



NOTICE

THE MAYOR HAS CALLED
A SPECIAL MEETING OF COUNCIL

AT 5:00 P.M.

TUESDAY, MAY 19, 2020

IN THE COUNCIL CHAMBERS – CIVIC SQUARE
TO DISCUSS THE FOLLOWING:

- PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;
 - *Sale of City owned land.*
- LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;
 - *Froude lands.*
- LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS;
 - *Fire Negotiations.*

AND

IN OPEN SESSION AT 5:45 P.M.
IN COUNCIL CHAMBERS, CIVIC SQUARE

TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS

FOLLOWED BY A
REGULAR COUNCIL MEETING AT 7:00 P.M.
IN COUNCIL CHAMBERS, CIVIC SQUARE

TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS.

*Due to COVID-19 and the closure of the Civic Square
All Electronic Meetings can be viewed at:*

City of Welland website: <https://www.welland.ca/Council/LiveStream.asp>

YourTV: The meeting will be aired on channel 700 on May 22, 2020 at 9:00 a.m.

Tara Stephens,
City Clerk



COUNCIL MEETING AGENDA

**Tuesday, May 19, 2020
5:45 P.M.**

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- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:00 p.m.)
(See yellow tab)**
 - Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Sale of City owned land.*
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *Froude lands.*
 - Labour relations or employee negotiations;
 - *Fire Negotiations.*

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:45 p.m.)**

- 3. OPEN COUNCIL MEETING (5:45 p.m.)**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**

Regular Council Meeting of May 5, 2020 (*Previously Distributed*).
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)**



COUNCIL MEETING AGENDA – Page 2

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4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATION(S) - Nil

4.2 DELEGATION(S) (maximum 5/10/5 policy) - Nil

4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

09-104 Councillor Chiocchio, Chair, Audit Review Committee - meeting of May 5, 2020.

4.4 LEGISLATED PUBLIC HEARINGS/MEETINGS - Nil

5. COMMITTEE-OF-THE-WHOLE (OPEN)
(to discuss items removed from Agenda Block)

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes

7.2 Notices of Motion (previously submitted for discussion)

(Councillor Green)

20-13 WHEREAS on March 26, 2020 City of Welland council approved the staff plan to introduce a Sunday level of service Monday to Sunday; and further WHEREAS on April 1, 2020 City of Welland council approved the staff plan to introduce a 'Community Bus' level of service Monday to Sunday; and further

WHEREAS on April 8, 2020 Council was advised of a decision under the Emergency Management Civil Protection Act that a reservation system for transit use shall be implemented effective April 13, 2020.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report detailing the staffing and cost savings realized by the above mentioned temporary transit service reductions; and further

THAT this report be included in the Council Meeting scheduled for June 2, 2020.

7.3 Call for Notices of Motion (for introduction at the next scheduled Council meeting)



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8. CORPORATION REPORTS

8.1 Mayor's Report

8.2 Chief Administrative Officer's Report

9. CONFIRMATORY BY-LAW

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 19th day of May, 2020. Ref. No. 20-1

10. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX

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AGENDA BLOCK

1. **BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - Nil**

2. **COMMITTEE AND STAFF REPORTS**
 1. **Business Arising from Committee-of-the-Whole (closed)**
 2. **General Committee Report to Council - Nil**
 3. **Budget Review Committee Report to Council - Nil**
 - 1 4. **Audit Review Committee Report to Council - May 5, 2020**
 5. **Staff Reports**

- 2 - 5 **ENG-2020-18** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Watermain Replacement 2020 - Award of Tender. Ref. No. 20-48 (See By-law 1)

- 6 - 8 **FIN-2020-12** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - 2020 Final Tax Levy. Ref. No. 20-4 (See By-law 2)

- New Business Item #1** Integrity Commissioner recommendation regarding reprimand in relation to the May 5 report re: Councillor DiMarco. Ref. No. 02-160

RECOMMENDATION:

WHEREAS section 223.4(5) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act") provides that the City may impose either of the following penalties on a Member of Council, if the City's Integrity Commissioner reports to Council that the Member has contravened the code of conduct, a reprimand and suspension of the remuneration paid



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to the Member in respect of his or her services as a Member of Council for a period of up to 90 days; and

WHEREAS in a report dated May 1, 2020, the City's Integrity Commissioner found that on December 17, 2019 Councillor DiMarco had breached the Code of Conduct by displaying discreditable conduct towards Councillor Moote; and further

WHEREAS Council accepts the recommendation of the Integrity Commissioner that Councillor DiMarco be reprimanded and asked to apologize to Councillor Moote, Council as a whole and the residents of the City of Welland.

