

Emergency City Council Meeting Agenda

Thursday, April 16, 2020, 6:00 p.m.

Live streamed on guelph.ca/live

Changes to the original agenda are noted with an asterisk "*".

Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chambers at City Hall will not be open to the public to attend Council meetings until further notice. To view live stream meeting proceedings, please visit: guelph.ca/live

Pages

1. Notice - Electronic Participation

1.1 City Council

This meeting will be held by Electronic Participation in accordance with the City of Guelph Procedural By-Law (2020)-20432.

1.2 Delegations to Matters on the Agenda

Members of the public who have an interest in delegating to a matter listed on the agenda may register up until 11:00 a.m. on Thursday, April 16, 2020.

You can register as a [delegation](#) or [submit written comments](#) by contacting the City Clerk's office by email or phone:

519-837-5603

TTY 519-826-9771

clerks@guelph.ca (attachments must not exceed 20 MB)

When we receive your registration or written comments, we will send you a confirmation message and instructions for participating in the meeting.

2. Call to Order - 6:00 p.m.

2.1 O Canada

2.2 Silent Reflection

2.3 First Nations Acknowledgement

2.4 Disclosure of Pecuniary Interest and the General Nature Thereof

3. Presentations

3.1 COVID-19 Updates

Mayor Guthrie and Scott Stewart, Chief Administrative Officer, will speak to this item.

4. Council Consent Agenda

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

4.1 Procedural By-law Update - 2020-34

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Recommendation:

1. That the proposed Procedural By-law, included as Attachment-1 to the report titled Procedural By-law Update, dated April 16, 2020, be approved and that By-law (2019)-20432 be repealed.

4.2 2020 Property Tax Policy Report - 2020-02

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Recommendation:

1. That the 2020 City of Guelph property tax ratios, subclass discounts and corresponding tax rates, as set out in Attachment-1 to the report titled 2020 Property Tax Policy dated April 16, 2020, be approved.

4.3 Temporary Borrowing Policy - 2020-33

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Recommendation:

1. That the Temporary Borrowing Policy as recommended through report 2020-33 titled Temporary Borrowing Policy dated April 16, 2020 be approved.

5. Items for Discussions

The following items have been extracted from the Committee of the Whole Consent Report and the Council Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

Presentation:

Scott Stewart, Chief Administrative Officer

Trevor Lee, Deputy Chief Administrative Officer, Corporate Services

Recommendation:

1. That the expanded fiscal relief measures for businesses and residents as outlined in report "Managing the Impacts of COVID-19" dated April 16, 2020 be approved.
2. That staff continue to explore ways to assist Guelph residents and businesses as they experience the impacts of the COVID-19 pandemic; and that staff continue to pursue advocacy with various levels of government.
3. That report "Managing the Impacts of COVID-19" dated April 16, 2020 be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and the Ministers of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario.

6. Authority to move into closed meeting

Recommendation:

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, to consider:

6.1 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

6.2 COVID-19 Response - Staff Considerations

Section 239 (2)(b) and (d) of the Municipal Act relating to personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations.

7. Open Meeting

7.1 Closed Meeting Summary

8. Special Resolutions

9. By-laws

Resolution to adopt the By-Laws (Councillor Bell).

10. Mayor's Announcements

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

11. Adjournment

Staff Report



To	City Council
Service Area	Corporate Services
Date	Thursday, April 16, 2020
Subject	Procedural By-law Update

Recommendation

1. That the proposed Procedural By-law, included as Attachment-1 to the report titled Procedural By-law Update, dated April 16, 2020, be approved and that By-law (2019)-20432 be repealed.
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Executive Summary

Purpose of Report

To update the Procedural By-law to clarify rules surrounding Special City Council meetings held on emergency or extraordinary occasions, per Section 8.1 (d) of the Procedural By-law, and to clarify rules surrounding electronic meetings held during a declared emergency.

Key Findings

At an Emergency City Council meeting held on March 23, 2020 a motion was passed to amend the [Procedural By-law](#) in response to the Province of Ontario's enactment of Bill 187, the [Municipal Emergency Act](#). This Act provides that, during emergencies, members of councils, local boards and committees who participate electronically in open and closed meetings, should they choose to, may be counted for the purposes of determining quorum. Upon further review of the Procedural By-law, staff are recommending additional changes to clarify rules surrounding meetings held in an emergency or extraordinary circumstance as well as electronic meetings held during a declared emergency. These changes also address the handling of delegation requests and the deadline for written correspondence for Special City Council meetings held on emergency or extraordinary occasions.

Financial Implications

There are no financial implications resulting from this report.

Report

On March 17, 2020 a declaration of emergency was made by the Province of Ontario pursuant to Section 7.0.1 of the [Emergency Management and Civil Protection Act](#) related to the COVID-19 pandemic.

On March 26, 2020 a state of emergency for the City of Guelph was declared by Mayor Guthrie in response to COVID-19.

On March 19, 2020 the Province of Ontario passed Bill 187, the Municipal Emergency Act, which amends the [Municipal Act](#) and the [City of Toronto Act](#) to provide that, during emergencies, should they choose to, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

At an Emergency City Council meeting held on March 23, 2020 the following motion was passed:

That By-law (2019)-20432 (the Procedural By-law) be amended as follows:

Insert definition of Emergency City Council Meeting:

“Emergency City Council Meeting” means any meeting of City Council called under Section 8.1 (d).

Insert Section 4.1 (e):

4.1 Public Notice of Meetings

e) Section 4.1 (d) shall not apply to emergency meetings called under Section 8.1 (d). The Clerk shall give public notice for emergency meetings called under Section 8.1 (d) by inclusion on the City’s website as soon as possible after the meeting is called.

Insert Section 8.3:

8.3 Emergency City Council Meetings

- a) Where an emergency has been declared in all or part of the City of Guelph under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act:
 - i. any member of City Council may participate in any open or closed City Council meeting electronically and be counted for the purpose of establishing quorum;
 - ii. all votes shall be by show of hands or by verbal consent (yes or no); and
 - iii. City Council shall have the discretion to consider any items previously considered by any committee of City Council, but not yet confirmed by City Council at the time the emergency was declared, as part of an emergency meeting called under Section 8.1 (d).

The intent behind these amendments to the Procedural By-law passed on March 23, 2020 was to allow City Council to meet electronically during the declared emergency in order to move necessary business forward.

Staff have undertaken a further review of the Procedural By-law and are recommending additional changes to clarify rules surrounding meetings held in an emergency or extraordinary circumstance as well as electronic meetings held during a declared emergency. Section 8.1 (d) of the Procedural By-law permits the calling of Special City Council meetings on emergency or extraordinary occasions. To maintain consistency, it is recommended that meetings called under Section 8.1 (d)

are referred to as Special City Council meetings rather than Emergency City Council Meetings.

Regular public notice provisions for Special City Council meetings do not apply to meetings called under Section 8.1 (d). As a result, the Procedural By-law is currently silent on the handling of delegation requests and the deadline for written correspondence for these types of meetings. Staff is therefore recommending the addition of Sections 4.8 (r) and (s) to stipulate that for Special City Council meetings called under Section 8.1 (d), delegations may be permitted at the discretion of the Mayor or Chair in consultation with the City Clerk and that the deadline to register as a delegate and/or to submit written correspondence will be posted on the City's website and/or included on the meeting agenda.

Finally, it is recommended that Section 8.3 of the Procedural By-law be amended to clarify that the rules in this section apply to electronic meetings held during a declared emergency rather than Emergency City Council meetings.

The following is a summary of the proposed changes:

- Definition of "Emergency City Council Meeting" removed.
- Definitions of "Declared Emergency" and "Electronic Meeting" added.
- Section 4.8 (r) added to permit delegations for Special City Council meetings called under Section 8.1 (d) at the discretion of the Mayor or Chair in consultation with the City Clerk.
- Section 4.8 (s) added to clarify the deadline for delegations and written submissions for Special City Council meetings called under Section 8.1 (d).
- Section 4.9 (a) amended to include the deadline for written submissions added in Section 4.8 (s).
- Section 8.3 amended to replace "Emergency City Council Meetings" with "Electronic Meetings during a Declared Emergency".
- Section 8.3 (a) (i) amended to include Special City Council and Committee meetings.
- Section 8.3 (a) (iv) added to address declarations of pecuniary interest during an electronic meeting.
- Section 8.3 (a) (v) added to permit delegations at an electronic meeting via telephone, videoconferencing software and/or other technology methods deemed appropriate by the City Clerk's Office.

Financial Implications

There are no financial implications resulting from this report.

Consultations

Not applicable.

Strategic Plan Alignment

This report aligns with the Working Together for our Future pillar by improving services through the greater use of technology and data by permitting members of City Council to participate in any open or closed City Council, Special City Council and Committee meetings electronically during a declared emergency. This will ensure that the City can continue to move forward with necessary business in emergency situations.

Attachments

Attachment-1 Proposed Changes to the Procedural By-law

Departmental Approval

Dylan McMahon, Manager, Legislative Services/Deputy City Clerk

Report Author

Lindsay Cline, Council and Committee Coordinator

This report was approved by:

Stephen O'Brien
General Manager, City Clerk's Office/City Clerk
Corporate Services
519-822-1260 extension 5644
stephen.obrien@guelph.ca

This report was recommended by:

Trevor Lee
Deputy Chief Administrative Officer
Corporate Services
519-822-1260 extension 2281
trevor.lee@guelph.ca

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020)-*****

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, and to repeal By-law Number (2019)-20432.

1. Definitions

In this by-law,

“Act” means the Municipal Act, 2001, c.25 as amended or replaced from time to time.

“Acting Mayor” means the Councillor who is appointed, in alphabetical order by last name, to serve one month each, to act in the place and stead of the Mayor as required.

“Ad Hoc Committee” means a committee created by Council with a defined ending, to report directly to Council on a specific matter.

“Advisory Committee” means a committee created by Council, to report to the Committee of the Whole on a specific subject.

“By-law” means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

“CAO” means the Chief Administrative Officer of the City.

“Chair” means the Mayor or Acting Mayor of any meeting of Council or the chair or acting chair of any meeting of a committee.

“City” means The Corporation of the City of Guelph.

“Clerk” means the Clerk, or his or her designate.

“Closed Meeting” means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act.

“Committee” means Committee of the Whole, advisory committee or other committee, sub-committee or similar entity, appointed by City Council.

“Committee of the Whole” means a committee comprised of all Members of Council that directly reports to Council.

“Committee of the Whole Consent Report” means a report from Committee of the Whole outlining items approved by the committee and forwarded to Council for consideration.

"Confirmatory By-law" means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirmatory by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

"Consent Agenda" means a listing of consent items being presented to Council and Committee of the Whole for its consideration.

"Consent Item" means a report that is presented for approval without debate and with no delegation or presentation.

"Council" means the City's elected representatives, comprised of the Mayor and Councillors.

"Councillor" means a Member of Council, other than the Mayor.

"Declared Emergency" means any period of time during which an emergency has been declared in all or part of the City of Guelph under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act.

"Delegate" means any person, group of persons, firm or organization, who is neither a Member of the Committee of the Whole, Council or an appointed official of the City and who is speaking to committee or Council.

"Deputy CAO" means staff who report to the CAO and are responsible for multijurisdictional service areas.

"Electronic Device" means computers, cellphones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.

"Electronic Meeting" means a meeting called and held in full or in part via electronic means including, but not limited to, video teleconference, audio teleconference or telephone, and with or without in person attendance.

~~**"Emergency City Council Meeting"** means any meeting of City Council called under Section 8.1 (d).~~

"Items for Discussion" means agenda material that is presented for approval which has an associated presentation or delegation(s).

"Local Board" means a local board of the City as defined in the Municipal Act.

"Majority" means, for the purpose of voting, unless otherwise specified, more than half of the Members of Council or committee present at the vote and not prohibited by statute from voting.

"Mayor" means the head of Council and includes the Acting Mayor when acting in place of the Mayor.

“Meeting” means any regular or special Council or committee meeting when a quorum is present as defined in the Municipal Act.

“Member” means, according to the circumstances, a Member of Council, including the Mayor, or a member of the committee including the chair.

