other causes beyond the control of the City.
7. The Board further agrees that the City shall not be liable for any damages or loss to any equipment of players participating in practice or hockey games involving ice time provided by this agreement.
8. This agreement shall be binding on the parties hereto, their heirs, administrators, executors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hands and seals as of the this 13 day of ~~October~~, 2010.
December

SIGNED, SEALED and DELIVERED **THE CORPORATION OF THE
CITY OF SAULT STE. MARIE**
In the presence of Per

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

ALGOMA DISTRICT SCHOOL BOARD
Per

Wanda McQueen
CHAIR – WANDA MCQUEEN

M. F. Turco
DIRECTOR OF EDUCATION – MARIO F. TURCO

**HURON SUPERIOR CATHOLIC
DISTRICT SEPARATE SCHOOL BOARD**
Per

Marchy Bruni
CHAIR – MARCHY BRUNI

John Stadnyk
DIRECTOR OF EDUCATION – JOHN STADNYK

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-182

AGREEMENT: (E.3.4.4.) A by-law to authorize the execution of an agreement between the City and AECOM Canada Ltd. to provide engineering services to assess the West End Water Pollution Control Plant.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to The Ontario Heritage Act, R.S.O. 1990, c.O.18, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement between the City and AECOM Canada Ltd. to provide engineering services to assess the West End Water Pollution Control Plant in form of Schedule "A" hereto dated December 13, 2010.

2. **SCHEDULE "A"**

Schedule "A" forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

cf Bylaws\2010\2010-182 Agreement AECOM

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

10(c)

SCHEDULE A

AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES

MEMORANDUM OF AGREEMENT dated the 13th day of December, 2010

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(Hereinafter called the 'Client')

THE PARTY OF THE FIRST PART

-AND-

AECOM CANADA LTD.

(Hereinafter called the 'Consultant')

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to provide engineering services to assess the capacity of the West End Water Pollution Control Plant (WEWPCP), complete a condition assessment of the plant components and other associated waste water infrastructure elements, identify and evaluate upgrading options, develop an implementation plan and complete associated reporting (hereinafter called the 'Project') and has requested the Consultant to furnish professional services in connection therewith;

AND WHEREAS the Consultant agrees to provide the requested services;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Consultant mutually agree as follows:

ARTICLE 1 - GENERAL CONDITIONS**1.01 Retainer**

The Client hereby retains the services of the Consultant in connection with the Project and the Consultant hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Consultant shall mean professionals and other specialists engaged by the Client directly and whose names are party to this Agreement.

1.02 Services

The services to be provided by the Consultant and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

1.03 Compensation

The Client shall pay the Consultant in accordance with the provisions set forth in Article 3. For purposes of this agreement, the basis of payment shall be as specified in Article 3.

1.04 Staff and Methods

The Consultant shall perform the services under this agreement with that degree of care, skill and diligence normally provided in the performance of such services as contemplated by the Agreement at the time such services are rendered and as required by the Professional Engineers Act (RSO 1990, Chapter P, 28) and regulations therein. The Consultant shall employ only competent staff who will be under the supervision of a senior member of the Consultant's staff.

1.05 Drawings and Documents

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Consultant for the Client, including record drawings, may be used by the Client, for the Project herein described. In accordance with Article 1.06, the Client shall indemnify the Consultant for any loss or damage suffered by the Client or any third parties resulting from any unauthorized use of the documents and deliverables.

1.06 Intellectual Property

All concepts, products or processes produced by or resulting from the Services rendered by the Consultant in connection with the Project, or which are otherwise developed or first reduced to practice by the Consultant in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be considered as Intellectual Property and remain the property of the Consultant.

The Client shall have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Consultant in connection with the Project and for no other purpose or project.

1.07 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Consultant shall keep a detailed record of the hours worked by staff employed for the Project.
- (b) The Client may inspect timesheets and record of expenses and disbursements of the Consultant during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Consultant, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Consultant claims payment under this Agreement.

1.08**Changes and Alterations and Additional Services**

With the consent of the Consultant the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Consultant shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4. In the event that the Client delays the project then the Consultant shall have the right to renegotiate the agreement.

1.09**Suspension or Termination**

Either party may at any time by notice in writing to the other party, suspend or terminate the Services or any portion thereof at any stage of the project. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Consultant shall be entitled to payment in accordance with Section 3.2. for any of the Consultant's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.2.

If the Consultant is practicing as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Consultant to the date of such termination.

1.10**Indemnification**

The Consultant shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees or officers may suffer, to the extent the Consultant is legally liable as a result of the negligent acts of the Consultant, its employees or officers in the performance of this Agreement. Notwithstanding anything to the contrary, the Consultant shall not be responsible for any loss, damage, or liability to the extent arising from any contributing negligent acts by the Client, or its subcontractors, agents, employees or consultants.

The Client agrees to hold harmless, indemnify and defend the Consultant from and against any and all claim, losses, damages, liability and costs of defense arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligent acts of the Consultant in the performance of consulting services to the Client within this project.

Neither party shall be responsible to the other for any special, incidental, indirect, consequential, financial and non-material damages of any kind whatsoever arising out of or related to or arising from said party's obligations under the Agreement or the breach thereof.

1.11**Insurance**

The Client will accept the insurance coverage amount specified in this clause section 1.11 as the aggregate limit of liability of the Consultant and its employees for the Client's damages.

a)**Comprehensive General Liability and Automobile Insurance**

The Insurance Coverage shall be \$2,000,000 per occurrence and in the aggregate for general liability and \$2,000,000 for automobile insurance. When requested the Consultant shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

b)**Professional Liability Insurance**

The Insurance Coverage shall be in the amount of \$2,000,000 per claim and in the aggregate. When requested, the Consultant shall provide to the Client proof of Professional Liability Insurance carried by the Consultant, and in accordance with the *Professional Engineers Act* (RSO 1990, Chapter P. 28) and regulations therein.

c) Change in Coverage

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project then the Consultant shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.2.

It is understood and agreed that the coverage provided by these policies will not be cancelled by the Consultant until thirty (30) days after written notice of cancellation has been delivered to the Client.

1.12 Contracting for Construction

Neither the Consultant nor any person, firm or corporation associated or affiliated with or subsidiary to the Consultant shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

The Consultant shall be entitled at anytime to assign this Agreement to any of its subsidiaries or affiliates upon written notice to client.

1.14 Previous Agreements

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Consultant is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Consultant, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Consultant with such other authority, department of government or agency.

1.16 Principals and Executives

The use of Principals and Executives on a time basis by the Consultant, will be in accordance with Section 1.23.1 (c).

1.17 Sub-Consultants

The Consultant may engage others as sub-consultants for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client plus the cost of the additional insurance incurred by the Consultant for the specialized services.

1.18 Inspection

The Client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Consultant agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20

Confidential Data

The Consultant shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. These obligations of confidentiality shall not apply to information which is in the public domain, which is provided to the Consultant by a third party without obligation of confidentiality which is independently developed by the Consultant without access to the Client's information, or which is required to be disclosed by law or by court order. No such information shall be used by the Consultant on any other project without the approval in writing of the Client.

1.21

Dispute Resolution

- (a) If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety (90) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the province having jurisdiction or by an arbitrator appointed by the agreement of the parties.
- (b) No person shall be appointed to act as mediator or arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Consultant.
- (c) The provisions of *The Arbitration Act*, S.O., 1991, Chapter 17, as amended shall apply.

1.22

Time

The Consultant shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Consultant, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as not to delay the work of the Consultant.

Neither party shall be liable or penalized for delays or failure to perform its services if same is caused directly or indirectly by circumstances beyond a party's reasonable control.

1.23

Estimates, Schedules and Staff List

1.23.1

Preparation of Estimate of Fees, Schedule of Progress and Staff List

When requested by the Client, and where payment is calculated on a time basis, the Consultant shall provide, for approval by the Client:

- (a) An estimate of the total fees to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and hourly rate ranges for staff, Principals and Executives, for which the Consultant will seek payment on a time basis. The Consultant shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Consultant's staff who is to be the liaison person between the Consultant and the Client.

1.23.2

Subsequent Changes in the Estimate of Fees, Schedule of Progress and Staff List

The Consultant will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule of progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and hourly rate ranges of the staff provided under Subsection 1.23.1 (c).

10(c)

- 6 -

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Consultant shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

1.24 Additional Conditions

ARTICLE 2 - SERVICES**2.01 Services to be provided by Consultant**

The Consultant shall carry out the work as outlined in the Request for Proposal issued by the Client, dated January 12, 2010 and attached hereto as Schedule "A" and forming part of this Agreement, and as further outlined in the Proposal prepared by the Consultant and submitted to the Client on February 18, 2010, and Amended Correspondence submitted to the client on November 12, 2010, attached hereto as Schedule "B" and forming part of this Agreement.

2.02 Services to be provided by Client

The Client shall provide the Consultant with:

1. Copies of previous studies/reports related to the study.
2. Access to and the use of existing plans, profiles, utility information, legal documents and correspondence relevant to the Project.
3. Historical operating data and growth projections for future design flows.
4. General direction of the Consultant in the provision of services and approvals within reasonable time as necessary during the currency of this agreement.

The Consultant shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses (1) to (4) hereof, inclusive, as being accurate, in the performance of the Consultant's services under this Agreement.

ARTICLE 3 - FEES AND DISBURSEMENTS**3.1 Definitions**

For the purpose of this Agreement, the following definitions shall apply:

(a) **Cost of the Work:**

- (i) The "Cost of the Work" shall mean the total cost of the Project including all materials, equipment, sales taxes, labour and contractor's overhead and profit, necessary to complete the work for which the Consultant prepares designs, drawings or specifications, for which he is responsible. Where sales taxes are not included in the cost of the work, the fee shall be adjusted upwards by the factor equivalent to the sales taxes. The adjusted fee may be computed to the nearest one-tenth of one percent (1/10%).
- (ii) Wherever the client furnishes labour or other service which is incorporated in the work, the current price of labour or other service when the work was executed shall be used to compute the Cost of the Work.
- (iii) Whenever used materials or equipment is furnished by or on behalf of the Client, the fair market value of such materials or equipment, as though it was purchased new, shall be used to compute the Cost of the Work.
- (iv) In computing the Cost of the Work, no deductions shall be made on account of any penalties or damages claimed by the Client from any contractor or on account of any other sum withheld from any contractor.
- (v) The Cost of the Work shall not include any fees and disbursements due to the Consultant, the Client's engineering and office expenses, or cost of land.