NOW THEREFORE BE IT RESOLVED THAT Council, in seeking to protect the public interest and encourage high ethical standards among the Members, hereby:

1. Reprimands Councillor DiMarco for bullying Councillor Moote, during a break in Council's meeting of December 17, 2019; and
2. Requests that Councillor DiMarco apologize to Councillor Moote, Council as a whole and the residents of the City of Welland, for his improper conduct; and
3. Reminds Councillor DiMarco that Members of Council must conduct themselves with decorum during meetings of Council and warns Councillor DiMarco that any future findings of bullying or intimidating behaviour by him will not be tolerated and will be subject to sanctions of the highest possible order.

9 - 15 FIN-2020-11 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - COVID 19 Financial Impact Report #2. Ref. No. 20-64

16 - 25 CLK-2020-14 City Clerk, T. Stephens - Amendment to the Code of Conduct for Members of Council (HUM-001-0031). Ref. No. 02-160

3. NEW BUSINESS

26 - 32 2. Stephanie Paparella, Legislative Coordinator, City of Hamilton re: Request to Enforce Odour and Lighting Nuisances related to the Cultivation of Cannabis Plants. Ref. No. 18-87

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the City of Hamilton dated April 22, 2020 regarding enforcing odour and lighting nuisances related to the cultivation of cannabis plants.



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- 33 - 43 3. Ann-Marie Norio, Regional Clerk, Region of Niagara re: Report CSD 30-2020: COVID-19 Preliminary Overview of Financial Impacts, Minute Item 9.1.1 CL 6-2020, April 23, 2020. Ref. No. 20-64

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information from the Region of Niagara dated April 24, 2020 regarding Report CSD 30-2020: COVID-19 Preliminary Overview of Financial Impacts, Minute Item 9.1.1 CL 6-2020, April 23, 2020.

- 44 - 65 4. Ann-Marie Norio, Regional Clerk, Region of Niagara re: Memorandum CHR 2-2020: COVID-19 Government Relations Strategy, Minute Item 5.1 CL 6-2020, April 23, 2020. Ref. No. 20-64

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information from the Region of Niagara dated May 4, 2020, regarding Memorandum CHR 2-2020: COVID-19 Government Relations Strategy, Minute Item 5.1 CL 6-2020, April 23, 2020.

- 66 - 94 5. Ann-Marie Norio, Regional Clerk, Region of Niagara re: Report CSD 23-2020: 2020 Property Tax Policy, Ratios and Rates - Minute Item 9.1.2 CL 6-2020, April 23, 2020. Ref. No. 20-4

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information from the Region of Niagara dated May 7, 2020 regarding Report CSD 23-2020: 2020 Property Tax Policy, Ratios and Rates - Minute Item 9.1.2 CL 6-2020, April 23, 2020.

- 95 - 96 6. Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie re: Canada/US Border Crossings - Essential Traffic Only - COVID 19. Ref. No. 20-64

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the Town of Fort Erie dated May 5, 2020 regarding Canada/US Border Crossings - Essential Traffic Only - COVID 19.

- 97 - 98 7. Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie re: Niagara Parks Commission Development of Miller's Creek Marina. Ref. No. 20-74

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the Town of Fort Erie dated May 5, 2020 regarding Niagara Parks Commission Development of Miller's Creek Marina.



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- 99 - 101 8. Caroline Mulrone, Minister of Transportation re: Dedicated Gas Tax Funds for Public Transportation Program. Ref. No. 20-13

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the signing of the 2019/2020 Letter of Agreement between the City of Welland and the Province of Ontario related to the conditions for eligible expenditures, which can be applied against the Provincial funding provided under the Dedicated Gas Tax Funds for Public Transportation Program; and further

THAT Welland City Council authorizes that the Mayor and Chief Financial Officer/Treasurer are hereby authorized to execute the 2019/2020 Letter of Agreement substantially in the same format as attached hereto, and all subsequent years' agreements or amendments in respect of the Dedicated Gas Tax Program with the Minister of Transportation; and further

THAT Welland City Council directs the Chief Financial Officer/Treasurer to set up a Dedicated Gas Tax Fund Reserve Account to receive the provincial gas tax funding for 2019/2020, and subsequent years, and these funds be specifically directed to the continuance and expansion of local public transportation service as required by the Province.

- 102 9. Marlene Haist re: Request to declare May 19, 2020 as “World IBD Day”. Ref. No. 20-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND declares May 19, 2020 as “World IBD Day” in the City of Welland.

10. Reports from Vance Badawey, Member of Parliament, Niagara Centre, that were received by Council on April 21, 2020.

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the following reports from Vance Badawey, Member of Parliament, Niagara Centre: Report 2020-01: Single Sport Betting, Report 2020-02: Re-Branding the Gas Tax Fund, Building Communities Partnership Fund, Federal-Municipal Partnership Program, Report 2020-03: Great Lakes, Report 2020-04: Niagara-Hamilton Trade Corridor - Phase 1 and Report 2020-05: Skilled Trades.