“Motion” means a proposal, moved by a member and seconded by another member, for the consideration of Council or a committee.

“Notice of Motion” means a written notice, given by a member, advising Council that the motion described therein will be brought forward at a subsequent meeting.

“Open Meeting” means a meeting which is open to the public.

“Presentation” means information presented to Council or committee in person by an individual or group on an issue which typically does not require any action to be taken by Council or committee.

“Quorum” means a majority of the members.

“Recording Device” means any device used for the purpose of recording whether it be analogue, digital or other means of recording, including but not limited to computers, cellphones, smartphones, tablets, voice recorders, cameras or any other similar device.

“Registered Delegate” means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or committee in relation to a matter appearing on the agenda.

“Resolution” means a motion that has been carried.

“Rules of Procedure” means the rules and procedures set out in this by-law.

“Regular Meeting” means a meeting of Council or committee held at the times and dates specified in this by-law and approved by Council or committee as part of an annual calendar.

“Special Meeting” means a separate meeting of Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.

“Vice-chair” means a Member of Council appointed by Council who shall have all the power and duties of a chair in their absence; and consequently the words “Vice-chair” are interchangeable with the word “chair” in all sections of this by-law.

“Workshop” means a meeting convened for the purpose of educating or training the members, for providing the members with information and/or advice, or to solicit input from the members.

2. Purpose and Principles

2.1 Purpose

- (a) Council and Committee of the Whole shall observe the Rules of Procedure contained in this by-law in all proceedings of the Council and committee. This by-law shall be used to guide the order and dispatch of business of the Council and committee and wherever possible, with the necessary modifications, for all advisory committees and ad hoc committees unless otherwise provided.
- (b) This by-law sets out processes that are open and transparent.

2.2 Principles

- (a) Each member has the right to:
 - i. One vote, subject to the declaration of pecuniary interest;
 - ii. Information to help make decisions, unless otherwise prevented by law;
 - iii. An efficient meeting; and
 - iv. Be treated with respect and courtesy.
- (b) No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or committee. The Mayor and/or chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or committee.
- (c) In the event of conflict between the provisions of this by-law and the Act, or any other legislation, the provisions of the legislation shall prevail.

2.3 Suspension of Rules

- (a) No provision of this by-law shall be suspended except by an affirmative vote of at least two-thirds of the entire Council (nine members) for each incidence of suspension of the rules.
- (b) The suspension shall only apply to the procedure(s) or rules(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.
- (c) The following procedure(s) or rule(s) cannot be suspended:
 - i. No other business in special meetings;
 - ii. Majority of members for quorum.

3. Conduct at Meetings

3.1 Council and Committee Members

- (a) Council Members shall govern themselves according to Council's Code of Conduct and Council-Staff Relations Policy.
- (b) The Mayor or chair shall preserve order and rule on points of order and privilege.
- (c) Every member desiring to speak shall indicate so in order to be recognized by the Mayor or chair.
- (d) Every member, on being recognized, shall remain seated in his or her place and address themselves to the Mayor or chair.
- (e) A member called to order by the Mayor or chair shall immediately cease further comment and may appeal the call to order to the Council or committee. The Council or committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or chair shall be final.
- (f) No member shall, without leave of the Council or committee:
 - i. speak to an issue for more than five (5) minutes (cumulative);
 - ii. use offensive words or speak disrespectfully of the Mayor, Members of Council, committee, staff or the public;
 - iii. speak on any subject other than the subject under debate;
 - iv. speak in contempt of any decision of the Council or committee;
 - v. leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared;
 - vi. disobey the rules or decisions of Council or a decision of the Mayor or chair on points of order or privilege, or upon the interpretation of the Rules of Procedure. If a member persists in such disobedience after having been called to order by the Mayor or chair, the member may be ordered by Council or committee to leave his or her seat for the meeting. In the event that a member refuses to vacate their seat, the Mayor or chair may request that the member be removed by the Clerk and/or staff as required. In case of adequate apology being made by the member they may, by way of majority vote of the members present, be permitted to take their seat.

3.2 Member Absent from Council

The office of a Member of Council becomes vacant if the member has been absent from meetings of the Council for three (3) successive months without being authorized to do so by a resolution of Council unless otherwise permitted by S. 259 (1.1) of the Act.

3.3 Electronic Devices

- (a) Each member shall place any electronic devices on an inaudible setting during any open or closed meeting.
- (b) No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any open or closed meeting, nor photographs of any closed meeting.

3.4 Hearing Delegations

- (a) Except for points of order or privilege, Members of Council shall not interrupt a delegate while he or she is addressing Council or committee.
- (b) Members may address a delegate only to ask questions of clarification and not to express opinions or enter into debate or discussion.
- (c) All registered delegates for any particular agenda item shall be heard before Council or committee enters into discussion or debate on that item.
- (d) After all delegations have been heard, the related item shall immediately be brought forward for the consideration of Council or committee.

3.5 Conduct of Public and Delegations

- (a) Members of the public and delegations in attendance at a meeting, shall not:
 - i. address Council or committee without permission;
 - ii. bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized;
 - iii. engage in any activity or behaviour or make any audible noise that could affect the Council or committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct; or
 - iv. bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the Council Chambers;
- (b) No person, except Members of Council and appointed officials of the City of Guelph, shall be permitted to come within or behind the horseshoe during a meeting of the Council or committee without the permission of Council or committee.
- (c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Members of Council or committee.

4. Rules and Procedures for Council and Committee Meetings

4.1 Public Notice of Meetings

- (a) The Clerk shall give public notice of all regular open and closed Council and committee meetings by inclusion on the City's website at least 72 hours prior to the meeting.
- (b) The Clerk may, at his or her discretion, publish notice of Council and committee meetings in a local newspaper or other local media source.
- (c) Public notice shall include:
 - i. date;
 - ii. time; and
 - iii. location of meeting.
- (d) The Clerk shall give public notice of all special open and closed meetings of Council and committee by inclusion on the City's website as soon as possible after the meeting is called and no later than 48 hours prior to the meeting.
- (e) Section 4.1 (d) shall not apply to emergency meetings called under Section 8.1 (d). The Clerk shall give public notice for emergency meetings called under Section 8.1 (d) by inclusion on the City's website as soon as possible after the meeting is called.

4.2 Location, Date and Time of Meetings

Committee of the Whole, regular Council and Council Planning shall meet in the Council Chambers of City Hall, 1 Carden Street, unless with adequate public notice, as required in Section 4.1, the Council selects an alternate meeting location, date, or time. In the event the regular meeting date falls on a public holiday, the Council or committee shall meet at the same hour on the next day not being a public holiday.

4.3 Consolidated Agenda

- (a) The Clerk shall prepare a Consolidated Agenda advising Council or committee of the names of registered delegates and written submissions relating to matters on the agenda.
- (b) Items or matters will not be added to the agenda after distribution to Council or committee unless directed by the Mayor or chair, CAO and/or Deputy CAO(s) and if the urgent nature of the matter requires a decision prior to the next Council or committee meeting.

4.4 Quorum and Commencement of Meetings

- (a) Unless there is a quorum present within fifteen minutes after the time appointed for the meeting of the Council or committee, the Council or committee shall stand adjourned until the next meeting date.
- (b) As soon as there is a quorum present, the Mayor or chair shall call the members to order. In the absence of the Mayor or chair, the Clerk shall call the members to order and the Council shall choose a chair from the members present and that person shall preside over the meeting or until the arrival of the Mayor or chair.

4.5 Disclosure of Pecuniary Interest

Prior to a particular matter being addressed, members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended. Such members shall then be precluded from participating in any way regarding the matter in question.

4.6 Closed Meetings

4.6.1 General Principles

- (a) Meetings shall be open to the public.
- (b) Notwithstanding Section 4.6.1(a), a meeting or part of a meeting may be closed to the public in accordance with Section 239 (2), (3) and (3.1) of the Act.
- (c) Council shall approve and maintain a closed meeting Protocol.

4.6.2 Date and time of Meetings

Further to Section 4.2:

- (a) Where possible, when a closed meeting of Council is required, it shall be held no earlier than 4:30 p.m. on the day of an existing regular Council or Council Planning meeting.
- (b) Where possible, when a closed meeting of Committee of the Whole is required, it shall be held no earlier than 12:30 p.m. on the day of an existing Committee of the Whole meeting.

4.6.3 Resolution

- (a) Prior to holding a closed meeting, Council or committee shall state by resolution in an open meeting, that Council or committee will be holding a closed meeting, the subject matter and the permitted closed meeting exemption under the Municipal Act.

4.6.4 Recording of Minutes

- (a) The Clerk and/or his or her designate shall attend all closed meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment.
- (b) The Clerk may delegate the Clerk's duties with respect to recording minutes in a closed meeting of Council or committee to a staff person. For closed meetings of committee or Council where the CAO's performance or contract is addressed, the Clerk may delegate the Clerk's duties with instructions to a third party.

4.6.5 Reporting in Open Session

- (a) The Mayor or chair shall report out in an open meeting immediately following the closed meeting and summarize the actions taken in the closed meeting.
- (b) Matters discussed in a closed meeting which require a decision will be brought forward to an open meeting of Council or committee.

4.6.6 Closed Meeting Voting

- (a) In relation to a matter considered in a closed meeting pursuant to Section 4.6.1(b), Council or committee may vote:
 - i. on procedural motions;
 - ii. on motions to rise, report and introduce a proposed recommendation on an open meeting agenda; or
 - iii. to give direction to staff or a third party of the City.
- (b) Notwithstanding Section 4.11(g), votes held in closed meetings shall be by a show of hands unless a recorded vote is requested by a member in accordance with the regulations contained in the Act.

4.7 Presentations

4.7.1 Public Presentations

- (a) A request from an outside organization or individual to make a presentation to Council or committee shall only appear on an agenda upon approval of the Mayor, chair and Deputy CAO for the appropriate Service Area.
- (b) Public presentations are for information only.
- (c) Public presentations at a meeting shall be limited to a maximum of 10 minutes and shall be heard at the beginning of a Council or committee meeting.
- (d) Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.

- (e) Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda by the agenda production deadline.
- (f) Presentations by outside organizations or individuals shall not be added on the consolidated agenda.

4.7.2 City Presentations

- (a) Presentations by City staff at meetings shall endeavour to be a maximum of 10 minutes.
- (b) Presentations by staff providing information with no accompanying report shall be heard at the beginning of a regular Council or Council Planning meeting.
- (c) Presentations recognizing achievements shall be heard at the beginning of a Committee of the Whole meeting.
- (d) Where a staff or third party presentation accompanies an item on an agenda, the item shall be placed under items for discussion with the report and shall be brought forward for consideration immediately after the presentation has been made. If delegates wish to speak on an item with a presentation, the item shall not be considered until all delegates on the item have been heard.

4.8 Delegations

- (a) A delegate may address Council or committee for a period of time not exceeding five minutes. Council or committee may extend the five minute time period by a majority vote of the members present. Such a motion shall be decided without debate.
- (b) For the purpose of Council and committee meeting agendas, delegates have until 10:00 a.m. on the Friday of the week prior to the meeting to notify the Clerk that they wish to delegate or to submit written submissions on items on the agenda.
- (c) Notwithstanding Section 4.8 (a), designated representatives of senior levels of government or the County of Wellington appearing before Council or committee shall have no time limitations placed on their delegation.
- (d) A delegate may only address Council or committee with respect to an item on the agenda.
- (e) Delegates shall only be permitted at Council budget meetings designated for the explicit purpose of receiving budget delegations.
- (f) No delegation shall be made to Council or committee on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.