(b) **Site:**

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

3.2 Basis of Payment (STRIKE OUT INAPPLICABLE PARAGRAPHS)**3.2.1 Fees Calculated on a Percentage of Cost Basis**

(Not Applicable)

3.2.2 Fees Calculated on a Time Basis

The Client shall pay the Consultant a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis for all staff shall be hourly rates based on job classifications as follows:

- a) Staff on normal assignments – Payroll Cost multiplied by a factor of 2.0.
- b) Services During Construction:
 - (i) For all services, except for staff full-time continuously on site – Payroll cost multiplied by a factor of 2.0.
 - (ii) For site staff working full-time continuously – Payroll cost multiplied by a factor of 1.7.

For a project of over one (1) year duration, or for projects which become extended beyond one (1) year in duration, the consultant may from time to time seek approval from the client to adjust hourly rates and such approval shall not be unreasonably withheld.

Time Expended

All time expended on the assignment, whether in the Consultant's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to,

stenographic and clerical staff engaged in the preparation of documents such as reports and specifications.

3.2.3 Lump-Sum Fee / Negotiated Fee

3.2.3.1 Lump-Sum Fee Basis

(Not Applicable)

3.2.4 Reimbursable Expenses

In addition to the fee, the Consultant shall be reimbursed at cost plus an administrative charge of 5%, plus the cost of additional insurance incurred by the Consultant, for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, advertising for tenders, overtime premium costs, and the cost of providing and maintaining site offices, supplies and equipment, chemical and physical tests and reproducing specifications and drawing sets.

3.2.4.1 In addition to the fee a communication Information Technology (IT) charge equal to 7.5% of invoiced labour costs will be charged to cover telephone charges, long distance telephone charges, facsimile transmission charges, printing and reproductions, progress photography, special delivery and express charges, postage and IT costs. The IT assessment shall include all information technology resources required for purposes of providing the services contemplated under this agreement, including: computer equipment/systems, computer software, computer supplies, networking (local and wide area), and labour associated with computer management, administration and support. Computer systems include all types of computers, such as: general purpose microcomputers, PC-CADD microcomputers, graphic design workstations, and notebooks. The cost for reproducing specifications and drawing sets shall not be included in this rate.

3.3 Payment

3.3.1 Fees Calculated on a Time Basis

The Consultant shall submit an invoice to the Client for all Services completed in the immediately preceding month. Interest at the annual rate of 12 percent (1 percent monthly) will be paid on the total outstanding unpaid balance commencing 30 days after the Client has received the Consultant's invoice.

3.3.2 Fees Calculated on a Percentage of Cost Basis

(Not Applicable)

3.3.3 Lump Sum Fee/Negotiated Fee

(Not Applicable)

ARTICLE 4 – GENERAL PROVISIONS

- 4.1 **Notices:** All notices under this Agreement shall be in writing. It shall be sufficient in all respects if the Notice is delivered by hand, sent by electronic means of sending messages, including facsimile transmission, which produces a paper record ("Transmission") during normal business hours, or sent by registered mail, postage prepaid, addressed to:

AECOM CANADA LTD.	CITY OF SAULT STE. MARIE
Attn: Rick Talvitie	Attn: Don Elliott
Phone: 705-942-2612	Phone: 705-759-5329
Fax No.: 705-942-3642	Fax: 705-541-7165

or to such other address as either Party shall have designated by written notice to the other Party. Any notice so given shall be deemed to have been given and to have been received on the day of delivery, if so delivered, on the third Business Day (excluding each day during which there exists any interruption of postal services due to strike, lockout or other cause) following the mailing thereof, if so mailed, and on the day that notice was sent by Transmission, provided such day is a Business Day (a Business Day being any day of the week save and except for Saturday and Sunday) and if not, on the first Business Day thereafter.

- 4.2 **Waiver of Rights:** Any waiver of, or consent to depart from, the requirements of any provision of this Agreement shall be effective only if it is in writing and signed by the Party giving it, and only in the specific instance and for the specific purpose for which it has been given. No failure on the part of any Party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right. No single or partial exercise of any such right shall preclude any other or further exercise of such right or the exercise of any other right.
- 4.3 **Applicable Law:** This Agreement shall be governed by, and interpreted and enforced in accordance with, the laws in the Province of Ontario and the laws of Canada, as applicable.
- 4.5 **Entire Agreement, Modifications, Headings, Severability:** The Parties acknowledge that this Agreement constitutes the entire Agreement between them and supersedes all prior representations, warranties, agreements, and understandings, oral or written, between the Parties with respect to its subject matter. Unless stated otherwise in this Agreement, this Agreement may not be modified except in writing signed by both Parties. The headings to this Agreement are for convenience and reference purposes only and shall not constitute a part of the Agreement. If any element of this Agreement is later held to violate the law or a regulation, it shall be deemed void, and all remaining provisions shall continue in force.

[Execution Page Follows]

10(c)

- 11 -

IN WITNESS WHEREOF the parties have executed this Agreement on the date first written above.

AECOM CANADA LTD.

The signatory shall have the authority to bind the corporation for purposes of this Agreement



(Signature)

Brian Jackson

(Name)

Vice President

(Title)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

The signatory shall have the authority to bind the municipality or its agency for purposes of this agreement

MAYOR DEBBIE AMAROSO

CLERK- MALCOLM WHITE

10(c)

SCHEDULE 1

to Memorandum of Agreement
West End Wastewater Treatment Plant

Dated the 13th day of December, 2010 A.D.

1. The estimated fees/upset fee limit for each phase of the project is as follows:

Description	Scope of Work	Estimated Fee	Upset Fee Limit	Estimated Disbursements
Preliminary Design	As per Agreement	N/A	\$120,000	\$10,700

Note:

- (i) Fees excludes taxes.
- (ii) Estimated disbursements included in upset fee limit

2. A range of billing rates for each employee classification is as follows:

Classification	Billing Rate (\$/hour)	Anticipated Staff Allocation to this Project
Senior Engineer	120 - 200	3
Intermediate Engineer	80 - 120	2
Senior Technician	80 - 125	4
Intermediate Technician	60 - 80	3
Support Staff	50 - 70	4

10(c)

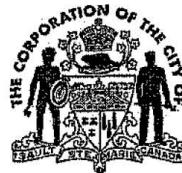
**AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

**Schedule A
Request for Proposal**

10(c)

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

January 12, 2010

RECEIVED

JAN 12 2010

AECOM
Sault Ste. Marie, Ontario

Mr. Rick Talvitie, P. Eng.
AECOM Canada Ltd.
523 Wellington Street East
Sault Ste. Marie, ON P6A 2M4

**Re: Request for Proposal for Consulting Engineering Services
Preliminary Design of Upgrades
to West End Wastewater Treatment Plant**

Please consider this your invitation to submit a formal proposal for the above noted project.
Terms of Reference are enclosed.

Please advise the undersigned if you will not be submitting a proposal for this work.

Yours very truly

A handwritten signature in black ink that reads "Susan Hamilton Beach".

Susan Hamilton Beach, P. Eng.
Land Development & Environmental Engineer

C: Jerry Dolcetti, RPP
Don Elliott, P. Eng.

F:\ENGINEERING DATA\HAMILTON BEACH\West End Plant\Cover Letter - West End RFP 2010 01 12.doc

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1

10(c)

REQUEST FOR PROPOSAL

CITY OF SAULT STE. MARIE WEST END WASTEWATER TREATMENT PLANT UPGRADES PRE-ENGINEERING STUDY

TERMS OF REFERENCE

INTRODUCTION

The purpose of this Request for Proposal is for consulting engineering services for the upgrading of the West End Water Pollution Control Plant. This plant was commissioned as a new secondary treatment plant in 1985 under a large scale Infrastructure Program, which included the diversion of a portion of the City collection system to the new plant. Given that the plant is in its 25th year of operation, it will be beneficial for the City to forecast and schedule necessary capital improvements with the intention of completing them within five to ten years.

BACKGROUND

This plant was commissioned in 1985 and treats approximately one third of the municipal wastewater in the City of Sault Ste. Marie. The existing plant is designed to provide conventional activated sludge treatment for design capacity of 20 megalitres (ML) a day. Municipal wastewater primarily from the westerly area of the city flows to three main lift stations located at 291 John Street (John Street Pump Station), 800 Young Street (Young Street Pump Station) and 55 Allen's side road (Main Station), which directs the flow into the plant. The wastewater flow is measured and recorded prior to screening and degritting. The screened flow is mixed with waste activated sludge from the secondary clarifiers and is directed into the rectangular primary clarifiers for sedimentation. Settled sludge from the primary clarifiers is transferred to holding tanks for dewatering using plate presses, and subsequently hauled from the site to the landfill. The primary effluent is introduced into the rectangular aeration tanks with return activated sludge for biological process. The mixed liquor effluent is dosed with alum to aid in phosphorus removal and is sent to the secondary clarifiers. The effluent is chlorinated between May 1 and October 31 as required in the Certificate of Approval. Prior to discharge into the St. Marys River the effluent is dechlorinated using a sodium bisulphate solution.

SCOPE

It is intended that a two-phased approach be taken for the completion of this study. First, the consultant will evaluate the existing and future potential flows to the plant to determine if there is sufficient capacity for future years. If there is a recommendation to increase the capacity, an Environmental Assessment will be

required. It is the intention of the City to complete the EA under the scope of this study, if required. The second phase of the study will be the pre-design report for the plant upgrades. It shall include an existing conditions assessment and an audit of the energy use at the plant.

The consultant will ensure that all requirements under federal and provincial environmental assessment legislation are met in full.

The scope of the capital upgrades required will be detailed by the consultant in this pre-design report. The City and the PUC (the operator) are aware of certain components requiring upgrading; however, the intention is to address any and all current deficiencies or potential short-term/long-term deficiencies in the operation. It is noted that the plant has been well-operated and maintained throughout its lifespan, and the deficiencies are primarily due to advances in technology and industry trends over the past 25 years. The consultant will make recommendations on all areas including, but not limited to upgrades to the following areas:

- Young Street Pump Station equipment and controls;
- Transmission sewers downstream of Young Street PS including inverted siphon at West Davignon Creek on Allen's Side Road;
- Septage Dump Station - possible storage, screening and degrit works;
- Main Pump Station equipment and controls;
- Inlet Works - improved screening and degritting facilities;
- Sludge Processing - pump systems, storage and dewatering facilities;
- Primary Settling - solids/scum removal, odour control;
- Aeration - compressors and bubblers;
- Secondary clarification equipment, valves and scum collection;
- Disinfection - replacement of disinfection equipment and elimination of chlorination and dechlorination;
- Outfall – condition survey of pipe and diffuser;
- Flow monitoring, including plant by-pass monitoring;
- SCADA – inclusion of all upgrades to current city standards;
- All Buildings – conditions assessment for items such as odour control, HVAC and structural issues.