COUNCIL MEETING AGENDA INDEX – Page 5

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- Remove From Block 11. Council to appoint one Councillor Member to the Welland Downtown Business Improvement Area. Ref. No. 99-90/20-10

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND appoints _____ to the Welland Downtown Business Improvement Area for the term May 19, 2020 to November 14, 2020 or until another successor has been appointed.

4. BY-LAWS

MAY BE VIEWED IN THE CLERK'S DIVISION PRIOR TO THE MEETING IF DESIRED.

1. A By-law to authorize entering into contract with Vic Vatr Contracting Limited for the Watermain Replacement Plan 2020. Ref. No. 20-48
(See Report ENG-2020-18)
2. A By-law to establish tax ratios and tax rates and to levy taxes for the year 2020.
Ref. No. 20-4
(See Report FIN-2020-12)



AUDIT REVIEW COMMITTEE MEETING MOTIONS REQUIRING COUNCIL APPROVAL

Tuesday, May 5, 2020
4:56 p.m.
Council Chambers / Virtual Meeting

Councillor Chiocchio in the Chair

Members in Attendance: Mayor F. Champion, Councillors D. McLeod, T. DiMarco, and L. Van Vliet

The following is a Summary of Motions and Recommendations from the Audit Review Committee requiring Council approval:

1) FIN-2020-10 – 2019 Year End Report

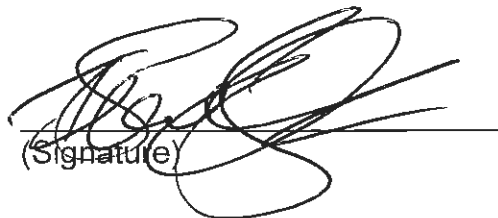
THAT THE AUDIT REVIEW COMMITTEE forward to Council for information the 2019 Year-End Report, up to and including December 31, 2019 (FIN-2020-10); and further

THAT Welland City Council approves that the 2019 Tax Supported Budget forecasted surplus (to be \$1,097,568 drafted and unaudited) be allocated to the Capital Surplus Reserve Fund.

As recommended by the Audit Review Committee at its meeting of May 5, 2020.

Date Submitted: May 19, 2020

Submitted by Steve Zorbas, General Manager, Corporate Services, Chief Financial Officer/Treasurer, on behalf of the Audit Review Committee.


(Signature)

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	CL
CFO	R
CAO	SM

REPORT ENG-2020-18
MAY 19, 2020

20-48

SUBJECT: WATERMAIN REPLACEMENT 2020 – AWARD OF TENDER

AUTHOR: MATTHEW MAIN, A.Sc.T., E.I.T.
ENGINEERING DESIGN SUPERVISOR

APPROVING MANAGER: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING

APPROVING G.M.: TRAVERS FITZPATRICK, GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Vic Vatr Contracting Ltd.** in the amount of **\$1,139,548.60** (plus HST) being the lowest of seven (7) tenders received for the Watermain Replacement 2020 tender;
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The existing watermains on Lyons Creek Road and Trufal Avenue have experienced a very high rate of breakage and leakage. The result is on-going maintenance and repair, disruption of service to ratepayers, increased risk of an adverse water quality result and increased water costs.

Generally, aging cast iron watermains were constructed with thinner walls, variable material quality and antiquated construction standards. As such, these mains are less capable of withstanding the deteriorating effects of both corrosion and frost-heave while approaching and/or exceeding their expected design life.

COMMENTS AND ANALYSIS:

A tender with the following scope of work was prepared:

- Replacement of 1,200m of watermain including appurtenances and water service laterals;
- Full road reinstatement on Lyons Creek Road and Trufal Avenue with an application of double surface treatment.

The tender for the works was released on Tuesday April 21, 2020 and was publicly advertised and forwarded to the Niagara and Toronto Construction Associations, and as well, posted with a major Canadian tendering website for two (2) weeks.

There were seven (7) tenders received on closing day, Tuesday May 5, 2020. Submissions have been reviewed for accuracy, have been found to be in compliance with City of Welland tender requirements and the provisions of the current Purchasing Policy. The summary of all the tenders received, excluding taxes, is as follows:

Contractor Name and Address	Tender Price (excluding taxes)
Vic Vatrt Contracting Ltd. 15 St. George Street Welland, ON L3C 5N1	\$1,139,548.60
Nexterra Substructures Inc. 7226 Rexinger Road Niagara Falls, ON L2G 0R9	\$1,296,439.85
Alfidome Construction Ltd. 1701 Thorold Townline Tunnel Road Niagara Falls, ON L2E 6S5	\$1,360,950.00
Peters Excavating Inc. 3 Cross Street Welland, ON L3B 5X6	\$1,374,000.00
Provincial Construction Ltd. 4382 Montrose Road Niagara Falls, ON L2H 1K2	\$1,381,611.70
O'Hara Trucking and Excavating 71 Berryman Avenue St. Catharines, ON L2R 0A2	\$1,508,478.00
Catalina Excavating Inc. 913 Mud Street East Stoney Creek, ON L8J 3C1	\$1,923,835.00