- (g) No delegate shall speak on a matter that is not within the jurisdiction of the Council or committee. The Mayor and committee chairs in consultation with the Clerk will determine if a matter is within the jurisdiction of the Council or committee.
- (h) No delegations shall be made to notices of motion on a Council or committee agenda. Delegates will have an opportunity to speak at a subsequent Council or committee meeting when that item will be discussed.
- (i) No delegations shall be permitted to speak on a notice of motion to reconsider.
- (j) No delegations shall be made at workshops.
- (k) A delegate may not address Council or committee with respect to a by-law on the agenda.
- (l) Delegates shall not be permitted to appear before Council or committee for the sole purpose of generating publicity for an event.
- (m) No delegations shall be permitted to speak to presentations at Council or Committee of the Whole meetings.
- (n) No delegations shall be permitted to closed Agenda items.
- (o) A delegate shall only register themselves to speak and may not register other delegates.
- (p) If a delegate is unable to attend the meeting for which they are registered they may provide their written submission to the Clerk.
- (q) Delegates wishing to speak on a matter not on the agenda:
 - i. Shall provide the Clerk in writing a request outlining the subject matter of the delegation and the action being requested to be taken by Council.
 - ii. The Clerk will advise the appropriate chair and Deputy CAO of the request.
 - iii. The Clerk will advise the requestor that the chair and Deputy CAO has been made aware of the request.
 - iv. The requestor will be advised of the actions taken or when the item is coming forward to Council or committee.
- (r) For Special Council meetings called under Section 8.1 (d), delegations may be permitted at the discretion of the Mayor or Chair in consultation with the City Clerk. If delegations are not permitted, a note to that effect will be posted on the City's website and/or included on the meeting agenda.

- (s) For delegations permitted under Section 4.8 (r), the deadline to register as a delegate and/or to submit written correspondence will be posted on the City's website and/or included on the meeting agenda

4.9 Written Submissions/Petitions

- (a) Individuals may submit written correspondence on matters listed on the agenda by the timelines specified in Section 4.8 (b) and (s) for inclusion on the agenda and consolidated agenda.
- (b) Petitions shall include a statement or position, legible names of signatories and their signatures.
- (c) Petitions shall not contain any obscene or improper matter or language.
- (d) The individual or group initiating the petition, or submitting the petition to the Clerk, must provide a key contact name, mailing address, and telephone contact information.
- (e) Names and personal information will be redacted from the information published in the agenda. Council or committee will be advised of the number of signatures only.
- (f) Electronic petitions will not be accepted.
- (g) No written submissions shall be accepted with respect to a by-law on the agenda.
- (h) Written submissions for Council budget meetings shall only be accepted for those budget meetings designated for receiving written submissions.

4.10 Motions and Order of Voting

- (a) After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or committee. Council or committee may consent to the withdrawal of the motion at any time before amendment or decision.
- (b) Council or committee shall not debate any motion until it has been moved and seconded. When a motion has been seconded, it may upon request, be read or stated by the Mayor, chair or Clerk at any time during the debate.
- (c) When a Councillor moves a motion or an amendment to a motion that is not included as part of the agenda package, that Councillor shall provide a copy of the motion to the Mayor or chair prior to the vote being taken.
- (d) Whenever the Mayor or chair is of the opinion that an amending motion is contrary to the main motion, the Mayor or chair shall apprise the members thereof immediately. A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee. If there is no appeal, the decision of the Mayor or chair shall be final. The Council or committee, if

appealed to, shall vote on the motion without debate and its decision shall be final.

- (e) A motion in respect of a matter which is not within the jurisdiction of the Council or committee shall not be in order. The Mayor or chair in consultation with the Clerk will determine if the matter is within the jurisdiction of Council or committee.
- (f) When a motion is under consideration no other motion shall be received unless it is a motion:
 - i. to refer the motion to committee, Council, staff or any other person or body. Such a motion to refer:
 - a. is open to debate;
 - b. is amendable; and
 - c. shall preclude amendment or debate of the preceding motion.
 - ii. to amend the motion. Such a motion to amend:
 - a. is open to debate;
 - b. shall not propose a direct negative to the main motion;
 - c. shall be relevant to the main motion;
 - d. is subject to only one further amendment, and any amendment more than one must be to the main motion; and
 - e. if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main motion is put to the vote.
 - iii. to defer the motion to another time. Such a motion to defer:
 - a. is not open to debate;
 - b. is not subject to amendment; and
 - c. applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
 - iv. to adjourn the meeting notwithstanding Section 4.13(d). Such a motion to adjourn:
 - a. is not open to debate;
 - b. is not subject to amendment; and
 - c. shall always be in order.

- v. to call a vote on the motion. Such a motion to call a vote on the motion:
 - a. cannot be amended;
 - b. cannot be proposed when there is an amendment under consideration;
 - c. when resolved in the affirmative, shall be forwarded by voting on the motion, without debate or amendment;
 - d. when resolved in the negative, shall be followed by resumption of debate; and
 - e. shall always be in order.
- (g) Once all motions relating to the main motion have been dealt with, and once the main motion is put, there shall be no further discussion or debate and the motion shall be immediately voted on.
- (h) A motion may be voted against by the mover and seconder.

4.11 Voting at Open Meetings

- (a) When one or more motions as set out in Section 4.10 have been made, the order of the vote shall be as follows:
 - i. to defer the motion;
 - ii. to refer the motion;
 - iii. upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
 - iv. then, upon the main motion or upon the main motion as amended, if any amendments have been carried.
- (b) Except as otherwise provided, every Member of Council or committee shall have one vote.
- (c) Any motion on which there is a tie vote shall be deemed to be defeated, except where otherwise provided by any act.
- (d) A failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- (e) When the motion under consideration contains distinct clauses, and a member has requested to vote on each distinct clause, then a vote shall be taken

separately on each clause; including each clause added by way of an amendment.

- (f) After a vote has been called by the Mayor or chair, no member shall be recognized to speak to the motion or make any other motion after the result of the vote has been declared.
- (g) Members shall distinguish their vote by voting either in favour or opposed using an electronic voting system. Should Council or committee meet in a location where there is no electronic voting system, or should the electronic voting system be inoperable, each member must distinguish their vote by a show of hands.
- (h) Unless otherwise requested by a member, no recorded vote is required for the following privileged and incidental motions:
 - i. Adjournment;
 - ii. Recess; and/or
 - iii. Moving out of a closed meeting.
- (i) The Mayor or chair shall vote on any motion while in possession of the chair, however, if the Mayor or chair wishes to propose a motion he or she shall step down and shall not resume the chair until the vote is taken.

4.12 Points of Order or Privilege

4.12.1 Point of Order

- (a) A member may raise a point of order at any time, whereupon the Mayor or chair shall:
 - i. interrupt the matter under consideration;
 - ii. ask the member raising the point of order to state the substance of and the basis for the point of order; and
 - iii. rule on the point of order immediately without debate by Council or committee.
- (b) A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee which will then decide on the appeal, without debate, by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or chair shall be final.

4.12.2 Point of Privilege

- (a) A member may raise a point of privilege at any time if he or she considers that their integrity, the integrity of Council or the committee as a Whole or staff has been impugned, whereupon the Mayor or chair shall:

- i. interrupt the matter under consideration;
 - ii. ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
 - iii. rule on the point of privilege immediately without debate by Council or committee.
- (b) A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee.
- (c) If there is no appeal, the decision of the Mayor or chair shall be final. The Council or committee, if appealed to, shall vote on the motion without debate by way of a majority vote of the members present and its decision shall be final.
- (d) Where the Mayor or chair considers that the integrity of any city employee has been impugned or questioned, the Mayor or chair may permit staff to make a statement to Council or committee.

4.13 Adjournment of Council and Special Council Meetings

- (a) Council shall adjourn at 11:00 p.m. unless otherwise decided before that hour by a majority vote of the members present. If Council is adjourned before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.
- (b) Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.
- (c) A motion to adjourn may be made by any member who has been recognized by the Mayor or chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.
- (d) Notwithstanding Section 4.13(a), if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Council shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

4.14 Adjournment of Committee of the Whole Meetings

- (a) The Committee of the Whole shall adjourn at 8:00 p.m. unless otherwise decided before that hour by a majority vote of the members present. If the Committee of the Whole meeting is adjourned before the agenda is completed, the committee shall establish a time and date for consideration of the balance of the agenda.

- (b) Only one motion to extend the automatic adjournment beyond 8:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 9:00 p.m.
- (c) A motion to adjourn may be made by any member who has been recognized by the chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.
- (d) Notwithstanding Section 4.14(a), if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Committee of the Whole shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, the committee shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

5. Regular Meetings of Council

The rules and procedures contained in Sections 3 and 4 shall apply with necessary changes.

5.1 Location, Date and Time of Meetings

Notwithstanding Section 4.2:

5.1.1 Time of Regular Meetings

Regular Council meetings shall be held at 6:30 p.m.

5.1.2 Closed Council Meetings

When a closed meeting of Council is required, where possible, it shall be held no earlier than 4:30 p.m. on the day of an existing regular Council meeting.

5.2 Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Closed Meeting Summary
- Disclosure of Pecuniary Interest and General Nature Thereof
- Confirmation of Minutes
- Presentations
- Consent Agenda

- Items for Discussion
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

5.3 Closed Meeting Summary

Following a closed meeting of Council or committee, the Mayor or chair shall disclose, in a general manner, how the agenda items were dealt with in the closed meeting.

5.4 Confirmation of Council and Committee of the Whole Minutes

- (a) The Clerk shall present the minutes, without note or comment, of any previous open and closed Council or committee meetings to Council for adoption.
- (b) When the minutes of Committee of the Whole, or any Council meeting, have been adopted, the Mayor and Clerk shall sign them.

5.5 Committee of the Whole Consent Report

- (a) The report from Committee of the Whole to Council, for items which do not have presentations or delegations, shall be submitted to Council in the form of a consent report, and shall be dealt with by Council as follows:
 - i. The Committee of the Whole consent report shall be presented by the respective chair or, in his or her absence, by the vice-chair who shall move the adoption of their report.
 - ii. Council Members shall identify any items contained on the Committee of the Whole consent report which they wish to speak to and the matter shall be extracted from the consent report to be dealt with separately under items for discussion.
 - iii. The balance of items on the Committee of the Whole consent report, which have not been extracted, shall be voted on in one motion.
- (b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a regular Council meeting and not back to a Committee of the Whole meeting.
- (c) Reports from local boards and advisory committees submitted in writing shall be signed by the chair or secretary. When such reports are requesting Council action, they shall include appropriate resolutions for consideration.

5.6 Council Consent Agenda

- (a) The Council consent agenda shall consist of the following items that do not have presentations or delegations:
 - i. reports from staff;
 - ii. correspondence for the direction of Council, which may include:
 - correspondence for which a policy decision or approval of Council is required;
 - correspondence accompanied by a recommendation from staff; and
 - iii. items of a timely nature.
- (b) Council Members shall identify any items contained on the consent agenda which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately under items for discussion.
- (c) The balance of items on the consent agenda, which have not been extracted, shall be voted on in one motion.

5.7 Items for Discussion

- (a) Items for discussion shall consist of the following items that have presentations and/or delegations:
 - i. Reports from staff;
 - ii. Correspondence for the direction of Council; and
 - iii. Correspondence extracted from the weekly Items for Information.
- (b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a regular Council meeting and not back to a Committee of the Whole meeting.

5.8 Reconsideration of a Council Decision

- (a) Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.
 - i. No resolution shall be reconsidered more than once during the term of Council.
 - ii. A motion to reconsider shall not be reconsidered.
- (b) A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.

- (c) If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.
- (d) A motion to reconsider shall be introduced by way of a notice of motion to Council and considered as a special resolution at a subsequent regular meeting of Council pursuant to Sections 5.11 and 5.12.
 - i. No delegations shall be permitted to speak on a notice of motion to reconsider.
- (e) Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move or second a motion for reconsideration.
- (f) A motion to reconsider must be carried in the affirmative by a vote of two-thirds of the entire Council.
- (g) If a motion to reconsider is decided in the affirmative:
 - i. the reconsideration effectively returns Council to just prior to the original Council decision.
 - ii. reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.
- (h) A notice of reconsideration received from the Local Planning Appeals Tribunal shall not be deemed a reconsideration of a Council decision.

5.9 By-laws

- (a) The Clerk shall submit to Council a summary of all by-laws proposed for adoption that includes the by-law numbers and titles.
- (b) A complete copy of every proposed by-law shall be brought to the Council meeting and be available to any person interested in reviewing.
- (c) Unless otherwise requested, all by-laws proposed for adoption shall be passed in one single motion.
- (d) The Clerk shall be responsible for their correctness should they be amended at a Council meeting.
- (e) Every by-law passed by Council shall:
 - i. be signed by the Mayor, or the presiding officer;
 - ii. be signed by the Clerk or designate;
 - iii. be sealed with the City seal; and
 - iv. indicate the date of passage.
- (f) Council shall enact a by-law to confirm all actions taken by Council.