The report will include a review of design flows and effluent criteria based on consultation with the MOE, in anticipation of the requirements of the new Certificate of Approval, the condition of existing facilities and the estimated cost breakdown. Ongoing contact with the operations staff for pre-design input will be crucial for the success of this report.

DELIVERABLES

The consultant shall provide twenty (20) hard copies of the final pre-design report and one (1) .pdf copy with write-protection enabled.

PROPOSAL REQUIREMENTS

Proposals must be limited to fifteen (15) pages; single sided including appendices and will address the following areas:

- 1) Consulting Team's ability outlining corporate profile in the wastewater treatment industry;
- 2) Relevant past experience on similar projects with particular reference to experience in the design of wastewater inlet works, primary and secondary clarification, aeration, sludge dewatering, disinfection, instrumentation and controls, working in northern Ontario, contract administration and field supervision;
- 3) Qualifications and experience of the Project Manager and key members of the project team, including sub-consultants; with the estimated number of days that each will be committed to the project;
- 4) Detailed proposed work program methodology;
- 5) A detailed schedule recognizing critical deliverables, progress meetings, approvals and timelines;
- 6) A cost estimate with cash flow projections on a quarterly basis for engineering fees and construction costs. The fee schedule will indicate the name, role and rate of pay for each individual assigned to the project. The total cost of the engineering assignment shall be limited by an upset figure which the consultant will include in its proposal for all work up to and including the award of the tender for construction. A separate budget amount should be identified in the event that an EA is required. No further payment will be made above this figure unless authorized in advance by the City. A separate cost may be provided for geotechnical investigations, if recommended. The consultant shall provide budget estimates for contract administration and site inspection services including full and part-time inspection and materials testing.

Proposal submission

Six (6) copies of the proposal will be submitted to:

Mrs. Susan Hamilton Beach, P. Eng.
Land Development and Environmental Engineer
The Corporation of the City of Sault Ste. Marie
Civic Center, P.O. Box 580, 99 Foster Drive
Sault Ste. Marie Ontario P6A 5N1

10(c)

Proposals must be submitted no later than 3:00 p.m. Friday, February 19th, 2010.

Inquiries during the proposal preparation period may be directed to Mrs. Hamilton Beach at (705) 759-5385. All proposals received by the City shall become the property of the City and shall not be returned to the proponent. The content of the proposal and all documentation shall be held in confidence by the City subject only to the provisions of freedom of information and privacy legislation.

CONSULTANT SELECTION

The City reserves the right to reject any or all proposals and the lowest or any proposal will not necessarily be accepted. The consultant will be selected based on evaluation of the proposal utilizing our rating system which considers the requirements mentioned above. A committee composed of City and operations staff will be used in the selection process. Should the selection committee considered it necessary, interviews may be required.

The successful consultant will be required to enter into an Engineering Agreement with the City. The agreement will include the consultant's proposal and these terms of reference.

10(c)

RFP ADDENDUM

PROPOSAL REQUIREMENTS

Proposals must be limited to fifteen (15) pages; single sided including appendices and will address the following areas:

- 1) Consulting Team's ability outlining corporate profile in the wastewater treatment industry;
- 2) Relevant past experience on similar projects with particular reference to experience in the design of wastewater inlet works, primary and secondary clarification, aeration, sludge dewatering, disinfection, instrumentation and controls, working in northern Ontario, contract administration and field supervision;
- 3) Qualifications and experience of the Project Manager and key members of the project team, including sub-consultants; with the estimated number of days that each will be committed to the project;
- 4) Detailed proposed work program methodology;
- 5) A detailed schedule recognizing critical deliverables, progress meetings, approvals and timelines;

6) An engineering fee matrix depicting staff assignments and per diem rates, including time estimates for each staff. An upper limit and an estimate of disbursements should be included for the study.

The successful consultant will provide a budget cost estimate for the recommended upgrade works in the final report.

Proposal submission

Six (6) copies of the proposal will be submitted to:

Mrs. Susan Hamilton Beach, P. Eng.
Land Development and Environmental Engineer
The Corporation of the City of Sault Ste. Marie
Civic Center, P.O. Box 580, 99 Foster Drive
Sault Ste. Marie Ontario P6A 5N1

Proposals must be submitted no later than 3:00 p.m. Friday, February 19th, 2010.

Inquiries during the proposal preparation period may be directed to Mrs. Hamilton Beach at (705) 759-5385. All proposals received by the City shall become the property of the City and shall not be returned to the proponent. The content of

10(c)

**AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

**Schedule B
Proposal**

10(c)

The Corporation of the City of Sault Ste. Marie

**Consulting Engineering Services
Preliminary Design of Upgrades to West End
Wastewater Treatment Plant**

Submitted by:

AECOM
523 Wellington Street East 705 942 2812 tel
Sault Ste. Marie, ON, Canada P6A 2M4 705 942 3642 fax
www.aecom.com

Proposal Number:

04001256.4042.001

Date:

February, 2010

10(c)



AECOM

523 Wellington Street East
Sault Ste. Marie, ON, Canada P6A 2M4
www.aecom.com

705 942 2612 tel
705 942 3642 fax

February 18, 2010

Mrs. Susan Hamilton Beach, P.Eng.
Land Development and Environmental Engineer
The Corporation of the City of Sault Ste Marie
Civic Centre, P.O. Box 580, 99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

Dear Mrs. Hamilton Beach:

Proposal No: 04001256.4042.001

Regarding: Request for Proposal for Consulting Engineering Services for Preliminary Design of Upgrades to West End Wastewater Treatment Plant

Please find attached AECOM's proposal for consideration by the City of Sault Ste Marie to provide consulting engineering services for Preliminary Design of Upgrades to the West End Wastewater Treatment Plant. Our team is excited about the opportunity to work with the City on this important project.

As requested, we have enclosed 6 (six) copies of or submission for your review.

AECOM understands the challenges local governments face when it comes to managing wastewater issues – often with significant resource and budget constraints. Our work for you will always be mindful of these challenges and we believe our proposal offers a unique collaborative approach that will deliver not only practical and feasible outcomes but excellent value for money.

Our team brings local specific knowledge and understanding supported by the technical expertise and experience available to a global firm like AECOM positioning us well to deliver the project to your complete satisfaction.

Thank you for the opportunity to submit this proposal. We look forward to hearing from you in the near future.

Sincerely,
AECOM Canada Ltd.

Rick Talvitie, P. Eng.
Branch Manager

JAsn
Encl.

Table of Contents

Letter of Transmittal

	page
1. Introduction.....	1
1.1 Background	1
1.2 Project Objectives	1
1.3 Scope of Work.....	1
2. Our Corporate Capability	1
3. Relevant Past Experience	2
4. Project Team	3
4.1 Project Management Team.....	3
4.2 Technical Team.....	4
5. Work Plan	6
5.1 Overview of Approach.....	6
5.2 Phase 1 – Capacity Assessment/Project Scoping	6
5.3 Phase 2 – Development of Preliminary Design	6
5.3.1 Field Condition Survey of Existing Facilities.....	6
5.3.2 Facility Process Evaluation.....	7
5.3.3 Preliminary Design Report.....	8
5.4 QA/QC.....	9
5.5 Detailed Workplan.....	9
5.5.1 Project Meetings and Deliverables	11
6. Schedule and Fee Estimate.....	11

List of Tables

Table 1	Senior Technical Team Members	4
Table 2	Phase 1 Capacity Assessment/Project Scoping	9
Table 3	Field Condition Survey	10
Table 4	Evaluation of Upgrade Measures	10
Table 5	Preliminary Design	10
Table 6	Class EA (Optional)	11

Attachments

- A. AECOM Experience Matrix
- B. Schedule
- C. Fee Estimate

1. Introduction

1.1 Background

The West End Wastewater Treatment Plant (WWTP) was commissioned in 1985 and treats approximately one third of the wastewater generated within the City of Sault Ste. Marie (City). Three pumping stations direct wastewater to the plant for treatment. The existing conventional activated sludge plant is approximately 25 years old and the City wishes to assess its capacity and develop a capital works plan for the upgrading of the WWTP in accordance with good asset management practices. The City has recently completed an expansion and upgrade of the East End WWTP, from a primary treatment plant to a BNR secondary treatment plant.

1.2 Project Objectives

The project will proceed in two phases, as follows:

- Phase 1: Process and capacity assessment, to determine whether the plant has adequate capacity to provide for potential future flows and meet regulatory performance requirements. If required, following this assessment, a Class Environmental Assessment will be recommended.
- Phase 2: Physical condition assessment to determine existing deficiencies, and development of a program and pre-design for upgrade and expansion (if required) components, as required, to deliver a plant that can reliably operate and meet performance and capacity needs into the future.

The final deliverable will be a Pre-Design Report, which will provide a road map for capital projects and cash flow projections, with sufficient detail, so that the City can move readily forward into implementing the preferred strategy.

1.3 Scope of Work

The specific areas to be included in this study areas follows:

- Young Street and Main lift stations equipment and controls
- Transmission sewer downstream of Young Street Pumping Station, including inverted siphon on Allen's Side Road
- Septage receiving station
- Inlet (headworks) screens and grit removal
- Sludge processing including pumping and dewatering
- Primary settling, including solids/scum removal and odour control
- Aeration, including blowers and diffusers
- Secondary clarifiers, including valves and scum collection, return sludge and waste sludge pumping
- Disinfection, and potential replacement of chlorination/dechlorination
- Outfall condition survey of pipe and diffuser
- Plant and bypass flow monitoring
- SCADA for all facilities
- HVAC and structures for all facilities
- Health and safety features and compliance with current standards and codes

2. Our Corporate Capability

AECOM (NYSE: ACM, www.aecom.com) is a global provider of professional technical and management support services to a broad range of markets, including transportation, facilities, environmental and energy. With 44,000 employees around the world, AECOM is a leader in all of the key markets that it serves. AECOM provides a blend of global reach, local knowledge, innovation, and technical excellence in delivering solutions that enhance and sustain the world's built, natural, and social environments. AECOM serves clients in more than 100 countries and has annual revenue greater than \$5.2 billion.

In Canada, AECOM has more than 4,000 employees and services the markets of Water, Transportation, Community Infrastructure, Environment and Design. AECOM Canada's Water Sector in Ontario includes more than 600 professionals specializing in municipal water and wastewater systems, with extensive experience in wastewater treatment plant and biosolids planning, evaluation, optimization, technology evaluation; design and construction management. We have completed projects for all of the Regional municipalities and major cities in Ontario and across Canada, as well as numerous smaller municipalities and communities in northern

Ontario. AECOM includes supporting expertise in electrical and mechanical engineering, SCADA, HVAC and structural engineering and architecture, and in operations, specifically to support wastewater and water projects.

This project will be lead from our Sault Ste. Marie office, using staff resources from offices in London, Markham, Kitchener and Hamilton.