Vic Vatrt Contracting Ltd. of Welland Ontario, the lowest compliant tenderer, is an established company and has been successful with similar work for the City and other Regional municipalities in recent years. Staff at this time considers the firm's performance to be satisfactory in accordance to our specifications and standards, and therefore, recommends that the firm be awarded the contract.

Work on this contract is expected to begin in June, and continue into the summer. There is a construction completion deadline of September 16, 2020.

FINANCIAL CONSIDERATION:

A breakdown of the funding structure for this project is shown in the following table.

2020 Capital Budget (\$2,283,162)	Amount
Waterworks – Cast Iron Watermain Replacement Program (10-910-20215)	\$ 1,811,162.00
Material Testing and Quality Control (2%)	\$36,225
City's Portion of HST (1.76%)	\$32,514
Total Anticipated Costs:	\$ 1,879,901.00

The tender price from the low bidder plus 1.76% for the City's portion of the HST and 2% for material testing is approximately \$ 1,879,901. There is sufficient funding approved for this project.

LINK TO ASSET MANAGEMENT PLAN:

The 2016 Addendum to the City of Welland Comprehensive Asset Management Plan (AMP) identifies the replacement of subsurface infrastructure in areas with high leakage watermains.

The east wartime area where the Watermain Replacement Plan 2019 is focusing is specifically identified in the Asset Management Plan as a priority.

As per the asset management plan benefits of replacing high leakage watermains include:

- Reduces the amount of unmetered water loss thus freeing up funds to replace additional assets;
- Restores the hydraulic capacity of the distribution system and increases available fire flow.

OTHER DEPARTMENT IMPLICATIONS:

Contract administration for tendering, agreement, and contract payments have been and will be kept in compliance with the agreed practices of the Finance, Clerks and Legal Services departments.

SUMMARY AND CONCLUSION:

The cast iron watermains servicing the residents of Lyons Creek Road and Trufal Avenue are significantly deteriorated and breaks and leaks are occurring with increased frequency. To address this concern, a tender was released for the replacement of approximately 1,200 metres of watermain including appurtenances and water service laterals.