5.10 Announcements

Council meeting announcements shall be provided to the Mayor in writing prior to the Council meeting, and the Mayor shall read the announcements at the end of the Council meeting.

5.11 Notices of Motion

- (a) Prior to initiating the notice of motion process, a member shall first submit the proposed motion in writing to the Deputy CAO and relevant Committee of the Whole Service Area chair for approval to place the matter on a Committee of the Whole agenda. If approved, the motion shall be submitted in writing to the Clerk prior to the regular agenda deadline for inclusion on a committee meeting agenda.
- (b) If the matter is not placed on a Committee of the Whole agenda by the relevant Service Area chair and Deputy CAO, at a regular Council, Council Planning or Committee of the Whole meeting, a member shall give notice that he or she intends to introduce a motion at a subsequent regular meeting of Council to initiate any measure within the jurisdiction of Council.
- (c) The notice of motion shall be submitted in writing, on the prescribed form, to the Clerk prior to the regular agenda deadline for inclusion on any regular Council, Council Planning or committee meeting agenda.
- (d) The motion may not be submitted as part of a consolidated agenda.
- (e) A motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to the Committee of the Whole or, if no future Committee of the Whole meeting has been scheduled, to regular Council.
- (f) The motion for which notice has been given, shall be included as a special resolution on an agenda of a regular Council meeting.
- (g) If a motion is introduced and not brought forward in the next two (2) subsequent regular Council meetings, the motion expires.
- (h) No delegations shall be permitted to speak on a notice of motion.

5.12 Special Resolutions Arising from Notice of Motion

- (a) Motions for which notice has been given shall be listed on the next regular Council agenda, unless the member introducing the motion has specified another regular Council meeting date as per Section 5.11(a), under the special resolutions section of the agenda. Special resolutions for which previous notice has been given shall not be placed on a consolidated agenda.
- (b) In introducing a special resolution to Council, a member shall be permitted the opportunity of providing material and information in support of the resolution.

5.13 Special Resolutions Arising from Closed Meeting

- (a) Where Council has passed a procedural resolution at a closed meeting to report out at a meeting, such resolution shall be introduced under the special resolution or closed meeting Summary heading of the agenda pursuant to Section 4.6.7 (a) (ii).
- (b) Council or staff may provide contextual information prior to Council's consideration of the special resolution.

6. Council Planning Meetings

The rules and procedures contained in Sections 3, 4 and 5 shall apply with necessary changes.

Council Planning shall consider matters where a public meeting is required to hear applications under the Planning Act.

6.1 Public Notice of Meetings

Notwithstanding Section 4.1, staff shall give legislated notice of items on any agenda in accordance with the applicable legislation.

6.2 Location, Date and Time of Meetings

Notwithstanding Section 4.2:

6.2.1 Time of Meetings

Council Planning meetings shall be held at 6:30 p.m.

6.2.3 Closed Council Meetings

When a closed meeting of Council is required, where possible, it shall be held no earlier than 4:30 p.m. on the day of an existing Council Planning meeting.

6.3 Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Closed Meeting Summary
- Presentations
- Disclosure of Pecuniary Interest and General Nature Thereof
- Setting of the Consent Agenda

- Public Meetings Pursuant to The Planning Act
- Items for Discussion
- Special Resolutions
- By-laws
- Announcements
- Notice of motions
- Adjournment

6.4 Delegations

- (a) Notwithstanding Section 4.8 (a), the time limitation for delegations speaking at a public meeting to hear applications under the Planning Act, shall not exceed ten minutes. Council may extend the ten minute time period by a majority vote of the Council Members present without debate.
- (b) Council may ask questions of staff after a staff presentation and prior to delegates addressing Council.
- (c) Once all registered delegates have spoken, the Mayor or chair shall ask if anyone present wishes to speak. Such individuals shall be permitted to speak without advance notice pursuant the Planning Act and as per Section 6.4 (a).

6.5 Council Planning Consent Agenda

The rules and procedures contained in Section 5.6 shall apply to the Council Planning consent agenda.

7. Committee of the Whole Meetings

Notwithstanding Section 4.2, the rules and procedures contained in Sections 3, 4 and 5 shall apply with necessary changes.

7.1 Location, Date and Time of Meetings

7.1.1 Time of Meetings

Committee of the Whole meetings shall be held at 2:00 p.m.

7.1.2 Closed Meetings

When a closed meeting of committee is required, it shall be held no earlier than 12:30 p.m. on the day of an existing scheduled Committee of the Whole meeting.

7.2 Chairing

- (a) Chairs will chair the portion of the committee meeting where business is forwarded from their respective Service Areas or portfolios.
- (b) Chairs will assume the head of council seat when chairing their portion of the meeting.

7.3 Service Area Reporting

Service Areas will report to committee on their designated month.

7.4 Order of Business

The Clerk, in consultation with the chairs, Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Closed Meeting Summary
- Disclosure of Pecuniary Interest and General Nature Thereof
- Presentations
- Consent Agenda (rotating based on Service Area reporting)
- Items for Discussion (rotating based on Service Area reporting)
- Chairs and Staff Announcements
- Notice of motions
- Adjournment

7.5 Committee of the Whole Consent Agenda

- (a) Committee of the Whole shall use a consent agenda which shall consist of items that do not have presentations or delegations.
- (b) A Member of Council may request that a matter appearing on the Weekly Information Items to Council be listed on the appropriate Committee of the Whole consent agenda for discussion or consideration.
- (c) Reports from local boards and advisory committees submitted in writing shall be signed by the chair or secretary. When such reports are requesting Council action, they shall include appropriate motions for consideration.
- (d) Those matters which are time sensitive may be included on the consent agenda as approved by the CAO and appropriate Deputy CAO.
- (e) Council Members shall identify any items contained on the Committee of the Whole consent agenda which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately under items for discussion.
- (f) The balance of items on the Committee of the Whole consent agenda, which have not been extracted, shall be voted on in one motion.

7.6 Announcements

Service Area updates may be made by the Mayor, chair, CAO, Deputy CAO's or their designates. Service Area announcements provided to the chairs prior to the meeting shall be read by the chair at the end of the relevant Service Area portion of the meeting.

8. Special Council Meetings

The rules and procedures contained in Sections 4 and 5 shall apply with necessary changes.

8.1 Calling of Special Council Meetings

- (a) The Mayor may at any time summon a special meeting of Council within 48 hours. The Mayor shall also summon a special meeting of Council when so requested in writing by a majority of Members of Council.
- (b) Upon receipt of a written petition of the majority of the Members of Council, the Clerk shall summon a special meeting for the purpose mentioned in the petition.
- (c) Upon the calling of a special meeting the Clerk shall give notice to all members, not less than 48 hours prior to the time fixed for the meeting of the:
 - time;
 - place; and
 - business to be considered.
- (d) On emergency or extraordinary occasions, the Mayor may call a special Council meeting without the notice provided in Section 8.1 (a).
- (e) Only items disclosed on the meeting agenda may be considered by Council. Items will not be added to the special meeting on a consolidated agenda.

8.2 Workshops

8.2.1 Location, Date and Time of Meeting

Council workshops shall be held no earlier than 6 p.m.

8.2.2 Delegations

Delegations will not be heard at Council workshops.

8.3 ~~Emergency City Council Meetings~~ Electronic Meetings during a Declared Emergency

- (a) Where an emergency has been declared in all or part of the City of Guelph under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act:
 - i. any member of City Council may participate in any open or closed City Council, Special Council or Committee meeting electronically and be counted for the purpose of establishing quorum;
 - ii. all votes shall be by show of hands or by verbal consent (yes or no);

- iii. City Council shall have the discretion to consider any items previously considered by any committee of City Council, but not yet confirmed by City Council at the time the emergency was declared, as part of an emergency meeting called under Section 8.1 (d);
- iv. in accordance with Section 4.5 and pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended, members who have declared a pecuniary interest regarding a matter being discussed shall leave the electronic meeting and not participate in any way with respect to the matter in question; and
- v. Delegations may participate in an electronic meeting via telephone, videoconferencing software and/or other technology methods deemed appropriate by the City Clerk's Office, and in accordance with the rules set out in Section 4.8.

9. Inaugural Council Meeting

- (a) The first meeting of Council following a regular election shall be held on the first Monday in December at 6:30 p.m. in the Council Chambers of City Hall or at such alternate location as determined by the Clerk.
- (b) At the inaugural meeting, each member present shall make his or her declaration of office and sign Council's Code of Conduct. The Clerk may provide additional policies or procedures to Council as appropriate. Council shall not proceed with any regular business at this meeting.

10. Council Meeting as Shareholder

- (a) Council meets as the shareholder of the following Corporations:
 - i. Guelph Municipal Holdings Incorporated; and
 - ii. Guelph Junction Railway Company
- (b) Shareholder meetings shall be held as special meetings on separate dates, unless otherwise directed by the Mayor and/or CAO.

11. Committees

11.1 Appointments to Committees

- (a) Council shall appoint chairs for Committee of the Whole. Council shall consider rotating the chairs' position every two years. In appointing the chairs, consideration shall be given to workload balance, individual interests and Councillor development.

- (b) Council shall appoint vice-chairs for Committee of the Whole. Council shall consider rotating the vice-chairs' every two years. In appointing a vice-chair, consideration shall be given to workload balance, individual interests and Councillor development.
- (c) Council shall make public and member appointments to agencies, boards, committees and commissions at regular Council meetings.

11.2 Committees Reporting Directly to Council

The following committees are appointed by and report directly to Council:

- (a) Ad Hoc Standing committee
 - i. Emergency Governance
- (b) Quasi-judicial committees
 - i. Business Licence Appeals Committee
- (c) Committee of Management for The Elliott
- (d) Chief Administrative Officer Recruitment, Selection and Performance Sub-committee

11.3 Committee Composition

The Mayor is ex-officio on all committees and:

- i. may attend meetings;
- ii. attendance does not count towards quorum; and
- iii. may participate in meetings.

11.3.1 Emergency Governance Committee

The Emergency Governance Committee shall be comprised of a minimum of four (4) and a maximum of six (6) Members of Council and quorum shall be four (4) members.

11.3.2 Committee of Management for The Elliott

The Committee of Management for The Elliott shall be composed of all Members of Council.

11.3.3 Business Licence Appeals Committee

The Business Licence Appeals Committee shall be composed of five (5) Members of Council appointed for the term of Council to hear appeals under the Business Licence By-law.

11.3.4 Chief Administrative Officer Recruitment, Selection and Performance Sub-committee

The Chief Administrative Officer Recruitment, Selection and Performance Sub-committee shall be composed of the Committee of the Whole service area chairs for Corporate Services, Public Services, Infrastructure, Development and Enterprise Services, Audit and Governance.

11.4 Ad Hoc Committees and Advisory Committees

11.4.1 Ad Hoc Committees

- (a) Council may appoint ad hoc committees, with a defined ending, to consider a specific matter and report to Council.
- (b) Only the members of an ad hoc committee shall participate in debate or ask questions at ad hoc committee meetings.

11.4.2 Advisory Committees

- (a) Advisory committees are created by Council with no defined ending, to report through the appropriate Service Area on a specific subject matter.
- (b) No Members of Council shall be appointed to advisory committees.
- (c) The appointment of a member of the public to an Advisory committee may be forfeited if the member is absent from meetings of the committee for three (3) consecutive months without being authorized to do so by a resolution of the committee.

12. Report Deadlines and Weekly Information Items

12.1 Report Deadlines

Reports, presentations and other agenda materials are due to the Clerk's office on the dates and times set out in the Council and Committee Report Deadlines schedule prepared following the adoption of the Council and committee meeting dates.