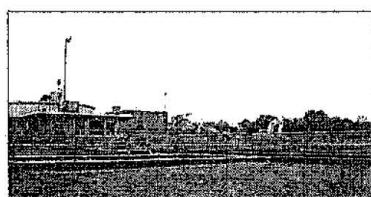
3. Relevant Past Experience

AECOM, through its predecessor companies, has completed evaluations studies, preliminary design, detailed design and construction administration services for a considerable number of the wastewater treatment plants in Ontario. Our experience encompasses all aspects of wastewater treatment including collection, pumping, headworks (screening and grit), preliminary treatment, secondary treatment, tertiary treatment, disinfection, discharge of treated effluent, odour control, as well as solids management including thickening, stabilization, dewatering and disposal. The attached matrix provides a summary of relevant experience in Ontario. A separate list of UV disinfection project experience is also appended.

AECOM has completed Class Environmental Assessments for wastewater treatment projects in the past decade. These projects have ranged from relatively simple Schedule B undertakings to much more complex Schedule C projects, with significant third party (including First Nations) consultation. We have the in-house resources to complete assimilative capacity studies/benthic sampling and effluent dispersion modeling.

Of particular relevance to the City, AECOM recently completed the upgrade and expansion of the East End WWTP from primary treatment to BNR secondary treatment. The project included all of the key aspects of the West End project including headworks, primary treatment, secondary treatment, UV disinfection, solids management and BNR process equipment. In addition to the work at the East End WWTP, AECOM completed the Bellevue CSO tank and upgrades to the Pim Street wastewater pumping station including new pumps, standby power, overflow storage tank and SCADA Upgrades. Through these projects AECOM is intimately familiar with the design standards and performance expectations of the City and your contract operator.

Below, we have highlighted three relevant Ontario wastewater treatment projects, demonstrating AECOM's understanding of condition and process assessment, and the design and construction management aspects in Ontario, relevant to the Sault Ste. Marie West End WWTP assessment and pre-design project.



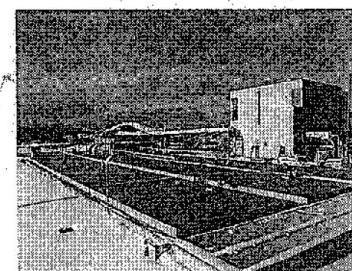
Port Hope WWTP, Municipality of Hope

AECOM conducted a process capacity review and physical condition assessment of the Municipality's wastewater treatment and biosolids management processes. Based on that review, AECOM recommended a plant expansion, with the construction of a new extended aeration plant and biosolids management facility. AECOM was awarded the Schedule C Class EA, detailed design, contract administration and site supervision for the expansion to 11,200 m³/d, valued at \$18 million. A key component of the design

was to locate new units and stage works on the constrained site such that capacity interruptions will not be experienced in the existing plant. Key features of the expanded plant include a new headworks facility; new septage receiving station; new extended aeration facility; effluent pumping station that automatically starts under high flow-high lake level conditions; effluent disinfection consisting of a fully automated chlorination/dechlorination system; aerobic digestion of stabilized biosolids; centrifuge dewatering and on-site cake storage; and a new administration building.

Sault Ste. Marie East End WWTP, Sault Ste. Marie

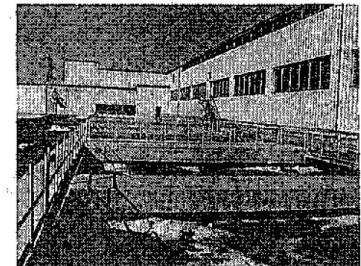
AECOM undertook detailed design, contract administration, and site supervision for upgrades and the provision of secondary treatment for the East End WWTP. The capital cost was approximately \$50



million. The project included decommissioning of the entire facility, except for reuse of one primary treatment tank and addition/upgrades to the sludge dewatering facility for this 54,000 m³/day rated facility. New works include an inlet and screening building, an administration building, an ultraviolet disinfection facility, new electrical supply and the provision of stand-by power, new primary clarifiers, a new odour control system, a new outfall, and the provision of secondary treatment to the plant's rated capacity using the biological nutrient removal (BNR) process.

Thunder Bay Atlantic Avenue WPCP, Thunder Bay

The City of Thunder Bay retained AECOM to upgrade the 120,000 population equivalent Atlantic Avenue WPCP from a primary treatment facility to a secondary treatment facility with UV disinfection. The plant is required to meet the following effluent limits: 15 mg/L BOD, 15 mg/L TSS, 0.5 mg/L phosphorus, 3 mg/L ammonia in the summer and 5 mg/L ammonia in the winter, and 200/100 mL E.coli during the summer. Secondary treatment using biological aerated filter (BAF) technology was constructed. Phosphorus removal is achieved by dosing alum and polymer into the primary clarifiers. Although the design dry weather flow was 84.5 ML/d, the UV system was designed to disinfect up to 169 ML/d (i.e. 2 x DWF). The UV system was designed to hydraulically process 269 ML/d, a flow that occurs very rarely during periods of extreme wet weather.



4. Project Team

We have assembled a project team of exceptionally qualified professionals who are familiar with all aspects of the assessment, design, construction management and operation of wastewater treatment facilities. We have drawn on the most appropriate and qualified resources from within our organization to offer the City a team that is closely aligned with the project requirements.

Our project manager is located in Sault Ste. Marie to provide direct and easy access for City staff. We have also included, to the extent feasible, project resources who were directly involved in the East End WWTP Upgrade and Expansion project as well as the Pim Street Pumping Station.

QA/QC will be provided by senior professionals not directly involved in the project to ensure an independent critical review.

4.1 Project Management Team

A project management team approach is proposed for this project. Rick Talvitie will act as Project Manager, John Armistead will act as Technical Manager, Deborah Ross will act as Project QA/QC Manager and John Myatt will act as Technical Advisor.

All management team members will remain involved on an on-going basis, to provide the City with continuity, and show consistency through the project from beginning to end.

Project Manager – Rick Talvitie, P.Eng.: Mr. Talvitie is a Senior Project Manager and the Branch Manager of the Sault Ste. Marie office of AECOM. Rick will assume the role as the Project Manager. Mr. Talvitie has over 20 years of experience in project management, planning, design and construction management of Environmental, Transportation and Municipal Infrastructure projects in Northern Ontario. Rick is presently the project manager for the City's Biosolids Management Study and the City's Waste Disposal Environmental Assessment. Mr. Talvitie is familiar with the waste water infrastructure within the City through his active involvement in the Bellevue Park and Pim Street CSO's, the East End Water Pollution Control Plant upgrade, various pumping station upgrades and numerous collection system upgrades. Rick has also completed a capacity study for the Thessalon Sewage Lagoon and was the project manager for upgrades to the aeration system in the Chapleau sewage lagoon. Experience and knowledge gained with the EEWPCP upgrades will assist in the procurement of this preliminary design study. Rick will be responsible for attending and chairing project meetings, coordinating and managing the project team, managing the project budget and ensuring the

deliverables meet the City's expectations and AECOM's quality objectives. In addition Rick will lead the Class EA component if it is necessary.

Technical Manager – John Armistead, P.Eng.: Mr. Armistead is a senior project manager and leads AECOM's wastewater practice in southwestern Ontario. He has over 20 years of experience in wastewater treatment for both municipal and industrial clients. His experience encompasses the full range of services from project planning through design, construction and operations. As technical lead John will be responsible for co-ordinating the activities of the multidisciplinary technical staff, establishing workplans, preparation of technical memoranda and reports, and regulatory requirements. John will take a lead role in process capacity assessment and development of approaches for optimizing plant capacity and process design. While located in our London office John has played a leadership role on many of AECOM's large WWTP projects, including technical lead and manager for the liquid stream upgrades and expansion of Peel Region's Clarkson WWTP (headworks and secondary treatment contracts) to 250,000 m³/d. He is also project manager for the Halton Region Southeast WWTP primary treatment upgrades, and a new CEPT facility for Hamilton's Woodward Avenue WWTP, and the new headworks facility for the York-Durham Duffin Creek WPCP. In his role as technical lead and project manager of large projects, John has been responsible for managing and coordinating resources in multiple offices to ensure a seamless delivery to the client.

Quality Manager – Deborah Ross, M.A.Sc., P.Eng.: Ms. Ross has more than 24 years experience in the planning, evaluation, optimization, technology selection and design of wastewater treatment and biosolids facilities. Her role on this project will be Quality Manager, ensuring AECOM's quality standards are adhered to, and to coordinate quality reviews with senior disciplines not directly involved in the project. She recently acted in a similar role for the Mid-Halton WWTP expansion, Port Weller WWTP upgrade project, and the expansion of the new Port Hope WWTP. She will also act as technical lead through the preparation of the preliminary design. Her technical qualifications have been demonstrated, having acted as technical lead for the management of the preliminary design of the \$600 million upgrade and expansion of the Hamilton Woodward Avenue WWTP, the G.E. Booth (Lakeview) WWTP expansion in Peel Region, the Mid-Halton WWTP expansion in Halton Region, and Value Engineering assignments for the \$300 million Duffin Creek WWTP expansion and \$100 million Waterloo WWTP. As a wastewater process specialist, she has completed optimization and capacity rerating studies at dozens of treatment plants across Ontario.

Technical Advisor – John Myatt, P.Eng.: Mr. Myatt is a senior engineer with over 35 years experience in the design and construction of municipal wastewater pumping stations and treatment plants of all sizes, including Berkshire SPS, River Bend SPS as well as several wastewater treatment plant designs for Grimsby, Adelaide PCP, Greenway PCC, Skyway, Acton, and St. Thomas. Most recently John served as technical lead for the East End WWTP Upgrade project and the Pim Street PS Upgrade project. He will bring valuable insight to the project team given his specific local knowledge and familiarity with City standards and objectives. John will serve as technical advisor throughout the project to ensure that the lessons learned on the east End and Pim Street projects are incorporated into the design for the West End WWTP.

4.2 Technical Team

We understand that with the size and scope of this project, it is important to structure our team to ensure focus on each individual plant component, and also to ensure integration of all plant components. The roles and qualifications of each senior team member are provided in Table 1. These senior members will be supported by a talented team of senior engineers and professionals and CAD designers.