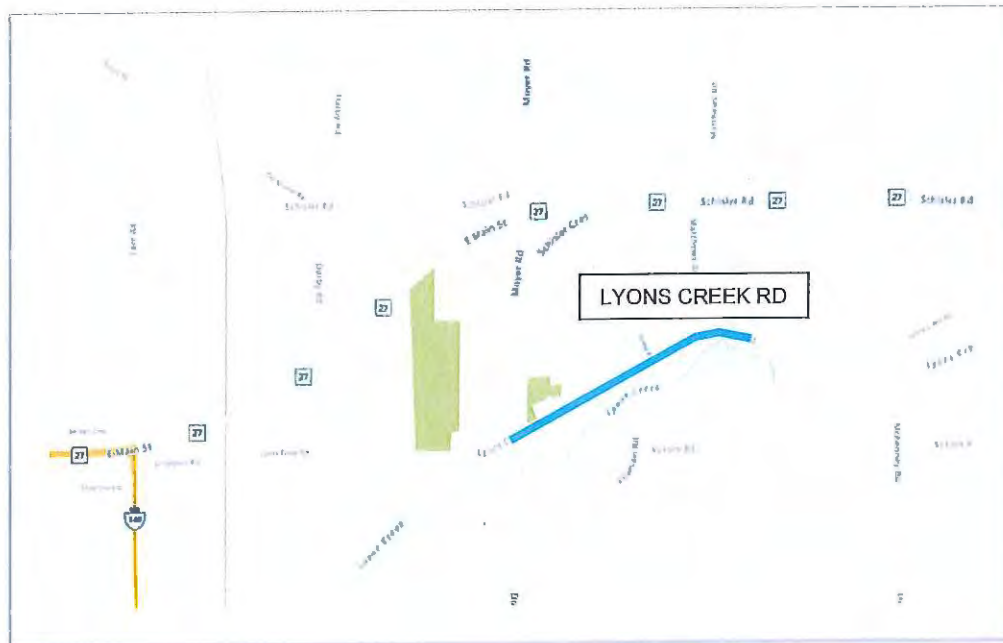
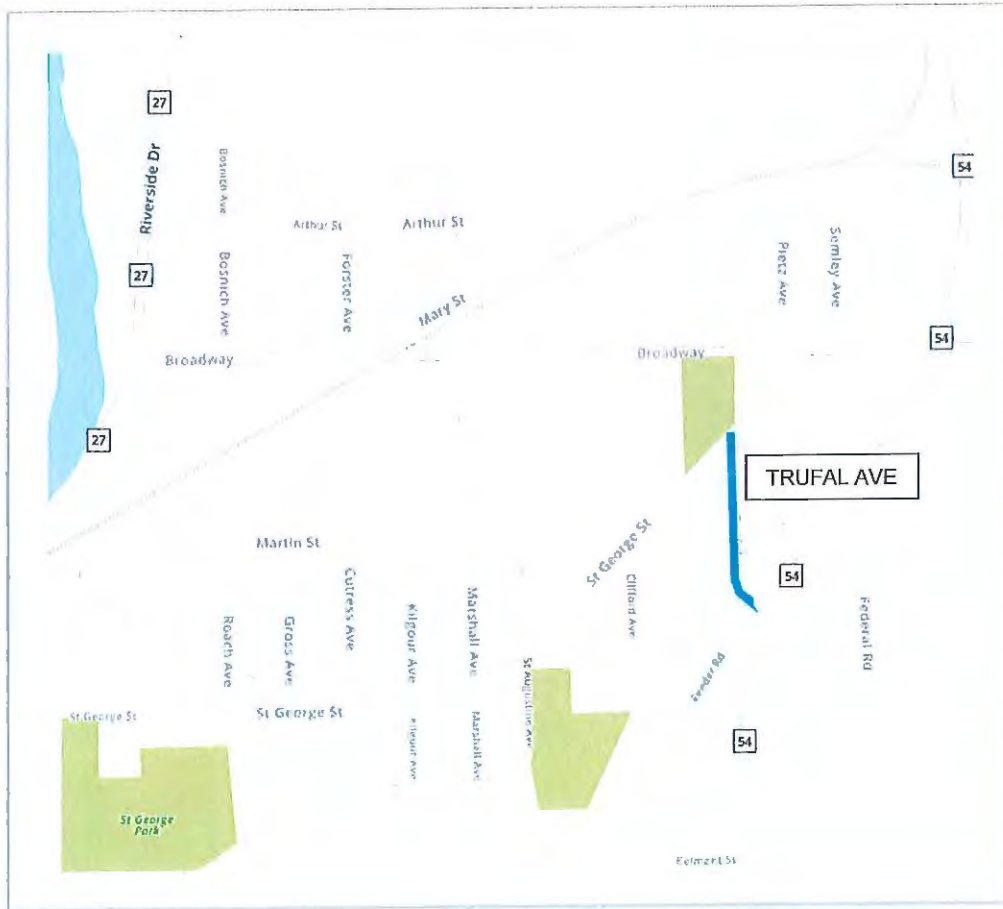
The respective watermain replacements will reduce maintenance, repair and water loss expenditures, the risk of adverse water quality results due to breaks and reduce disruption of service to ratepayers.

Staff recommends the awarding of a contract to Vic Vatr Contracting Ltd to perform the construction for the Watermain Replacement 2020 Project.


ATTACHMENTS:

Appendix I - Location Plan

APPENDIX I – LOCATION PLAN



COUNCIL
CORPORATE SERVICES
FINANCE DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-4

REPORT FIN-2020-12
MAY 19, 2020

SUBJECT: 2020 FINAL TAX LEVY

**AUTHOR: MICHAEL LOSTRACCO,
REVENUE SERVICES MANAGER**

**APPROVING G.M.: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,
GENERAL MANAGER, CORPORATE SERVICES, CHIEF FINANCIAL
OFFICER/TREASURER**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the due dates for the 2020 Final Municipal Tax Levy as follows:

Third Installment due:	July 2, 2020
Fourth Installment due:	September 1, 2020
Final Installment for all non-residential properties:	October 1, 2020

and further;

THAT Welland City Council approves the Tax Rates and Tax Ratios for the 2020 taxation year attached as Appendix I to Report FIN-2020-12.

ORIGIN AND BACKGROUND:

Not applicable.

COMMENTS AND ANALYSIS:

Council approved the Interim Tax Levy Bylaw #2020-20 on February 27, 2020, as per Section 317 of *The Municipal Act, 2001*. Staff is now seeking approval for the 2020 Final Tax Levy.

FINANCIAL CONSIDERATION:

Not applicable.

OTHER DEPARTMENT IMPLICATIONS:

Not applicable.

SUMMARY AND CONCLUSION:

In order to meet the City's financial obligations, staff recommends that Council approves the final tax ratios and tax rates and to levy taxes for the year 2020 for the due dates specified.