12.2 Weekly Information Items

- (a) Weekly Information Items shall consist of the following items:
 - i. Reports from staff for information;
 - ii. Correspondence received that may be of interest to Members of Council;
 - iii. Boards' & committees' minutes and information;

- iv. Intergovernmental Consultations; and
 - v. Items available in the Clerk's office.
- (b) Weekly Information Items will be published and distributed weekly on Fridays.
- (c) Members of Council may request an item from the Weekly Information Items be placed on the appropriate Committee of the Whole or Council agenda for discussion.

13. General Rules

13.1 Robert's Rules of Order

In relation to the proceedings of Council and committees and for which Rules of Procedure have not been provided in this by-law, Roberts Rules of Order 11th Edition shall be referenced where practicable.

13.2 Other General Information

13.2.1 This by-law comes into force on September 23, 2019.

13.2.2 The short title of this by-law is the Procedural By-law.

13.2.3 Appendix 1, the "Motions Table", forms part of this by-law and shall be used as a reference.

14. Procedural By-laws for Other Boards, Committees or Commissions

Where a board, committee or commission of the City has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this procedural by-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council meetings as set out herein.

15. Repeal of Previous By-law

By-law Number (2019)-20432 is hereby repealed.

PASSED this SIXTEENTH day of APRIL, 2020.

Cam Guthrie – Mayor

Stephen O'Brien – City Clerk

Appendix 1 - Motions Table

Motion	Debatable	Non-debatable	Amendable	Non-amendable	Special Majority
adjourn		X		X	
point of privilege		X		X	Chair Rules*
point of order		X		X	Chair Rules*
call a vote on the motion		X		X	
motion to amend	X		X		
defer		X		X	
refer	X		X		
extend Council meeting beyond 11:00 p.m.	X			X	Majority of the members present
extend Committee of the Whole meeting beyond 8:00 p.m.	X			X	Majority of the members present
reconsideration	X			X	2/3 of entire Members of Council (9)
appeal the chair's ruling		X		X	
suspend the Rules of Procedure		X		X	2/3 of entire Members of Council (9)
extend delegation speaking time beyond five or ten minutes, whichever is applicable		X		X	

*A point of order/privilege is ruled on by the Mayor/chair. Any member may appeal the chair's ruling which must then be decided by a majority vote of the members present without debate.

Staff Report



To	City Council
Service Area	Corporate Services
Date	Thursday, April 16, 2020
Subject	2020 Property Tax Policy Report

Recommendation

1. That the 2020 City of Guelph property tax ratios, subclass discounts and corresponding tax rates, as set out in Attachment-1 to the report titled 2020 Property Tax Policy dated April 16, 2020, be approved.
-

Executive Summary

Purpose of Report

To recommend that the 2020 property tax ratios, subclass discounts and corresponding tax rates (Tax Policy), included as Attachment-1, be approved and incorporated into by-laws. This provides sufficient time to prepare the final tax bills for meeting the legislated mailing date for the June 30, 2020 tax installment.

Key Findings

Municipal Councils are required to make a number of Tax Policy decisions and pass the related by-laws annually. Attachment-1 and calculated rates are an administrative consolidation of all applicable previous Council decisions.

In 2020, the average residential taxpayer with a property assessed at \$388,362 will be levied \$3,766.50 in City taxes for an overall property tax increase of \$140.76, broken out as follows:

City of Guelph Portion	\$ Change	% Change
Reassessment Phase-in /		
Average Residential Property	\$3.49	0.10%
2020 Budget Impact	\$128.67	3.55%
Multi-residential Ratio Change Impact	\$5.19	0.14%
Subclass Discount Change Impact	-\$7.58	-0.21%
Hospital Levy Impact	\$10.99	0.30%
Total Change	\$140.76	3.88%

Fair tax policies and a balanced tax ratio form an integral part of the City's strategic goals.

Financial Implications

There are no financial implications related directly with Tax Policy. Tax ratios and subsequent tax rates only allocate the approved tax supported operating budget over the different tax classes.

Annually, the cost of the mandatory charity rebate program is approximately \$130,000.

Report

Municipal Councils are required to make a number of Tax Policy decisions annually. The Municipal Act sets out the parameters to be followed by municipalities when setting property tax policies. These parameters include establishing tax ratios and discounts; use of graduated taxation and optional classes; capping options on multi-residential, commercial and industrial properties; and various tax mitigation measures. Annually Tax Policy decisions determine how the property tax levy, approved in the annual budget, will be distributed across the various classes of properties.

On December 3, 2019, Council approved the 2020 tax supported budget, of which \$256,192,624 is to be raised from taxation and payments-in-lieu, plus an additional hospital levy of \$750,000.

2020 Tax Policy

The following summarizes the Tax Policy and programs discussed in this report:

- Approving the 2020 tax ratios, subclass discounts and tax rates;
- Continuing the low-income seniors and low-income disabled tax relief program; and,
- Continuing the charitable tax rebate program, of which the City annually accrues funds for.

The by-laws for approval resulting from this report are to allow sufficient time to prepare and mail the final property tax bills within the legislated time frame for the June 30, 2020 installment.

Tax Ratios and Subclass Discounts

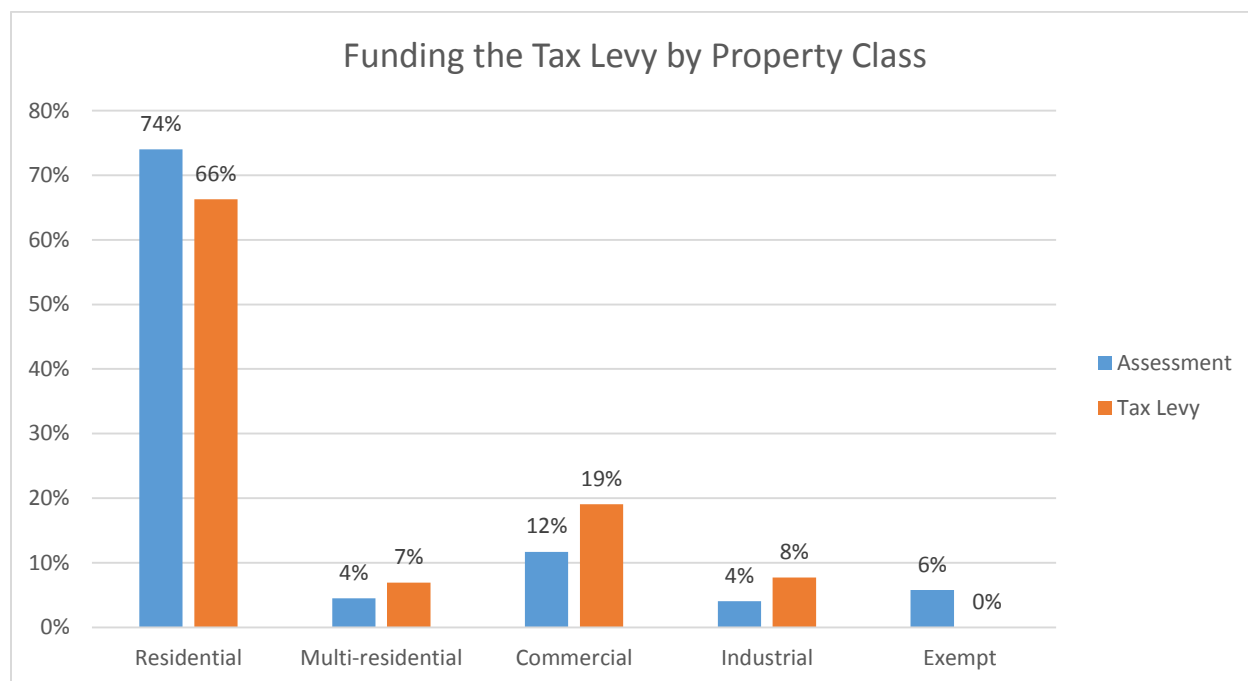
On April 24, 2017, Council adopted the recommendations in the [Tax Ratios 2017-2020 Assessment Cycle report](#), which provided direction for setting tax ratios for the reassessment cycle 2017 through 2020. This direction was that all ratios remain at their start ratio, except for the multi-residential ratio, which would remain revenue neutral on an annual basis.

On July 22, 2019, Council adopted the recommendations in the [Vacant and Excess Land Subclass Review report](#), which provided direction for phasing out subclass discounts. This direction provided that subclass discounts would be phased out over two years beginning in 2020, reducing the discounts from 30 per cent to 15 per cent in 2020 and fully eliminating the discount in 2021.

Funding the Tax Levy by Property Class

The tax levy is funded primarily through four broad property tax classes: residential, multi-residential, commercial, and industrial. The split between total

assessment and total tax levy based on the proposed Tax Policy for 2020 is shown below.



The residential tax class makes up 74 per cent of the City's total assessment base and funds 66 per cent of the tax levy. The assessment and tax levy split among all classes is consistent with prior years.

Impact on the Average Residential Taxpayer

The impact on the average residential taxpayer with an average property assessment of \$388,362 is as follows:

City of Guelph Portion	\$ Change	% Change
Reassessment Phase-in /		
Average Residential Property	\$3.49	0.10%
2020 Budget Impact	\$128.67	3.55%
Multi-residential Ratio Change Impact	\$5.19	0.14%
Subclass Discount Change Impact	-\$7.58	-0.21%
Hospital Levy Impact	\$10.99	0.30%
Total Change	\$140.76	3.88%

The impact of the reassessment phase-in is the only item not driven by the 2020 budget and Tax Policy decisions. This impact is solely driven by the assessment phase-in and associated tax shifting, along with what an average residential property assessment in Guelph looks like. Naturally, as residential properties increase in value, the average assessment will increase each year due to the phase-in process. Additionally, on an annual basis the average residential property continues to be bigger and of a higher quality as new larger, higher value homes

are being constructed. This further increase in the average residential property value provides for upward pressure when comparing an average year-over-year.

Hospital Levy

In 2020, a hospital levy will be shown separately on the final tax bill. This levy is Council's commitment to funding Guelph General Hospital renovations with \$750,000 on an annual basis from 2020 through 2025.

Tax Relief for Low-Income Seniors and Low-Income Persons with Disabilities

Municipalities are legislatively required to have a tax relief program under Section 319 of the Municipal Act. This program provides qualifying low-income seniors and low-income persons with disabilities tax relief through a deferral of property tax, should their annual assessment-related tax increase be greater than \$200. The program is set out in By-law (2015)-19988.

Tax Rebates for Charities

Municipalities are legislatively required to have this rebate under Section 361 of the Municipal Act. Qualifying charities, upon application, are provided a rebate of 40 per cent of taxes paid. In 2019, the City processed 37 rebate applications for a total dollar amount of \$217,939, of which the City's share was \$130,073. The charitable tax rebate program is set out in By-law (2002)-16851 and By-law (2003)-17152.

Financial Implications

There are no financial implications related directly with the Tax Policy. Tax ratios and subsequent tax rates only allocate the approved tax supported operating budget over the different tax classes.

Annually the cost of the mandatory charity rebate program is approximately \$130,000.

Communications

Once adopted by by-law, tax rates will be posted on the City's website.

Included with the 2020 final tax bill is an informational insert, which outlines the services that are funded through property taxation and the percentage of each dollar that goes to fund that service.

Strategic Plan Alignment

This report aligns with Strategic Plan priority Working Together for our Future, running an effective, fiscally responsibly and trusted local government.