Table 1 Senior Technical Team Members

Name, Accreditation, Location	Yrs Exp	Role/ Specialization	Qualifications
Pat Coleman, Ph.D., P.Eng.	19	Senior process specialist energy audit	Whole plant wastewater process specialist with BioWin™ expertise. Experience also includes process/equipment design, operational support, and development of commissioning plans. Pat has a lead role in AECOM's energy management initiatives including energy recovery from effluent. Projects include the City of Hamilton Analysis of Options for Biosolids EA, Region of Waterloo Modeling Assessment, City of Regina Renewable Energy Study and the

Name, Accreditation, Location	Yrs Exp	Role/ Specialization	Qualifications
Ridgeway WWTP EA and Design of new Mechanical WWTP.			
John Pucchio, P.Eng.	19	Senior structural engineer	Structural engineer with a broad range of civil engineering design experience including heavy civil, water-retaining structures, bridges, building structures, marine and hydroelectric works. Involved in many projects in Northern Ontario including the Pim Street PS. John will be responsible for the structural assessment of existing structures and preliminary design of new structures. John will be supported by our local Structural Engineer, Alvin Olar
Michel Vachon, P.Eng.	15	Senior HVAC engineer	HVAC, plumbing and fire systems design specialist with experience at water and wastewater facilities, including the Sault Ste. Marie East End WWTP blower building and Burloak Water Treatment Plant. Michel will be responsible for the assessment of existing HVAC systems and design of new HVAC systems.
Sher Chauhan, P.Eng.	25	Electrical	Electrical engineer with diverse experience in the design and implementation of electrical systems for wastewater and water pumping stations, water treatment plants, wastewater treatment plants, facilities, buildings, hospitals, military installations, and the oil service infrastructure. Sher will be responsible for the assessment of existing electrical equipment and design of new electrical equipment, including standby power.
Alec Cerciumaru, P.Eng.	20	Odour/Noise Air Approvals	Mechanical engineer with experience in air and noise assessments, design of air pollution control systems, including odour. Was lead engineer for the air approvals and odour control systems for the Sault Ste. Marie East End Plant. Other experience includes Duffin Creek, York Peel Odour Control facility, Clarkson WPCP and Woodward Avenue WWTP. Alex will be responsible for assessing odour control requirements, identifying regulatory requirements and design of odour control equipment in addition to air approvals for standby power and other equipment.
Will Dohman, BS,	16	Senior SCADA/I&C engineer	Extensive experience in coordinating the implementation of SCADA, instrumentation and control projects. Experience includes overseeing the SCADA/I&C components for the Sault Ste. Marie East End Upgrade and Pumping station projects, the new Burloak Water Treatment Plant, the Oakville Southeast WWTP upgrades, Skyway WWTP upgrades and the Waterloo WWTP water plant SCADA system.
Dave Wilkinson, B.Arch, OAA, LEED	10	Architectural/LEED™	Experienced in design of buildings with focus on green design. He was the Project Architect for the Walkerton Clean Water Centre, the Administration Building at the Waterloo WWTP and the Kitchener WWTP administration building design.
Neil Awde, P.Eng.	10	Hydraulics	Will be responsible for establishing the hydraulic profile for the WWTP and outfall. Developed hydraulic profile for the East End WWTP as well as many other WWTP and pumping station projects including the Woodward WWTP and Clarkson WWTP.
Karl Grueneis	15	Class EA (if required)	Has directed/been involved in various municipal infrastructure environmental assessment planning projects including over 200 projects. Will be responsible for planning and executing a project specific Class EA program (if required). Will lead public and agency consultation and documentation of the process.
Brian Richert, P.Eng.	15	Collection System Hydraulics	Senior Hydrotechnical Engineer with AECOM and has been involved in many of our major modeling, sewerage system and facility assessment projects throughout Eastern Canada and the U.S. including projects in Miami, Seattle and Connecticut. Brian will lead the hydraulic modeling/assessment of the collection system and siphon.

We have added Porpealia Repair to our team to complete the external outfall inspection. Dave Porpealia is a local diver who is familiar with the outfall having performed a previous inspection.

5. Work Plan

5.1 Overview of Approach

This section identifies the methodologies and general approaches that we will apply to ensure successful completion of this project. Our strategy will be to involve City and operations staff in key decisions throughout the project. To facilitate your input, we have proposed to have two interactive workshops, one following the initial capacity assessment and one following the preliminary evaluation of design concepts. In addition, Technical Memoranda will be prepared at key stages to ensure that the City is fully informed, and to solicit regular feedback.

5.2 Phase 1 – Capacity Assessment/Project Scoping

Following project award, we will convene a Project Initiation Meeting with the City to review our work program, schedule and fees. In addition, at that meeting we will review the City's objectives, design basis and establish procedures/requirements for collecting data/information. Following that meeting, we will refine the work program to incorporate elements of interest to the City not specifically identified in our proposal.

A list of background documents critical to the success of the project will be identified and arrangements will be made for AECOM to obtain copies, as required. Before or after the meeting, we will also arrange for our senior team members to visit the project facilities.

Based on a review of background information, and considering the City's planning projections, the need for an expansion of the West End WWTP will be assessed. A meeting will be convened with the MOE to confirm the probable effluent requirements, Schedule of Class EA and any other key issues that should be addressed in the study.

Technical Memorandum (TM) No.1 will be prepared establishing the overall project objectives, schedule, key design parameters (odour control, tank covers, level of SCADA, effluent objectives, biosolids management, BNR, septage management etc.). If the next phases of the project will be completed within the scope of a Class EA, then TM No.1 will also include additional tasks that would be completed, including public and agency consultation, as required to meet the appropriate EA Schedule. The output from Phase 1 will establish the high level planning for subsequent phases.

In accordance with the RFP we have not included a specific Class EA component. AECOM is fully aware of the requirements of the Class EA process and additional Federal requirements, if funding is obtained. If the assessment of future flows indicate that a capacity expansion of the West End WWTP is required, then a Class EA will be required. If the plant can be 'rerated' without major construction, then a Schedule B EA will be required; whereas, if any unit process needs to be expanded, then a Schedule C EA will be required. Regardless of the schedule, if the plant needs to be expanded, an assimilative capacity study will be required to document the higher discharge to the environment. In addition, some level of consultation with the public and review agencies will be required, as dictated by the EA schedule.

It can also be noted that expansion of or new standby power facilities, or flow equalization, would require planning under a Schedule B Class EA; although the scope of this EA is not significant.

AECOM will work with the City to establish an appropriate workplan and budget. As a minimum any Class EA workplan will include a comprehensive public and regulatory agency consultation program, problem statement, environmental studies, evaluation of alternatives and documentation.

5.3 Phase 2 – Development of Preliminary Design

5.3.1 Field Condition Survey of Existing Facilities

A field assessment of all facilities will be conducted by all key discipline staff. Prior to the field assessment data collection templates will be prepared to facilitate consistent and comprehensive documentation in the field. Each discipline lead will assess the relevant facilities, taking into consideration condition, age of equipment, performance, reported maintenance history, current codes, etc. Digital pictures will be taken to document conditions and facilitate later review.

Following the field assessment, draft **Technical Memorandum No.2** will be prepared. The draft TM No.2 will document existing condition and identify areas of concerns (structural, equipment age relative to life expectancy etc.). The draft will be used as an outline for Workshop No.1. The findings of the field assessment will be presented at Workshop No.1. The purpose of the workshop is to provide City and operations staff with an opportunity to comment on the field assessment and provide additional insight based on their knowledge of the systems. Following the workshop TM No.2 will be finalized and will serve as the basis for the conceptual design. A separate **Technical Memorandum (TM No.3)** will be prepared to address the evaluation of the siphons.

5.3.2 Facility Process Evaluation

AECOM will identify and evaluate alternative measures to address deficiencies identified in TM No.2. A hydraulic profile will be developed and will be instrumental in performing the analysis and identifying potential impacts of any increased capacity or process changes (especially screening and disinfection). The evaluation will consider energy efficiency, ability to integrate into the existing facilities, operational and maintenance requirements, and capital and operating costs. Conceptual layouts and budgetary costs will be prepared.

Draft **Technical Memorandum No. 4** will be prepared to present the alternatives, advantages, disadvantages and costs, and preliminary recommendations. The TM No.4 will be used as background for Workshop No.2. The purpose of the workshop is to provide City and operations staff with an opportunity to comment on the various design concepts and provide additional insight based on your knowledge of the systems. Following the workshop, TM No.4 will be finalized and will serve as the basis for the Preliminary Design Report.

Based on our understanding of the facilities, we have identified some potential considerations, which will be flushed out during the project, as follows:

- Young Street and Main pumping stations equipment and controls – We will review condition, remaining life and capability of existing pumping equipment and pipes/valves. We will also assess electrical equipment condition and identify replacement, if required depending on age, availability of spare parts and compatibility with new equipment. HVAC systems will be reviewed with respect to compliance with current regulations and operator safety practices. We will assess standby power requirements, the potential to replace worn pumping equipment with new pumps and motors, by-pass management, and potential for and provide additional storage and/or monitoring if required. In addition, upgrades to SCADA will be considered as required to incorporate any new equipment.
- Transmission sewer downstream of Young Street PS, including inverted siphon on Allen's Side Road – We will assess the condition of the existing trunk sewer and siphon considering operational problems. We will review City supplied CCTV inspections and complete hydraulic modelling as necessary to trouble shoot problems
- Septage receiving station – The existing system includes a ball valve that is operated by a card reader. The ball valve freezes in the winter and there is no storage or processing capabilities at the station. The Plant Operators have concerns with plant loadings particularly during the summer months. We will assess the operation of the existing station, quantify discharges, identify impacts to the plant operations and consider upgrades including storage, screening grit/rock removal, flow monitoring and sampling.
- Inlet (headworks) screens and grit removal – Opportunities to improve screening performance will be considered, through use of screens with smaller openings, considering type of equipment and ability to fit in existing headworks structure. Screenings conveyance and washing/compacting technologies will also be evaluated. For the vortex grit removal system, we will assess capacity, condition and performance, and review operations and maintenance issues with operating staff to determine if changes should be made to the fluidization system (air/water), valves (type of valve, operation), grit pumping (pump type, controls) classifier (capacity, pre-thickening) and grit dewatered grit transport. Consideration will also be given to screenings and grit storage and disposal.
- Sludge processing pumping and dewatering – The existing plate and frame dewatering technology is labour intensive and subject to frequent maintenance. Most municipal systems employ alternative technologies. Alternative technologies include belt presses and centrifuges (as installed at the East End WWTP). The review will take into consideration the outcomes of the Biosolids Management Plan for disposal. Any sludge dewatering upgrade may also include changes to pumping and transport systems.
- Primary settling, solids/scum removal and odour control – Existing primary clarifiers employ bridge type sludge collection equipment. We will consider replacement with chain and flight system to reduce