ATTACHMENTS:



Appendix I – 2020 Tax Rates

2020 Tax Rates

<u>CLASS</u>	EDUCATION	REGION	REGION-WASTE	REGIONAL-TOTAL	CITY	TOTAL TAX RATE	
Residential/New Multi-Res	0.00153000	0.00577985	0.00077472	0.00655457	0.00791735	0.01600192	RT, NT
Residential - Education	0.00153000					0.00153000	RD
Multi-Residential	0.00153000	0.01138630	0.00152620	0.01291250	0.01559717	0.03003967	MT
Commercial Occupied	0.00980000	0.01002746	0.00134406	0.01137152	0.01373580	0.03490732	CT, XT, DT, GT, ST, YT
Commercial Excess Land	0.00980000	0.00701922	0.00094084	0.00796006	0.00961506	0.02737512	CU, XU, DU, SU, YU
Commercial Vacant Land	0.00980000	0.00701922	0.00094084	0.00796006	0.00961506	0.02737512	CX
Industrial Occupied	0.01250000	0.01520101	0.00203751	0.01723852	0.02082262	0.05056114	IT
Industrial Excess Land	0.01250000	0.01064070	0.00142626	0.01206696	0.01457583	0.03914279	IU
Industrial Vacant Land	0.01250000	0.01064070	0.00142626	0.01206696	0.01457583	0.03914279	IX
Large Industrial Occupied	0.01250000	0.01520101	0.00203751	0.01723852	0.02082262	0.05056114	LT
Large Industrial Vacant Land	0.01250000	0.01064070	0.00142626	0.01206696	0.01457583	0.03914279	LU
Industrial (New Construction) Occupied	0.00980000	0.01520101	0.00203751	0.01723852	0.02082262	0.04786114	JT KT
Industrial (New Construction) Vacant	0.00980000	0.01064070	0.00142626	0.01206696	0.01457583	0.03644279	JU KU
Landfill	0.01714649	0.01699427	0.00227788	0.01927215	0.02327906	0.05969770	HT
Pipelines	0.00980000	0.00983788	0.00131865	0.01115653	0.01347611	0.03443264	PT
Farmlands	0.00038250	0.00144496	0.00019368	0.00163864	0.00197934	0.00400048	FT
Managed Forests	0.00038250	0.00144496	0.00019368	0.00163864	0.00197934	0.00400048	TT

Interim Due Dates Monday March 02, 2020
Friday May 01, 2020
Final Due Dates (Res) Thursday July 02, 2020
Tuesday September 01, 2020

COUNCIL
CORPORATE SERVICES
FINANCE DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-64

REPORT FIN-2020-11
MAY 19, 2020

SUBJECT: COVID-19 FINANCIAL IMPACT REPORT #2

AUTHOR AND APPROVING G.M.: STEVE ZORBAS, CPA, CMA, B.Comm, DPA, GENERAL MANAGER, CORPORATE SERVICES, CHIEF FINANCIAL OFFICER / TREASURER

RECOMMENDATION:

1. THAT THE COUNCIL OF THE CITY OF WELLAND receive for information Report FIN-2020-11, Covid-19 Financial Impact Report #2, from the General Manager Corporate Services and Chief Financial Officer dated May 19, 2020; and further
2. THAT Welland City Council extend the waiver of application of penalties charged on non-payment of current 2020 Realty tax and water arrears (excluding prior year arrears) from June 1 – July 31, 2020; and further
3. THAT Welland City Council extend the deferral of 2020 water/wastewater increases from July 1, 2020 until October 1, 2020, PROVIDED that Niagara Region also defer its 2020 wholesale rate increases to that time period; and further
4. THAT Welland City Council extend waiving the charge back of NSF charges for all tax, water/wastewater, accounts receivable and miscellaneous accounts from March 13 – July 31, 2020; and further
5. THAT Welland City Council extend not charging customers for removing themselves from the Pre-Authorized Payment Program (PAP) for both Tax and Water/Sewer accounts.

ORIGIN AND BACKGROUND:

The impact of the Covid-19 pandemic demonstrates the essential role played by the City in leadership, communication and community awareness, containment, and remediation efforts to flatten the curve on the Covid-19 virus. A decision was made by the City to close all public facilities and cancel events and programming until June 30, 2020. The decision was made by the City's Corporate Leadership Team (CLT) and Emergency Control Group, based on the need to protect City staff and residents, to help contain the spread of Covid-19; and to provide some certainty for user groups and key community stakeholders. The Covid-19 event is the largest financial challenge that residents, families, businesses, communities and municipalities have seen in history.

This report #2 provides an updated “estimated” financial impact update report to Council and a summary of various cost containment initiatives implemented by CLT to mitigate the negative financial impact to the City.