Attachments

Attachment-1 2020 City of Guelph - Tax Ratios, Discounts and Rates

Departmental Approval

James Krauter, Deputy Treasurer / Manager of Taxation and Revenue

Report Author

Greg Bedard, Supervisor, Property Tax

This report was approved by:

Tara Baker, CPA, CA

General Manager Finance/City Treasurer

Corporate Services

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This report was recommended by:

Trevor Lee

Deputy Chief Administrative Officer

Corporate Services

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Attachment-1 to Report 2020-02
2020 City of Guelph Tax Ratios, Discounts and Rates

Property Class	Tax Ratio	Tax Rate Discount	General Levy Tax Rate	Hospital Levy Tax Rate	Total Tax Rate
Residential	1.000000	0%	0.967011%	0.002831%	0.969842%
Residential - Farmland 1	1.000000	25%	0.725258%	0.002123%	0.727381%
Residential - Farmland 4	1.000000	0%	0.967011%	0.002831%	0.969842%
New Multi-residential	1.000000	0%	0.967011%	0.002831%	0.969842%
Multi-residential	1.786308	0%	1.727379%	0.005057%	1.732436%
Multi-residential - Farmland 1	1.000000	25%	0.725258%	0.002123%	0.727381%
Multi-residential - Farmland 4	1.786308	0%	1.727379%	0.005057%	1.732436%
Commercial	1.840000	0%	1.779300%	0.005209%	1.784509%
Commercial - Farmland 1	1.000000	25%	0.725258%	0.002123%	0.727381%
Commercial - Farmland 4	1.840000	0%	1.779300%	0.005209%	1.784509%
Commercial - Excess Land	1.840000	15%	1.512405%	0.004428%	1.516833%
Commercial - Vacant Land	1.840000	15%	1.512405%	0.004428%	1.516833%
Commercial - New Construction Full	1.840000	0%	1.779300%	0.005209%	1.784509%
Commercial - New Construction - Excess	1.840000	15%	1.512405%	0.004428%	1.516833%
Industrial	2.204800	0%	2.132066%	0.006242%	2.138308%
Industrial - Farmland 1	1.000000	25%	0.725258%	0.002123%	0.727381%
Industrial - Farmland 4	2.204800	0%	2.132066%	0.006242%	2.138308%
Industrial - Excess Land	2.204800	15%	1.812256%	0.005306%	1.817562%
Industrial - Vacant Land	2.204800	15%	1.812256%	0.005306%	1.817562%
Industrial - New Construction Full	2.204800	0%	2.132066%	0.006242%	2.138308%
Industrial - New Construction Excess	2.204800	15%	1.812256%	0.005306%	1.817562%
Pipelines	1.917500	0%	1.853958%	0.005351%	1.859309%
Farmlands	0.250000	0%	0.241753%	0.000708%	0.242461%
Managed Forests	0.250000	0%	0.241753%	0.000708%	0.242461%

Business Improvement Area Tax Rates: Occupied 0.331494%, Vacant 0.281855%

Staff Report



To	City Council
Service Area	Corporate Services
Date	Thursday, April 16, 2020
Subject	Temporary Borrowing Policy

Recommendation

1. That the Temporary Borrowing Policy as recommended through report 2020-33 titled Temporary Borrowing Policy dated April 16, 2020 be approved.
-

Executive Summary

Purpose of Report

To adopt a policy that allows the Treasurer to access short-term borrowing in order to support operating expenditures during times of unexpected interruptions of normal business which have the potential to impact the operations of the City.

Key Findings

The Municipal Act allows municipalities to borrow short-term funds to cover operating expenses until such time as taxes and other revenues are collected.

The Municipal Act includes specific limits relative to estimated revenues, which ensures a maximum level of in-year indebtedness.

Borrowing to cover operating expenses should only be used within the fiscal year and not to carry expenses into future years.

Use of an approved operating line of credit versus divestiture of investments will be evaluated as needed, with the focus on minimizing the net cost to the City.

The estimated maximum amount of borrowing that may be required is \$100 million, based on the City's current liquidity position. The City typically collects in excess of this amount of property taxes from April to June each year.

Financial Implications

Depending on the level of borrowing required to meet liquidity needs of the organization, there will be increased operating expenses due to unplanned interest expenses. Current rates are at all-time lows and the impact of these expenses will be managed to provide the lowest cost of borrowing over the fiscal year.

Early divestiture of some investments may lead to lower than anticipated returns or penalties, therefore reducing the City's overall investment return, potentially leading to a shortfall in budgeted investment income. Cost of borrowing compared to cost of early redemption of investments will be assessed and the most financially responsible actions will be executed.

Report

Municipalities are able to borrow funds to meet current expenditures until taxes and other revenues are collected in accordance with Section 407 of the Municipal Act, 2001. The total amount borrowed at any one time and not repaid (including unpaid amounts and accrued interest from the previous year) between January 1 and September 30 must not exceed 50% of the estimated revenues of the municipality as set out in the budget adopted for the year, and between October 1 and December 31, must not exceed 25% of the total estimated revenues of the municipality.

This policy allows staff to act quickly in the event borrowing becomes a necessity due to unforeseen circumstances, such as the State of Emergency recently declared by the Mayor.

Based on the City's current liquidity position, the recommended maximum level of temporary borrowing is \$100 million. Only the funding required would be accessed as needed and repayment will occur once the relevant cash inflows are received. The determination of the level of borrowing is based on the City's level of invested assets, provincial direction regarding capital expenditure and provincial deferral of education tax payments.

The City had cash and investment holdings of approximately \$406 million at December 31, 2019. However, a significant portion of this is invested in such a way that unplanned divestiture would incur penalties or reduce the expected return on the investment over the long term. For this reason it is not possible to use all of these funds to provide the additional liquidity which may be required. Further, the City's cash inflows through the period of April through July 2020 are expected to be significantly reduced because of the COVID-19 emergency and having available contingency financing in place is a responsible and efficient response to manage through this period.

On April 3, 2020 the province announced that all non-essential construction activity was to be paused until further notice. This direction impacts a significant portion of the City's planned capital activities for 2020. Staff are working to determine which projects will continue and which will be deferred until a later date, either in 2020 or beyond. Given this change, it is expected that capital spending in 2020 could be reduced by 25 to 50% depending on the duration of pause in construction activities.

On March 25, 2020 the province notified municipalities that payment of the second installment of Education Property taxes was being deferred from June 30, 2020 to September 30, 2020 and that the third installment was deferred from September 30, 2020 to December 30, 2020. These payments are approximately \$16 million per payment, which provides significant flexibility in our short-term cash flow requirements.

Financial Implications

Depending on the level of borrowing required to meet liquidity needs of the organization, there will be increased operating expenses due to unplanned interest expenses. Current rates are at all-time lows and the impact of these expenses will be managed to provide the lowest cost of borrowing over the fiscal year.

If the City required funding of 10% of annual revenues or \$42.5 million, for a period of 12 months at an estimated rate of 2.5% per annum, the cost of borrowing

would be \$1,062,500 per year. At this time, staff do not know the actual borrowing rate that would be available as conversations are ongoing with the City's primary financial institution. This calculation was included to provide context to the cost of cash flow borrowing if it is required. The City is also taking other steps to reduce expenditures so that the requirement for temporary borrowing or early investment redemption is limited.

Finance staff are monitoring City's cash flow on a weekly basis, updating forecasting models as spending trends are changing quickly and evaluating the most appropriate options for business continuity needs.

Consultations

Strategic Plan Alignment

Ensuring sufficient liquidity to support the City's operations during uncertain times is critical in ensuring the objectives of Working Together for our Future are achieved.

Attachments

Attachment-1 Temporary Borrowing Policy

Report Author

Greg Clark, CPA, CMA Manager Financial Strategy and Long-term Planning

This report was approved by:

Tara Baker, CPA, CA
General Manager Finance/City Treasurer
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This report was recommended by:

Trevor Lee
Deputy Chief Administrative Officer
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Trevor.Lee@guelph.ca

Corporate Policy and Procedure



Policy	Temporary Borrowing Policy
Category	Corporate
Authority	Finance
Related Policies	Debt Management Policy
Approved By	Council
Effective Date	Thursday, April-16-2020
Revision Date	Friday, April 16, 2021

Policy Statement

In order to provide liquidity during unforeseen circumstances, such as City declared State of Emergency or similar situation, this policy will allow the Treasurer to access temporary borrowing from approved lenders.

Purpose

To authorize temporary, not greater than 12 months, borrowing from time to time to meet current operating expenditures during the fiscal year.

Statutory Requirements

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.

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 Ontario Municipal Board, is limited by Section 407 of the Municipal Act, 2001.

Authorization

1. The Treasurer is hereby authorized, upon approval of a by-law, 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 policy shall be any Schedule I bank as identified by the Canada Bank Act.
-

3. The total amount which may be borrowed at any one time under this policy 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.
4. The Treasurer shall, at the time when any amount is borrowed under a by-law as per this policy, ensure that the lender is or has been furnished with a certified copy of said 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 policy, the limitation on total borrowing, as set out in section 3. of this policy, shall be temporarily calculated until such budget is adopted using the estimated revenues of the municipality as set forth in the budget adopted for the previous year.
b) If the budget for the current year has not been adopted at the time an amount is borrowed under this policy, 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.
6. For purposes of this policy the estimated revenues referred to in section 3., 4., and 5. include only own-source revenues derivable or derived from, a) property tax or other such payments in lieu; b) user fees and service charges as per the normal business of the City.
7. The Treasurer shall be and is hereby authorized and directed to apply in payment of all or any sums borrowed under this policy, 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. The Treasurer shall be responsible for establishing the necessity of temporary borrowing under this policy or the manner in which the borrowing is used.

Staff Report



To	City Council
Service Area	Office of the Chief Administrative Officer
Date	Thursday, April 16, 2020
Subject	Managing the Impacts of COVID-19

Recommendation

1. That the expanded fiscal relief measures for businesses and residents as outlined in report "Managing the Impacts of COVID-19" dated April 16, 2020 be approved.
 2. That staff continue to explore ways to assist Guelph residents and businesses as they experience the impacts of the COVID-19 pandemic; and that staff continue to pursue advocacy with various levels of government.
 3. That report "Managing the Impacts of COVID-19" dated April 16, 2020 be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and the Ministers of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario.
-

Executive Summary

Purpose of Report

This report provides Council with recommended fiscal relief measures that will help our local business and residents manage through this unprecedented time. Further, it highlights how the City has responded through the creation of Working Tables to quickly assess and recommend response actions in collaboration with partnering agencies.

Key Findings

The City is responding to the COVID-19 pandemic to support the community. Highlights of the City's response include:

- Activating the City's Emergency Operations Centre on March 13, 2020 to oversee response efforts with a coordinated, inter-departmental approach that has evolved to include key community stakeholders including the Guelph Police Services, Wellington-Dufferin-Guelph Public Health and the Guelph General Hospital.
- Providing the use of both the Delhi Street facility and subsequently the Victoria Road Recreation Centre, inclusive of technology and some staffing, for the community's COVID-19 Assessment Centre
- Quickly responding to Council's governance requirements by facilitating one of the province's first digital Council meetings on March 23, 2020. It has since been recognized through municipal associations as a leading approach from both a technology and administration perspective.

- Providing immediate actions to close facilities, enhanced cleaning measures, and activate supply chains for cleaning supplies and protective equipment to protect both our community and City staff from the spread of COVID-19.
- Recommending immediate fiscal relief in March while mobilizing internal staff working teams and a Task Force to consider and investigate feasibility of longer term recovery efforts and programs.
- Declaring a City-wide emergency in response to the outbreak at Guelph General Hospital on March 26, 2020. Since then, the City has been working with our partners to facilitate transportation to housing and meal preparation for the City's vulnerable populations.
- Recommending additional yard waste pick-up through the spring to help residents who cannot use the Public Drop-off at this time because it is closed to residential customers to limit the spread of COVID-19.
- Leveraging the City's Smart City win of \$10 million to ensure these funds flow quickly to the initiative's community partners to address food security issues and to directly support the development of new businesses. This funding directly supports economic and social recovery efforts.
- Leveraging our relationships with other levels of governments and organizations such as the Large Urban Mayor's Caucus of Ontario (LUMCO) and Association of Municipalities of Ontario (AMO) to identify opportunities and mitigation strategies and obtain assistance and other supports at an accelerated pace.

Financial Implications

The cost of the fiscal relief measures to ease the burden of the COVID-19 pandemic is estimated to be \$5 million. In addition to this cost, revenue loss due to facility closures, program cancellations and other impacts from the slowing economy and investment market rate decline is estimated to be \$3.9 million.

In response to the significant financial impacts of COVID-19, the City is taking steps to reduce expenditures. These include halting all discretionary spending, reviewing staffing requirements, halting non-critical hiring, and prioritizing capital projects. Early expenditure reduction estimates total \$4.8 million, however this continues to be refined by management. These revenue and expense figures do not yet include impacts of the City's local boards and shared service agents.