- maintenance and provide opportunity to cover tanks for improved odour management. The potential to improve primary sludge pumping through use of improved pumping controls and sludge density meters will be considered. This has been shown to reduce the volume of sludge generated (and hence downstream equipment requirements).
- Aeration, blowers and diffusers –Replacing existing PD blowers with centrifugal or high speed turbine blowers will be assessed, with a goal to improve efficiency and range of operation so that improved dissolved oxygen (DO) control can be implemented, to take full advantage of new DO probes. Replacement of the existing diffuser system with new fine bubble diffuser system will also be considered to improve energy efficiency.
 - Secondary clarifiers, valves and scum collection – We will review the operation of sludge pumping within the secondary treatment system, considering the use of automated valves and/or VFD's on the pumps to allow improved control of both RAS and WAS processes. The scum collection system will be reviewed to identify opportunities to improve scum collection and transport, through scum trough installation, the possibility of automating scum troughs, scum storage and potential heating of selected components.
 - Disinfection – Replacement of chlorination/dechlorination with a new UV disinfection system will be evaluated. Given the size of the system, and the need to minimize head loss, a low pressure-high output system would most likely be appropriate. Since the plant does not have an existing chlorine contact tank, the UV equipment will have to be installed in a new tank. Special consideration will be given to headloss requirements and the potential need for either continuous or storm event only effluent pumping based on the hydraulic profile and headloss in the existing outfall.
 - Outfall – A diver will inspect the external condition of the outfall pipe and diffuser. The dive will include an audio narrative and video inspection of the submerged portion of the pipe (to confirm cover, assess any obvious structural failures) and the diffuser itself. We will also engage a specialist subconsultant to conduct an internal investigation if feasible. A workplan will be developed and presented to the City for approval.
 - Flow monitoring including by-pass – The recommended upgrades will include appropriate flow monitoring, through the use of appropriate measurement equipment to permit compliance monitoring as well as to provide information for the best operation and monitoring of the facility.
 - SCADA – Upgrades to SCADA for all facilities will be identified, to incorporate recommended equipment and instrumentation upgrades, and to be consistent with the City SCADA standards and remote monitoring requirements. AECOM knows your standards, having designed and implemented the existing system at the East End WWTP and collection system Pumping Stations.
 - HVAC –Adequate ventilation is important for equipment protection and to create a safe working environment for operations staff. However, excessive ventilation can be one of the highest energy draws, sometimes exceeding process requirements. We will review HVAC requirements for every structure and determine the most appropriate requirements on a case by case basis. We will assess the potential for automatic seasonal (temperature dependant) control of ventilation rates as well as occupancy selectable recirculation of air.
 - Structural condition – Given the age of the facilities, significant structural issues are not expected. Our structural engineer will recommend areas for rehabilitation. Where new equipment or tankage is proposed, a structural review will be conducted to identify potential impacts on existing structures.
 - Electrical/Standy Power – The facilities are generally 25 years old. Replacement of electrical equipment is usually considered when the electrical equipment is about 30 years old. The decision to replace any existing equipment will be made based on condition of equipment, need to service new equipment, technology used, reliability and the availability of spare parts. While not specifically mentioned in the RFP AECOM will review the need for upgrading or upsizing standby power. This is particularly true where pumping capacity is increased, to reduce potential by-passes and for UV disinfection. Consideration will be given to full plant standby power as was implemented at the East End WWTP. The implementation of standby power may trigger a Schedule B Class EA.

5.3.3 Preliminary Design Report

Based on the Workshops and Technical Memoranda we will prepare a Preliminary Design Report that will accurately define the project so that the City will have accurate costs and can move forward with a staged capital plan to implement the works on a priority basis. The Preliminary Design Report will include:

- Process design criteria for each process and pumping station, including average/peak capacity and performance objectives

- Site layout, plans and sections for new equipment/buildings/tankage
- Hydraulic profile
- Systems inventory including process sizing for existing as well as new equipment and instrumentation
- Process operating philosophy including key monitoring and control
- A construction sequencing plan identifying how works can be implemented while maintaining operations
- Preliminary cost breakdown
- Cash flow projection
- Condition survey of outfall
- Energy implications and opportunities for recovery
- Regulatory approvals required.

A draft Preliminary Design Report will be submitted to the City for review. We anticipate at least one project status meeting during development of the Preliminary Design Report and one project status meeting at the conclusion of the Preliminary Design Report.

5.4 QA/QC

AECOM is committed to Total Quality Management. Quality Management is a continuing process throughout the life of the project and our Project Team is committed to achieving the highest possible standards of design. For this project we have assembled a Quality Assurance Control Team led by Deborah Ross and composed of experienced engineers.

AECOM is ISO 9000 certified, and our QA/QC procedures meet these requirements. Our company manual clearly defines the course of approvals, actions and responsible staff. We enact our stringent guidelines in addition to any QA/QC program outlined by our clients.

We rely on continued input and review from knowledgeable, senior individuals to maintain high standards during both the design and construction phases. As such, we have assigned an experienced QA/QC coordinator and QA/QC team and have identified these staff on the organization chart.

5.5 Detailed Workplan

Table 2 summarizes a detailed work plan for completion of work associated with Phase 1 of the project.

Table 2 Phase 1 Capacity Assessment/Project Scoping

ACTIVITIES
Task 1 - Project Initiation Meeting
<ul style="list-style-type: none"> • Meeting with City • Confirm and obtain all background information for the project. • Confirm work program, budget, and schedule with the City. • Confirm project objectives, constraints, priorities and design criteria. • Preliminary Site Visits to facilities
Task 2 – Capacity Assessment
<ul style="list-style-type: none"> • Obtain historical operating data from the City and growth projections for future design flows • Compare loading with MOE design criteria/CofA requirements on process by process basis • Establish required capacity for short and long term needs
Task 3 – MOE Meeting
<ul style="list-style-type: none"> • Preconsultation meeting with MOE • Confirm Class EA and approvals requirements
Task 4 – Technical Memorandum No.1
<ul style="list-style-type: none"> • Confirm work program and schedule, project/design objectives, Class EA and approvals requirements, field condition assessment work program • Confirm project/design objectives.

Tables 3 to 6 identify our detailed work plan for completion of work associated with development of the preliminary design.

Table 3 Field Condition Survey

TECHNICAL ACTIVITIES	
Task 1 – Field Condition Survey	
• Discipline leads conduct field survey of each facility.	
• Document Information on standard templates.	
• Subconsultant inspection of outfall (timing to be dependant on season/weather).	
• Compare conditions to regulatory requirements, typical life expectancy, current standard practices/codes	
• Prepare Preliminary Technical Memorandum No.2	
• Assess trunk sewer and siphon installations relative to performance expectation and future operational requirements	
• Prepare Technical Memorandum No. 3 presenting hydraulic analysis of siphon and trunk sewer recommending any modifications to improve performance/reliability	
Task 2 – Condition Survey Workshop	
• Present field condition survey results to City and operations staff.	
• Document feedback and new information regarding performance, reliability, safety, maintenance history etc.	
• Establish basis for upgrading of facilities – Including priority.	
Task 3 – Technical Condition Survey Memoranda	
• Review workshop outcomes with City Staff	
• Update and finalize Technical Memoranda No. 2 and No. 3	

Table 4 Evaluation of Upgrade Measures

TECHNICAL ACTIVITIES	
Task 1 – Identification of Upgrade Alternatives	
• Identify alternatives for upgrading on a process by process basis.	
• Evaluate alternatives considering performance requirements, constructability, operating requirements, reliability, compatibility with existing facilities, lifecycle cost.	
• Prepare preliminary Technical Memorandum No.4 documenting alternatives.	
Task 2 – Conceptual Design Workshop	
• Present conceptual alternatives evaluation to City and operations staff at Workshop No.2.	
• Document feedback/new information regarding performance, reliability, safety, maintenance history etc.	
• Confirm basis for upgrading of facilities – including priority.	
Task 3 – Technical Memorandum No. 4	
• Finalize Technical Memorandum No.4 describing recommended upgrades and approach to implementation including budgetary cost estimates and initial cash flow projections.	
• Review with City staff	
• Finalize and use as basis for Preliminary Design	

Table 5 Preliminary Design

TECHNICAL ACTIVITIES	
Task 1 – Preliminary Design	
• Hydraulic Profile.	
• Equipment Sizing and Layout	
• Plan and Section Drawings	
• Prepare Process Control Philosophy	
• Prepare Energy Audit for Existing and New	
Task 2 – Capital Cost	
• Equipment quotations	
• Capital Cost Estimate	
• Life Cycle Costing, Cash Flow Projection	
Task 3 – Report/Meetings	
• Draft Preliminary Design Report (90%)	
• Review Meeting with City staff	

TECHNICAL ACTIVITIES

- Final Preliminary Design Report

Table 6 identifies our detailed work plan for completion of work associated with Conducting a Schedule B Class EA (Optional).

Table 6 Class EA (Optional)

TECHNICAL ACTIVITIES	
Task 1 – Phase 1 Identify Problem/Opportunity	
• Meeting with City.	
• Confirm Problem/Opportunity Statement	
• File Notice of Project	
• Notify Agencies, First Nations etc.	
Task 2 – Phase 2 Alternative Solutions	
• Constraints and issues identification	
• Conduct an environmental review	
• Identify impacts of alternative planning solutions and property impacts	
• Evaluate alternative solutions.	
• Meeting with City	
• Select a preferred solution.	
• Identification of mitigation measures	
• Public Information Centre	
• Meeting with MOE	
Task 3 – Report/Meetings	
• Preparation of Draft Environmental Screening Report	
• Meeting with City	
• File Notice of Completion/ Environmental Screening Report	
• Finalize Environmental Screening Report	

5.5.1 Project Meetings and Deliverables

The following tables summarize the proposed project meetings, and project deliverables for completion of our workplan.

Project Meetings/Workshops	Project Deliverables
Meeting No.1 – Project Initiation Meeting	Technical Memorandum No.1
Meeting No.2 – MOE Meeting	Preliminary Draft Technical Memorandum No.2 and 3
Workshop No.1 – Condition Survey/Design Basis	Technical Memorandum No.2
Meeting No.3 – Review of TM No.2 and TM No.3	Technical Memorandum No.3
Workshop No.2 – Conceptual Alternatives Review	Preliminary Draft Technical Memorandum No.4
Meeting No.4 – Review TM No. 4	Technical Memorandum No.4
Meeting No.5 – Preliminary Design Status Meeting	Outfall Condition Survey (including videotape)
Meeting No. 6 – Presentation of Preliminary Design	Draft Preliminary Design Report
	Final Preliminary Design Report – 20 hard copies and 1 electronic (PDF)

Unless otherwise note we will provide 3 hard copies, 1 electronic (PDF) copy of all deliverables.

6. Schedule and Fee Estimate

A copy of our proposed schedule is presented in Figure 1 (appended). The schedule is based on a start date of March 15, 2010. We have allowed approximately 3 months to complete the background data collection and analysis and 5 months to complete the Evaluation and Preliminary Design. These timelines do not allow for the additional activities that would be required for a Class EA. If a Schedule B Class EA is required then the timelines will be extended by 3 to 4 months. If a Schedule C Class EA is required then these timelines will be extended by approximately 6 months. The project will be completed in time to support year end budget planning for 2011 and beyond.