Staff have assumed that normal business operations will begin to be transitioned back no earlier than July 6, 2020. An immediate 3 month closure of non-essential services has been implemented by the CLT due to the Covid-19 pandemic and the business operations and service levels have been adjusted only to deliver essential services. The preliminary impact of Covid-19 is forecasting an updated deficit of approximately \$384,500 after implementing various cost containment initiatives and staff will be reporting back with an update report in June. In addition, staff continue to review assumptions/estimates/operations/business environment as more information becomes available and financial pressures may be increased or mitigated by future Council, Provincial and Federal decisions.

The most significant impact to the City of Welland is loss of revenues which can be offset by cost containment strategies implemented by the CLT that include, but are not limited to temporary layoffs of part-time, full-time staff, summer students, interns, co-op students and the elimination of contract positions.

COMMENTS AND ANALYSIS:

Water and Wastewater Budgets for City of Welland

Welland owns, operates, and maintains in good working order, the water and wastewater system. The water supply and wastewater treatment are purchased from Niagara Region. Water/wastewater billing charged to the consumer is based on a rate per cubic meter (m³) of water consumed, plus a fixed rate. Residents are billed quarterly, while industrial, commercial and institutional (ICI), and larger residential apartment buildings are billed monthly. The water/wastewater operating and capital programs are funded by the revenue received from the water/wastewater rate charged to consumers. Approximately 55% of the revenues are used to pay Niagara Region for the water supply. The remaining 45% is used to fund the City's day-to-day operations and capital program.

City staff are recommending deferral of the 2020 water/wastewater rates to take effect October 1, 2020 in lieu of July 1, 2020, provided Niagara Region defers the proposed 2020 Wholesale rate increases to October 1, 2020. This will assist with the financial challenges many of our residents, families, and businesses are currently struggling with. In the event the Region does not defer their 2020 Wholesale rates, City staff recommend retail rates be increased July 1, 2020.

The potential deficit in the 2020 Water/Wastewater budget is estimated between \$1.2- \$1.4 million if:

1. Niagara Region does not freeze or delay their proposed 2020 Wholesale rate increases for purchase of Water and Wastewater Treatment costs.
2. The City of Welland defers the proposed 2020 Retail Rate Increase to October 1, 2020.
3. The City of Welland does not apply penalty/late charges for unpaid 2020 Water/Wastewater billings to end of year.

To mitigate, staff will reduce the 2020 staff inter-departmental chargebacks to the water/wastewater fund.

City provided Financial Assistance for Residents and Businesses-Welland City Council approvals

As stated previously in this report, the current Covid-19 pandemic is causing financial hardship for many residents and business owners. The CLT is recommending additional financial assistance for residents and businesses in Welland as follows:

1. Extend the waiver of application of penalties charged on non-payment of current 2020 Realty tax and water arrears (excluding prior year arrears) from March 13 – July 31, 2020.
2. Defer 2020 water/wastewater rate increases from July 1, 2020 to October 1, 2020 provided Niagara Region also defers its proposed wholesale rate increases for water/wastewater to October 1, 2020.
3. Waive all NSF charges from March 19 – July 31, 2020.
4. Waive all fee's associated with removing customers from PAP program from March 19 – July 31, 2020.

Reserve-a-Ride at Welland Transit

- Welland Transit has been providing an essential trips 'Reserve-a-Ride' service to residents since Monday, April 13, 2020. To utilize the service, a customer would call (905) 735-1700 ext. 2291 at least 24 hours before their desired date and time of travel. Transit staff will book their trip and create a schedule for our Bus Operator to pick-up / drop-off the customer at the bus stop closest to their residence. The customer can book their desired date & time of trip up to two weeks in advance. This service operates from 8 a.m. to 6 p.m. on weekdays.
- Customers calling to reserve their ride are asked screening questions to ensure they are not exhibiting any COVID-19 symptoms. Naturally, if they responded 'yes' to any of these questions, they would not be allowed to board our bus. Further, these essential trips are only available for individuals travelling for employment, medical appointments, or going grocery shopping (once per week).
- One WellTrans bus is provided every weekday from 10 a.m. to 6 p.m. to accommodate those in need of this specialized service to attend dialysis appointments or for those who are unable to walk to their nearest bus stop.
- To ensure social/physical distancing for Transit Operators, all customers are boarding at the rear doors and their travel is fare free; there are no fareboxes at the rear doors.
- Within Transit buses, staff have cordoned off every other row of seats and access to the front of the bus to keep customers a safe distance from our Operators. If someone in a mobility device is boarding the bus and requires assistance the Transit Operator will help to safely secure the individual.
- The traffic on this service ranges from 20 to 36 trips per day. The service is entering its fifth week and to date, our Reserve-a-Ride has accommodated over 90% of the request from residents. Twenty requests have not been accommodated as the date and time of travel had already been booked and other available timeslots did not work for the customer. Naturally, if the customer has greater flexibility, their chances of Reserve-a-Ride which meets their needs is greater.
- Three staff members are employed daily to clean and sanitize our Transit facility, as well as those buses in service. In addition to a regular deep cleaning regiment, our facilities and buses have been treated with an anti-microbial agent called, Aegis Microban. This solution has been professionally applied to all surfaces within the buses and it does not allow the virus to survive on a treated surface. This product can retain its potency for up to one year and our repeated surface cleaning will not diminish its strength.
- When Transit staff are aware there will be heavier requests for travel (eg. When monthly EI cheques etc. are issued) an additional bus has been placed in service to assist with the