Forecasting these financial impacts to year-end, the City will likely experience deficits in both the tax supported and non-tax supported businesses. It is difficult to forecast these deficits at this early stage, however they are expected to be in the range of \$2 to \$3 million for non-tax businesses and \$4 to \$6 million for the tax supported businesses. The City's contingency reserves are sufficient to mitigate through deficits in this range, however, wherever possible, continued actions to reduce these losses to protect the City's long-term sustainability is recommended.

One of the most critical financial considerations being monitored daily by staff is cash flow. The City is putting contingency financing mechanisms in place and also has the benefit of a strong and diversified investment portfolio with laddering investment maturities through May and June 2020. Collection of water, wastewater and stormwater user fees and property taxes are required in order for the City to continue to deliver the essential services to our community. For this reason, fiscal

relief efforts are focused on allowing extended payment terms where it is necessary without financial penalty rather than full deferral.

Report

The COVID-19 pandemic presents the greatest financial challenge that individuals, families, businesses and municipalities have seen in generations. In its response, the City of Guelph is providing fiscal relief to residents and businesses, while maintaining critical community services including delivery of clean water, collection and disposal of wastewater and solid waste, emergency services (police, fire and paramedics), transit, by-law and social and health services through our service delivery partners.

This report outlines the fiscal and non-fiscal measures the City is taking to help Guelph residents and businesses manage through the pandemic; preliminary financial impacts of the City's COVID-19 response and financial projections; and measures the City is planning as part of the next phase of its response.

Establishing Financial Planning Principles

Council approves an annual budget and ten-year capital forecast as part of its plan to align service delivery with community expectations, manage growth, and finance community priorities.

In a time of global crisis, plans change so that public health and critical services are prioritized. As the City manages through this crisis and Council tackles issues with a financial impact on the community, it is appropriate to establish principles to assist Council in making those decisions, drawing on the City's experience of establishing and maintaining its strong financial position. This practice is already in place in other LUMCO municipalities. The principles staff recommend guide Council decision-making during this time are consistent with those of other municipalities, and are outlined below.

1. Public health is the first priority

Services should be adjusted to respond and support our community and employee health as a first priority.

2. Allow other levels of government time to fulfill their mandates

Other levels of government have different jurisdiction, rights and obligations. The City should only consider support in areas in which it has jurisdiction and which it can provide cost effectively. The City should leave larger programs to those levels of government that have the financial ability to undertake them.

3. Use reserves appropriately to manage financial challenges

The City has contingency reserves to manage some of the financial unpredictability resulting from the COVID-19 crisis. These reserves should be used for the purposes for which they were set aside, however, where possible as a first priority, fiscal impacts should be mitigated through expenditure reprioritization and reductions.

4. Deviation from our financial plan should not be permanent

Fiscal relief to residents and businesses should be one-time or have a defined end date.

Responding to the Crisis

The City's response to COVID-19 includes fiscal relief measures for residents and businesses; non-fiscal relief measures for residents and businesses; and bringing together leaders from across the organization to form subject-specific 'working tables' to facilitate various forms of relief and recovery.

Fiscal relief measures for residents and businesses

The City's strategy is focused on giving residents and businesses more time to make payments through the waiving of interest, penalties, and fees on property taxes, user fees, licenses, rent and leases. The City has also—and continues to recommend—the full waiver of Guelph Transit fares, and parking permits and fees. Specific fiscal relief measures include:

Water, wastewater and stormwater user fees

The City is assisting residents and businesses by deferring payments without financial penalty by waiving interest and penalties on overdue amounts. Staff recommend extending this waiver through July 2020. This approach is in alignment with our billing agent, Alectra Utilities Corp. and the municipalities that are part of this organization.

Transit fees

With the need for physical distancing, we have decided to protect the health of our transit operators and passengers by offering rear-door boarding and by waiving transit fees. This eliminates the need for any direct interaction between the operator and passengers. The City began waiving transit fees on March 18. Staff's recommendation is to continue to waive fees for Guelph Transit through to June 30 to support the health and safety of the City's transit drivers and to provide a means of transportation for members of the community who need to travel for essential reasons.

Municipal Accommodation Tax

The City had planned to bring forward a report in April 2020 to recommend the implementation of a new Municipal Accommodation Tax in the fall of 2020. Given the pandemic impact on the tourism industry, staff no longer feel this is an appropriate time to add this tax on to an industry which has faced particular hardship. For this reason, staff have indefinitely paused the previously scheduled implementation of the Municipal Accommodation Tax.

Parking fees / permits / fines

Waiving parking fees is one way to help downtown businesses. City staff recommend continuing waiving fees for parking services through to June 30. This includes not enforcing overnight on-street parking restrictions or time limits, including the City's 48-hour parking restriction. It also includes the waiver of fees for metered parking spaces and parking permit fees.

Rental / lease revenue

Staff have investigated and confirmed that there are Municipal Act bonusing concerns related to waiving of rents and lease payments as this is not a benefit that would be available to the broader community. Waiving of rent and lease payments would benefit specific entities which is not allowed by legislation.

For this reason, relief in the form of lease and rent deferral, upon request, without financial penalty from April through July 31 is recommended.

Through a municipal scan, this approach is consistent within the municipal sector.

Business and other licences

The City began deferring business licence payments March 18. Staff recommend extending this deferral through to the end of July, while continuing to issue licences, as the Province deems this an essential service.

Property taxes

The City began waiving late fines and interest on property taxes, and allowing for the deferral of pre-authorized debit (PAD) tax payments on April 1. Staff recommends continuing to allow deferrals of tax payments through to July 31 for those that need the assistance via the waiving of interest and penalties, NSF fees and fees for changing PAD plans (administratively executing these waivers via a grant under the Municipal Act Section 107).

Other general fiscal relief measures

- All progressive collection activity should be paused through July 2020 so as not to put extra pressure on the community to pay past due bills.
- All interest, penalties and charges on overdue amounts for all City revenues should be waived during April to July 31 including cancellation fees for recreation programs. However, administrative fees should still be applied, for example in building services, for work completed by staff to date prior to the cancellation.
- Recommending additional yard waste pick-up through the spring to help residents who cannot use the Public Drop-off at this time because it is closed to residential customers to limit the spread of COVID-19. This enhanced program is expected to cost an additional \$100,000 based on estimated tonnage that has historically been dropped off by residents in past years. Staff will be promoting this program change to ensure all residents are aware of this enhancement once implementation details have been finalized. It is expected that this will prevent residents from hiring a commercial service to clear waste or from illegally dumping waste in other parts of the City.

Working Tables to support relief and recovery

As an important part of our response, staff have created the following working tables to deal with immediate issues and others that lie ahead. The tables are comprised of key City staff and City partners with subject matter expertise. The tables are:

Fiscal Relief Working Table

The Fiscal Relief Table (FRT) was formed with members of senior management that collectively have oversight over the largest revenue streams for the City and bring different perspectives and expertise towards the fiscal recommendations outlined in this report. All business areas have been consulting within their municipal

professional associations to gain insight and advice to support the recommended positions. The FRT has been focused on enabling quick, impactful fiscal measures to help residents and businesses take more time to meet their obligations through the pandemic period if needed.

Economic Recovery Working Table

An Economic Recovery Table (ERT) was formed to explore and implement programs and initiatives that will contribute to the recovery of Guelph's economy.

This work will focus on three, inter-connected streams: 1. financial relief, incentives and tools; 2. focused economic development activities; and 3. a dedicated task force.

The Task Force will identify supports and stimulus measures needed for coordinated short-term response, medium-term recovery and long-term resilience-building activities. Task Force composition will include the Mayor, two City Councillors, community business organizations, and private industry. City staff from the Business, Development and Enterprise and the Strategy and Innovation departments will act as leads and liaisons to ensure alignment with both the City's Strategic Plan and economic development strategy.

The ERT will outline the ongoing financial mechanisms the City might consider as part of its tool kit for stimulating the economy, and work collaboratively with the FRT to assess the viability of these options. Early discussions have resulted in the ongoing waiving of parking and transit fees, as well as giving businesses more time to make payments through the waiving of interest, penalties, and fees on property taxes, user fees, licenses, rent and leases tax payment, as outlined in this report.

The ERT will also pursue economic development activities that support the business community's access to information/resources during the pandemic and efforts to rebuild Guelph's economy post-pandemic. Collectively these activities will serve to strengthen relationships and position the City as a strategic partner in re-establishing Guelph's economic well-being. Early ideas include virtual programming; collaborating on activities, programs and events organized by external agencies; outreach with business leaders to inform policy and program development; and targeted promotions of existing programs.

Central Repository Table

The Central Repository Table (CRT) is the hub for information gathering, analysis and sharing best practices with various decision-making groups at the City of Guelph. The sharing of information between Ontario municipalities has strengthened Guelph's decision making and allowed Guelph and other cities to join to advocate for supports (financial, legislative and regulatory) from other levels of government.

The CRT produces a daily summary of Canada-wide municipal news related to COVID-19 to inform the EOC and other working tables; tracks daily announcements from other levels of government as they pertain to Guelph; and coordinates information sharing between Ontario's municipalities on facility closures, staffing-related issues, financial relief initiatives, economic and community recovery initiatives, and COVID-related financial impacts.

The CRT also leads advocacy with LUMCO mayors on COVID-19 issues including the deferral of the education portion of property taxes. Other issues include highlighting

the need for a holistic approach to supply chain management for PPE, addressing the capacity of municipal enforcement to enforce provincial emergency measures, and requesting sector-wide consultation about recovery stimulus initiatives.

The CRT collaborated on behalf of LUMCO with AMO and MARCO to jointly call on the Province to address challenges with staffing and redeployment as Ontario municipalities battle COVID-19 on the front lines.

The CRT has worked with LUMCO CAOs, in partnership with the Ontario Public Transit Association (OPTA) and Canadian Urban Transit Association (CUTA), to quantify COVID-related revenue losses. We have shared this information with the Minister of Transportation to begin a discussion about government supports to ensure transit can continue to operate as an essential service in Ontario's big cities.

Looking ahead, the CRT will work with other municipalities and levels of government to find creative solutions to challenges, and opportunities to strengthen our community through recovery. As stimulus programs, grants and other funding initiatives surface, the CRT, together with the ERT, will connect the City and the community to these funding opportunities.

Lift our Spirits Table

The focus for the Lift our Spirits Table is keeping our residents engaged and feeling they are contributing to the community during this COVID-19 pandemic. The group has already been posting content online, and is continuing to plan for activities like public art tours, online arts and craft programs, and activities for families to enjoy. This group is led by staff from the City's Tourism Office, and from Guelph Museums, working in partnership with Recreation staff and our Communications team.

Social and Community Response Table

The City has recently formed another table to address Social and Community Response to the COVID-19 pandemic. This table will coordinate the work of the City and the County of Wellington, social service providers, and other not-for-profit groups to support the community. One example of this work has been the provision of Guelph Transit resources to move homeless individuals into hotel accommodations so that the County and other social service agencies could better ensure their individual health and wellness. Another growing program has been the City's production of meals for vulnerable seniors, youth and others in our community who are suffering from food shortages. These meals are prepared from the Evergreen Seniors Community Centre kitchen by trained City staff who are certified chefs. This initiative is a collaborative effort with a variety of community agencies including the United Way, Wyndham House, and the Drop In Centre.

Governance Table

The Governance Table supports Council's statutory obligations as a legislative body and its decision-making authority. This involves reviewing the comprehensive agenda forecast for meetings and related items that were scheduled to come before Committee of the Whole and Council in 2020 and re-prioritizing them as a result of the COVID-19 pandemic. This table also supports Council's transition to remote meetings during the COVID-19 pandemic.

Construction Working Table

With capital and operational construction projects and activities affected by COVID-19, the Construction Working Table (CWT) has been formed to prepare guidelines

to enable City staff to determine what work should continue, and to ensure consistency across the organization.

Work has been categorized as either critical (work that is required before June 30, 2020 to support the safe delivery of essential services, meet regulatory compliance requirements, provide/protect public and city staff safety, repair/replace failed infrastructure or equipment) or non-critical (work that supports the safe delivery of essential services but is not necessary or otherwise required before June 30, 2020.)