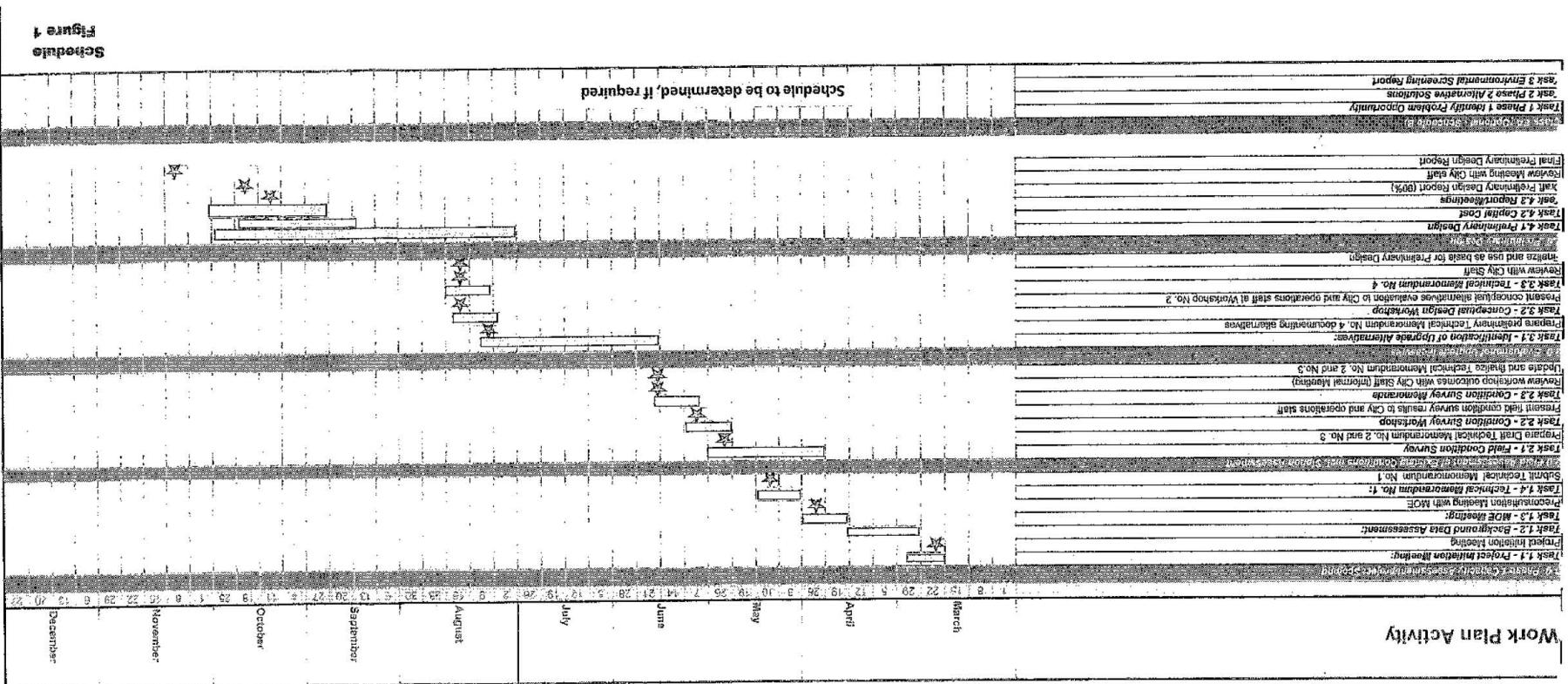
We have provided our fee estimate for completion of the works as describe above in Figure 2. Billing rates are also included in Figure 2. We propose to complete the work for an upset limit of \$199,600, excluding GST, any Class EA requirements and the internal inspection of the outfall. We suggest that an allowance of \$10,000 be carried for the internal inspection of the outfall. This value will be finalized with the City once the scope of work is better defined. We have not included for any field testing or sampling.

Invoicing will be monthly based on time spent in the previous month, in accordance with the standard MEA agreement. Normal disbursements will be marked up by 10%. Sub-consultants will be marked-up by 5% to cover administrative and insurance costs. These costs are reflected in the fee schedule.

We have included, as a provisional item, for the cost of a Schedule B Class EA. This fee estimate is based on our expectation of requirements which will need to be confirmed during the initial study phases. We have not included for a Schedule C Class EA or for an assimilative capacity study as it is our understanding that a capacity expansion is not anticipated. The costs for these items are project specific and can only be determined once the scope of work has been finalized.

Work Plan Activity

The Corporation of the City of Salt Lake City
Request for Proposals for Continuing Engineering Services
Permitary Design of Bridges to
West End Waterway Treatment Plant



10(c)



Work Plan Activity

**The Corporation of the City of Sainte-
Marie
Request for Proposal for Consulting Engineering Services
Preliminary Design of Upgrades to
West End Wastewater Treatment Plant.**

10(c)



AECOM
523 Wellington Street East
Sault Ste. Marie, ON, Canada P6A 2M4
www.aecom.com

705 942 2612 tel
705 942 3842 fax

November 12, 2010

Mrs. Susan Hamilton Beach, P. Eng.
City of Sault Ste. Marie
Engineering Department
99 Foster Drive, 5th Floor
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mrs. Hamilton Beach:

Project No: 04001256

**Regarding: Preliminary Design of Upgrades to West End
Wastewater Treatment Plant**

This correspondence has been prepared as a follow-up to our meeting conducted on September 2, 2010 and to confirm the proposed scope of work, budget and timing to complete the above referenced study. We have also reviewed the WEWPCP Operations Manual that was provided to us on November 10th to identify any reference material that may be of assistance to us in carrying out this assignment.

Background

AECOM responded to an RFP to provide engineering services to assess the capacity of the West End Water Pollution Control Plant (WEWPCP), complete a condition assessment of the plant components and other associated waste water infrastructure elements, identify and evaluate upgrading options, prepare a preliminary design for the proposed upgrades, develop an implementation plan and complete associated reporting.

The submitted fee estimate for the work was \$199,600 exclusive of any possible Class EA requirements. Following the submission of proposals, a decision was reached by City staff to defer some components of the study and ultimately reduce the budget for this assignment.

Discussion

Following our review of the proposed scope and budget, included in our proposal submission, we believe it will be possible to reduce the budget significantly and still deliver the most important elements of this study. Our proposed approach is to eliminate several components that have not

experienced operational problems and to identify required upgrading and advance the design to a conceptual level in lieu of taking the proposed upgrades to a preliminary design level.

We are proposing to eliminate the inspection and assessment of the outfall and two siphons which are not known to have any operational problems at this time. The scope of the structural inspection and assessment will also be reduced to address specific deficiencies that are known to operations staff. There are no known significant structural issues at this time and given the age of the plant they would not be expected. In addition we are proposing to eliminate Task 4.0 included in our proposal which provides for the preliminary design of proposed upgrades. Although this task will be eliminated, the City will still be provided with a list of recommended upgrades, estimated costs and a proposed implementation schedule.

Proposed Fee Budget

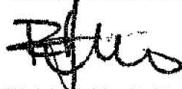
Based on the foregoing we are prepared to reduce the overall fee budget for this assignment to \$120,000 excluding the HST.

Proposed Timing

We are prepared to initiate work once authorization is received. We will complete the capacity assessment and condition assessments within three months and will complete the study within six months of award.

We look forward to initiating work on this important study. Should the proposed scope and fee revisions be acceptable we will prepare a DRAFT engineering agreement for your consideration.

Sincerely,
AECOM Canada Ltd.



Rick Talvitie, P. Eng.
Branch Manager

RT:nm

cc: John Armistead

(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-174

APPOINTMENT: (A.3.2.) A by-law to appoint Nuala M. Kenny as City Solicitor.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, 2001, c. 25 **ENACTS** as follows:

1. **APPOINTMENT – CITY SOLICITOR**

Nuala M. Kenny is hereby appointed City Solicitor.

2. **EFFECTIVE DATE**

This by-law becomes effective on February 1, 2011.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

on//Bylaws\\2010\\2010-174Appt City Solicitor

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2010-178

APPOINTMENT: (A.3.2.) A by-law to appoint Melanie Borowicz-Sibenik as Assistant City Solicitor.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, 2001, c. 25 **ENACTS** as follows:

1. **APPOINTMENT – ASSISTANT CITY SOLICITOR**

Melanie Borowicz-Sibenik is hereby appointed Assistant City Solicitor.

2. **EFFECTIVE DATE**

This by-law becomes effective on January 1, 2012.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

on://Bylaws\2010\2010-178Appt Assistant City Solicitor

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-176

FINANCING: (F.I.2.) - A by-law to authorize the borrowing of \$10,000,000 to meet current expenditures until taxes are collected.

WHEREAS the Council of The Corporation of the City of Sault Ste. Marie deems it necessary to borrow the sum of \$10,000,000 to meet, until the taxes are collected, the current expenditures for the year 2011; and

WHEREAS the total amount of the estimated revenues of the Corporation for the year 2010, not including revenues derived or derivable from the sale of assets, borrowings or issues of debentures or from a surplus, including arrears of taxes and proceeds from the sale of assets, is estimated to be in excess of \$168,000,000.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to Subsection 407 of the Municipal Act, 2001, chapter M.45 and amendments thereto, ENACTS as follows:

1. The Mayor and the Treasurer are hereby authorized, on behalf of the Corporation, to borrow from time to time by way of promissory note from the City's Banker or any person, a sum or sums not exceeding \$10,000,000 to meet, until the taxes are collected, the current expenditures of the Corporation for the year, including the amounts required for the purposes mentioned in Subsection 407 of the Municipal Act, 2001 and to give on behalf of the Corporation to the Bank or lender, a promissory note or notes, sealed with the corporate seal and duly signed for the moneys so borrowed, with interest, which may be paid in advance or otherwise, with interest at the Bank's prescribed lending rate or other persons' lending rate from time to time.
2. All the sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank or lender for any or all of the purposes mentioned in the said Subsection 407 shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.
4. This by-law is effective January 1st, 2011.

PASSED in open Council this 13th day of December, 2010.

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

10(f)

Schedule to By-law 2010-176



ONTARIO
MUNICIPAL CORPORATIONS
TEMPORARY BORROWING BY-LAW

E-FORM 348 (04/2009)

(FOR BANK USE ONLY)

S.R.F. No.: 763-796-414

The CORPORATION OF THE CITY OF SAULT STE. MARIE (the "Municipality") By-law No. 2010-176 being a by-law to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2010.