The CWT has prepared a 'project prioritization framework' tool to assess work continuity and identifying risk. Once projects are categorized using the tool, data such as financial implications can be filtered based on different scenarios. The tool also helps staff consider risks to projects and activities.

Based on initial work, it is estimated that approximately \$55 million of budgeted construction work can be delayed for at least three months to help with organizational cash flow and liquidity. In addition, there has been \$41 million of budget identified as less critical that could be paused to a future year if required.

The CWT will continue to refine these early estimates and provide updates in future reporting.

The FRT, ERT, CWT and CRT are working to advocate for infrastructure stimulus programs from the Federal and Provincial governments as a way to assist with community recovery efforts, and to help municipalities meet their infrastructure backlog requirements that continue to grow while financial resources become scarce.

Staffing Resources Table

The Staffing Resources Table (SRT) is exploring the mitigation of COVID-19-related financial impacts through strategies such as a pause in non-essential hiring and the decision to temporarily lay off casual, part-time employees. The SRT will provide recommendations to the Executive Team regarding further labour adjustments to be considered as the City responds to COVID-19 impacts. These may include Council-directed decisions relating to service levels or other provincially-determined directives that will be forthcoming, this group is working closely with other municipalities to ensure Guelph is connected and aligned with the strategies being deployed across the province.

Cleaning Table

One of the first working groups to be established, this cross-departmental table of staff coordinates the cleaning needs across City facilities and services. Working alongside our Union executives, we have adopted a collaborative approach that permits staff to be redeployed from various corporate facilities. The first of these initiatives was to assist with cleaning surfaces at Guelph Transit, and was then expanded to address needs elsewhere within City facilities and operations. The table coordinates the scheduling and training of these staff, as well as ensures that they have appropriate PPE and cleaning supplies. The early establishment of this working group to address cleaning needs at Guelph Transit helped to map out a framework for future redeployment needs, like to the Victoria Road Recreation Centre, when it was converted to a screening centre.

Facility Redeployment Table

This table coordinates and oversees the redeployment of existing City facilities as needed to deal with the broader COVID-19 community response. The first facility redeployment was for the Delhi Community Centre. The City agreed to provide the physical location to be used as a screening centre, run by the Guelph General Hospital and the Guelph Family Health Team, in conjunction with WDG Public Health. Staff from Information Technology, Corporate Facilities Maintenance, Building Services and GW Paramedic Services worked quickly to get the space appropriately converted and available to be opened to the public. While successful early in the COVID-19 response, it quickly became apparent that the Delhi location did not adequately meet the needs of the community in terms of accessibility and parking.

The second City facility to be redeployed was the Victoria Road Recreation Centre (VRRC) to accommodate the screening centre. This allowed for better parking and accessibility for the public. The VRRC was thoroughly sanitized and all equipment moved out of the ground floor, and the spaces were converted to allow for safe screening and testing of the public by trained medical staff. The facility opened to the public on Monday April 6, after the closure at the Delhi location the night before.

City staff provide the building oversight and the overnight cleaning of all clinical and public spaces. Staff were redeployed from other recreation facilities and provided full training and briefings on PPE and other considerations by staff from the Guelph General Hospital. This required a coordinated effort on the part of several City departments and CUPE241 to redeploy staff into this location.

Other facility redeployments will be identified as needed through our Emergency Operations Control Group, and in conjunction with our partners from the Guelph General Hospital and WDG Public Health. All available City facilities have been inventoried, and due consideration has been given to how best they might be used depending on the needs of the community in the coming weeks.

First Responders Table

This table brings together the Chiefs and Deputy Chiefs from Guelph Police Services, Guelph Fire Services and Guelph Wellington Paramedic Services, along with the Deputy CAO of Public Services, and the Community Emergency Management Coordinator. Recently added to the working group is the General Manager of Operations to address matters related to bylaw and enforcement. This group convenes regularly to compare and discuss matters related to our first responders. This includes discussing available supplies of personal protective equipment (PPE) and which staff need to be using which kinds of PPE. The group also discusses who best should respond to particular calls in order to provide appropriate levels of service to the community while still keeping our staff as safe as possible.

Union Presidents Table

This table is comprised of the Executive Team, the CAO of the Guelph Public Library and the presidents of the seven union locals who represent staff at the City of Guelph and the Library. It is a weekly opportunity for administrative and union leadership to come together and discuss the interests and needs of City employees.

The table is one way the City is acting on the value it places on its relationships with stakeholders.

Financial Implications

Early COVID-related Financial Impacts and Projections

The cost of the fiscal relief measures to ease the burden of the COVID-19 pandemic is estimated to be \$5 million. In addition to this cost, revenue loss due to facility closures, program cancellations and other impacts from the slowing economy and investment market rate decline is estimated to be \$3.9 million. The figures are difficult to estimate across all business lines; more time is needed to refine these projections for the first quarterly variance report in June 2020. In addition to the impacts identified, early estimates of expenditures specifically related to the COVID-19 response is \$500,000 however, the City is hopeful that there will be grant program that will allow for financial recovery.

Projected cost of COVID-19 impacts	
Fiscal relief measures	
Waiver of interest and penalties for user fees including water, wastewater and stormwater	\$50,000
Waiver of transit fares	\$3,400,000
Waiver of parking fees and fares	\$1,200,000
Waiver of interest and penalties for property taxes	\$400,000
Increased residential yard waste pick in the spring	\$100,000
Sub-total fiscal relief cost	\$5,150,000
Lost revenues from COVID-19	
Parks, Recreation and Culture program cancellation	\$1,380,000
Parking fines	\$450,000
Closure of Public Drop Off for residential use	\$95,000
Decline in investment portfolio returns	\$500,000
Economy slowing reducing budgeted growth revenues inclusive of property tax supplementary billings, water, wastewater and stormwater and development related application and building fees	\$1,500,000
Sub-total lost revenues from COVID-19	\$3,925,000
Total projected cost of COVID-19 impacts	\$9,075,000

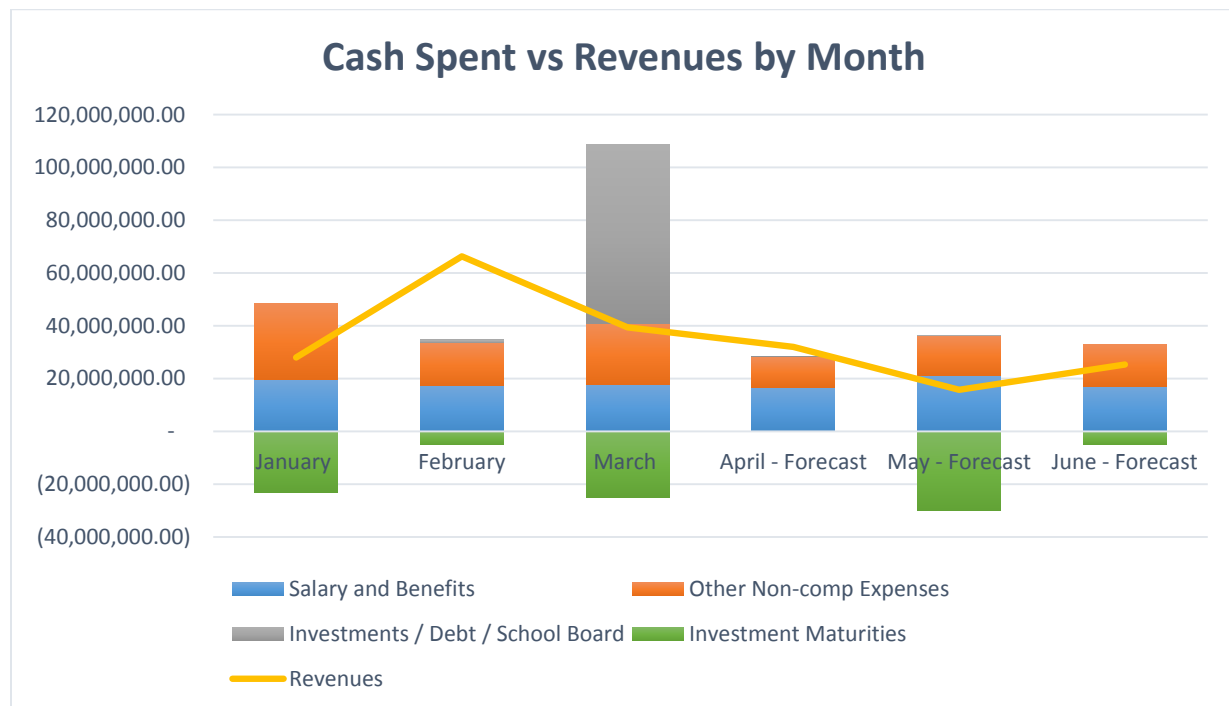
In response to the significant financial impacts of COVID-19, the City is taking steps to reduce expenditures. These include halting all discretionary spending, reviewing

staffing requirements, halting non-critical hiring, and prioritizing capital projects. Early expenditure reduction estimates total \$4.8 million, however this continues to be refined by management.

Forecasting these financial impacts to year-end, the City will likely experience deficits in both the tax supported and non-tax supported businesses. It is difficult to forecast these deficits at this early stage, however they are expected to be in the range of \$2 to \$3 million for non-tax businesses and \$4 to \$7 million for the tax supported businesses. The City's contingency reserves are sufficient to mitigate through deficits in this range, however, wherever possible, actions should be considered to reduce these losses to protect the City's long-term sustainability.

The culmination of all the financial impacts projected to June 30 is illustrated in the chart below. There is a steep drop in the City's revenues, whereas expenditures are not yet following this trend. The City continues to review and consider options related to spending inclusive of both operating and capital budgets.

The City's cash flow is being maintained due to \$35 million of investment maturities occurring in May and June 2020, which will not be reinvested and instead will be used for liquidity in the next three months. Further, contingency financing is being put into place to ensure financial stability through 2020.



Property tax deferrals

Staff have received questions from Council regarding the impact of fully deferring property taxes for 30, 60, or 90 days. The City relies on property tax revenues to meet its ongoing essential service delivery obligations when almost all other revenues have been paused.

Staff strongly advise against an 'en masse' deferral of property taxes given the significant cash flow challenges this will create for the City. Further, taking a one-size fits all approach is not in the best interest of the City from the perspective of either administering PAD changes, nor from a cash flow impact perspective.

Further, it does not allow our users to choose what is best for their individual situations. There is also increased risk that the ultimate collection of taxes may be impaired if the City makes deferral the default choice. The Federal and Provincial governments have put in place significant support for families and businesses that should be encouraged as a first step to access relief.

From a collections perspective, stability and predictability are the key principles in ensuring taxes are collected. Continuing to allow for tax due dates and monthly PAD withdrawals for those who can maintain their regular payments without hardship follows best practice and enables the City to meet its ongoing obligations to provide essential services to the community.

The City's next due date is April 30; in a normal year, collection would be approximately \$51 million in April and \$11 million in May. The June 30 tax due date then follows with an estimated \$73 million of collections in June.

Financial cash flow sensitivity modelling has been completed and the deferral of all these revenues into the July through September period will require the City to use contingency financing, which comes at a cost. The financial impacts in this report do not include cost of contingency financing at this point and will increase the projected year-end deficit position.

Reducing 2020 property tax rates

Staff do not recommend reducing 2020 property tax rates. To do so, Council would need to revisit the approved 2020 budget.

In consultation with other municipalities and associations who are also studying this issue, general consensus cautions against opening the budget due to the requirement by law to approve a funded, balanced budget. It would be better for the City to manage through this pandemic with the budget that has already been approved by Council. There is a significant risk, based upon the lost user fee revenue, and increased expenses, that there could actually be an increase required from taxation in order to achieve a balanced budget based on the information that we know today.

Consultations

Inputs to this report were received from the Executive Team and the working tables as described through this report.

Strategic Plan Alignment

These recommendations align with the Strategic Plan's Working Together for our Future priority to run an effective, fiscally responsible and trusted local government. The intent of the City's fiscal relief efforts are to support the community during the pandemic while not losing sight of long-term sustainability, which is critical to the development of an achievable and affordable long-term financial and resource strategy.

Attachments

None.

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