WHEREAS Section 407 of the *Municipal Act, 2001*, as amended, provides authority for a council by by-law to authorize the head of council or the treasurer or both of them to borrow from time to time, such sums as the council considers necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the year; and

WHEREAS the total amount which may be borrowed from all sources at any one time to meet the current expenditures of the Municipality, except with the approval of the Municipal Board, is limited by Section 407 of the *Municipal Act, 2001*;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE ENACTS AS FOLLOWS:

1. The head of council or the treasurer or both of them are hereby authorized to borrow from time to time during the fiscal year (hereinafter referred to as the current year) such sums as may be necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the current year.
2. The lender(s) from whom amounts may be borrowed under authority of this by-law shall be Royal Bank of Canada and such other lender(s) as may be determined from time to time by by-law of council.
3. The total amount which may be borrowed at any one time under this by-law plus any outstanding amounts of principal borrowed and accrued interest under Section 407 together with the total of any similar borrowings that have not been repaid, shall not exceed from January 1st to September 30th of the current year, 50 percent of the total estimated revenues of the Municipality as set out in the budget adopted for the current year, and from October 1st to December 31st of the current year, 25 percent of the total of the estimated revenues of the Municipality as set out in the budget adopted for the current year or \$ 1000000., whichever is less.
4. The treasurer shall, at the time when any amount is borrowed under this by-law, ensure that the lender is or has been furnished with a certified copy of this by-law, (a certified copy of the resolution mentioned in section 2 determining the lender,) if applicable, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any other amounts borrowed from any and all sources under authority of section 407 of the *Municipal Act* that have not been repaid.
5. a) If the budget for the current year has not been adopted at the time an amount is borrowed under this by-law, the statement furnished under section 4 shall show the nature and amount of the estimated revenues of the Municipality as set forth in the budget adopted for the previous year and the nature and amount of the revenues received for and on account of the current year.
b) If the budget for the current year has not been adopted at the time an amount is borrowed under this by-law, the limitation on borrowing set out in section 3 shall be calculated for the time being upon the estimated revenues of the Municipality as set forth in the budget adopted for the previous year less all revenues received for and on account of the current year.
6. For purposes of this by-law the estimated revenues referred to in section 3, 4, and 5 do not include revenues derivable or derived from, a) any borrowing, including through any issue of debentures; b) a surplus, including arrears of taxes, fees or charges; or c) a transfer from the capital fund, reserve funds or reserves.
7. The treasurer be and is hereby authorized and directed to apply in payment of all or, any sums borrowed under this by- law, together with interest thereon, all or any of the moneys hereafter collected or received, either on account of or realized in respect of the taxes levied for, the current year and previous years or from any other source, that may be lawfully applied for such purpose.
8. Evidences of indebtedness in respect of borrowings made under section 1 shall be signed by the head of the council or conform to the treasurer or both of them.
9. The Bank shall not be responsible for establishing the necessity of temporary borrowing under this by-law or the manner in which the borrowing is used.
10. This by-law shall take effect on the final day of passing.

Enacted and passed this 13th day of DECEMBER, 2010.

Mayor – Debbie Amaro | City Clerk – Malcolm White

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-177

FINANCING: (F.1.2.) – A by-law to authorize the borrowing of \$15,000,000 to finance capital expenditures for short and long term purposes for The Corporation of the City of Sault Ste. Marie and \$6,200,000 for the Public Utilities Commission of the City of Sault Ste. Marie.

WHEREAS Section 401 of the Municipal Act, 2001 states a municipality may borrow money or incur a debt for municipal purposes and may issue debentures for the money borrowed or for the debt; and

WHEREAS the Council of The Corporation of the City of Sault Ste. Marie deems it necessary to borrow the sum of \$15,000,000 for short and long term purposes, the capital expenditures of the Corporation under its construction by-laws shown on Schedule "A" hereto; and

WHEREAS the Public Utilities Commission of the City of Sault Ste. Marie deems it necessary to borrow the sum of \$6,200,000 for short and long term purposes, the capital expenditures of the Public Utilities Commission of the City of Sault Ste. Marie are shown in Schedule "B" hereto; and

WHEREAS the total amount of the estimated revenues of the Corporation for the year 2010 not including revenues derived or derivable from the sale of assets, borrowings or issues of debentures or from a surplus, including arrears of taxes and proceeds from the sale of assets is estimated to be in excess of \$168,000,000.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie hereby ENACTS as follows:

- I. The Mayor and the Treasurer are hereby authorized on behalf of the Corporation to borrow from time to time by way of promissory note from the City's Banker or any person a sum or sums not exceeding \$15,000,000 for short and long term purposes to finance the capital expenditures of The Corporation of the City of Sault Ste. Marie under its construction by-laws as shown on Schedule "A" hereto, which schedule forms part of this by-law, and to give on behalf of the Corporation to the Bank or lender a promissory note or notes sealed with the corporate seal and duly signed for the moneys so borrowed with interest which may be paid in advance or otherwise, with interest at the bank's prescribed lending rate or other persons' lending rate from time to time.
2. The Public Utilities Commission of the City of Sault Ste. Marie is hereby authorized to borrow from time to time by way of promissory note from the City's Banker of any person a sum or sums not exceeding \$6,200,000 for short and long term purposes to finance the capital expenditures of the Public Utilities Commission of the City of Sault Ste. Marie as shown in Schedule "B" hereto, which schedule forms part of this by-law, and to give on behalf of the Corporation to the Bank or lender a promissory note or notes sealed with the corporate seal and duly signed for the moneys so borrowed with interest which may be paid in advance or otherwise with interest at the bank's prescribed lending rate or other persons' lending rate from time to time.

10(g)

- 2 -

3. All sums borrowed pursuant to the authority of this by-law as well as all other sums borrowed by the Corporation in this year and in previous years from the said Bank or lender and remaining unpaid shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years as and when such revenues are received.
4. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.
5. Long term purposes is defined as a loan with a fixed rate and term.

PASSED in open Council this 13th day of December, 2010.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

staff/index/by-laws2010/2010-177/on

10(g)

Schedule A to By-law 2010-177
The Corporation of the City of Sault Ste. Marie

Financial Information at
December 13, 2010

<u>Construction By-law</u>		<u>Estimated Capital Expenditure</u>
2005-128	Constr. of New Arena - Sports Entertainment Centre - City Funding - Federal/Provincial Subsidy - Less: Debt Issue	25,040,368.00 (4,640,368.00) (7,400,000.00) <u>(11,220,000.00)</u> 1,780,000.00
	Luxury Suites	1,000,000.00
(PUC)		1,000,000.00
2005-162	Installation of 385 metres of 200 mm watermain and 19 water service laterals on Fourth Line E. from Great Northern Rd. to the east limit of Civic #742	(236,031.86 PUC Local Improvement)
(PUC)		
2006-102	Installation of 1421 metres of 250 mm watermain and 38 water service laterals and a pressure reducing station on Old Garden River Road from Civic #443 to south side of Third Line East	(1,043,472.00 PUC Local Improvement)
2007-18	Constr. of a Concrete Sidewalk, on Queen St. East from Dacey Rd. to Queensgate Blvd.	200,000.00
2010-17	Constr. of Class "A" Pavement on South Market Street from Boundary Rd. to Chambers Ave.	1,400,000.00
2010-56	Constr. of Concrete Sidewalk on Second Line West from Great Northern Rd. to Old Garden River Road	45,000.00
2010-149	Constr. of West End Community Centre	5,100,000.00
2010-165	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Arthur St. from Retta St. to Glenholme Dr.	448,606.00
		9,973,606.00

10(g)

- 2 -

Schedule A to By-law 2010-177
The Corporation of the City of Sault Ste. Marie
Financial Information at December 13, 2010

Construction <u>By-law</u>		Estimated Capital Expenditure
Sub-total		9,973,606.00
2010-166	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Glenholme Dr. from Wellington St. East to Arthur St.	1,215,112.00
2010-167	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on John St. from Wellington St. West to Conmee Ave.	5,000,000.00
		16,188,718.00

10(g)

Schedule B to By-law 2010-177

BY-LAW NO. 407

THE PUBLIC UTILITIES COMMISSION
OF THE CITY OF SAULT STE. MARIE

A By-law to Approve Capital Expenditures and Borrowing
for 2011

WHEREAS the capital expenditure levels of the Commission have increased over the last several years as a result of the level of City capital works and necessary infrastructure replacements and improvements;

WHEREAS there is a requirement to borrow to finance the increased level of capital expenditures;

WHEREAS \$5,200,000 in borrowing to finance capital expenditures has previously been approved; and

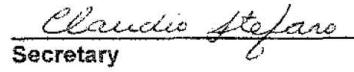
WHEREAS temporary financing has been arranged to finance the increased level of capital expenditures over the previous two years;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

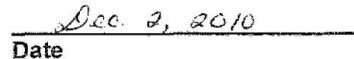
Capital expenditures of \$4,737,233 as detailed in the 2011 Budget be approved and borrowing of \$1,000,000 in addition to the previously approved \$5,200,000 be authorized to finance capital expenditures.



Chairman



Secretary



Date

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-180

STREET ASSUMPTION: (S.2.3) a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Sections 11(1) and 31(1) of the Municipal Act, S.O. 2001, c.25 thereto ENACTS as follows:

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

Schedule "A" forms a part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the date of its final passing.

PASSED in open Council this 13th day of December, 2010.

MAYOR - DEBBIE AMAROSO

CLERK – MALCOLM WHITE

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(h)

SCHEDULE "A" TO BY-LAW 2010-180

- 1) **Anita Boulevard**
PIN 31553-0087 (LT)
1' RESERVE PL 3605 TARENTORUS S LIMIT OF ANITA BLVD
PL 3605; SAULT STE. MARIE
- 2) **Henry Street**
PIN 31595-0311 (LT)
PCL STREETS - 1 SEC 1M544; HENRY ST PL 1M544 KORAH;
SAULT STE. MARIE
- 3) **Wood Park Crescent**
Part of PIN 31613-0350 (LT)
PT SEC 4 AWENGE BEING PTS 3, 4, 5 AND 6 PL 1R10819; S/T AN
EASEMENT AS IN LT147470; S/T AN EASEMENT AS IN LT231899;
S/T AN EASEMENT AS IN AL2045; SAULT STE. MARIE
- 4) **Third Line East**
PIN 31561-0148 LT
PT LT 3 RCP H744 TARENTORUS PT 3 1R11891;
SAULT STE. MARIE
- 5) **Base Line A**
PIN 31610-0279 LT
PT SEC 33 KORAH; DESIGNATED AS PT 3 PL 1R-11970
SAULT STE. MARIE
- 6) **Walters Street**
PIN 31596-0040 LT
PCL 12118 SEC AWS; PT LT 9 PL 5943 KORAH AS IN LT193511
SAULT STE. MARIE