loads. Transit staff are making efforts to ensure as many requests can be accommodated as possible.

In an effort to best utilize the current availability of buses, Transit staff are working with a company called Clever Devices, who are installing GPS technology throughout our fleet. Once installed and activated, staff will be able to monitor the movements of fleet throughout the day and this information will enable customers to know when their buses are arriving in real time, as opposed to the scheduled time. Someone with a smart phone can access accurate feeds from the buses to ensure they walk out to the bus stop just before their bus arrives; no standing around in poor weather. This service / information will be made available to the public in a few months; stay tuned.

To expedite the movement back to front door boarding (and hopefully collecting fares), our Transit Maintenance personnel have been manufacturing prototypes of 'hygiene barriers', which will be mounted next to the Bus Operator's compartment to provide these staff members with a level of protection from the public when boarding and paying fares. The development of these hygiene barriers has been a collaborative effort that includes input from; the Transit industry, Welland Bus Operators and Mechanics, as well as ongoing dialogue, input, and possible manufacturing assistance from personnel at Bosch Rexroth.

These are very difficult times, which require some very difficult decisions to be made. Trying to limit the exposure and spread of this virus to other residents and Transit staff is paramount. Welland Transit is certainly providing a lower level of service than the routes and schedules normally available for residents. With the shutdown of all non-essential services and businesses, the ridership has been dramatically reduced. A summary of all our trips indicate 60% are made for employment at essential service businesses, 25% are for weekly grocery shopping, and 15% are for medical appointments.

The city's Corporate Leadership Team are meeting several times per week to monitor this ever evolving situation and make decisions accordingly. As updates are provided by Premier Ford, in consultation with the various ministries, including the Ministry of Transportation, the City of Welland will react in the best interest of public and staff safety. We all hope we're moving beyond the worst days of this virus, but vigilance is still required to avoid any setbacks.

FINANCIAL CONSIDERATION:

Cost Containment Initiatives Implemented by CLT:	April 21	May 19
1. Cancellation of Conferences effective March 19	\$121,000	\$121,000
2. Reduction of Promotions budgets (20%)	\$65,000	\$65,000
3. Reduce Ditching program	\$40,000	\$40,000
4. Reduce Catch Basin Cleaning (defer to 2021)	\$40,000	\$40,000
5. Defer Hard Surface Install @ Shaw St. Haulage station	\$25,000	\$25,000
6. Cancel Sweeping Contract and complete in house	\$45,000	\$45,000
7. Reduced fuel expenses at Transit	\$354,800	\$331,015
8. Reduced fuel – Other	\$131,000	\$131,000
9. Salary/Benefit Savings – Temporary Layoffs	\$1,950,000	\$2,016,572
10. Reduce Welland Museum 2020 Operating Grant	\$28,000	\$28,000
11. Reduce Library 2020 Operating Grant	\$291,000	\$244,770
12. Increase 2020 Welland Hydro Dividend	\$150,000	\$150,000
13. Cost Containment all City Departments – excl. salary/benefits	<u>\$560,000</u>	<u>\$686,103</u>
Sub-Total	\$3,800,800	\$3,923,460

Operating Losses Due to Covid-19

1. Reduced revenues-Recreation/Arenas/Wellness	\$230,000	\$80,874
2. YSP reduced revenues-Back to regular scheduling Sept 2020	\$250,000	\$250,000
3. Parking revenues reduced	\$124,000	\$124,000
4. Decrease Supplementary/Omit Taxes	\$50,000	\$50,000
5. Reduced charge backs to Water/WW budgets	\$1,400,000	\$1,400,000
6. Covid-19 Initiatives to be initiated - various	\$500,000	\$500,000
7. Increased NSF charges	\$10,000	\$10,000
8. Reduction Building Department Revenues	\$23,500	\$23,500
9. Clerk's revenue reductions	\$32,700	\$32,700
10. Penalty/Interest Charges reduced	\$840,500	\$840,500
11. By-law revenue loss	\$4,500	\$4,500
12. Increased software licences for IT due to Covid-19	\$33,900	\$33,900
13. POA revenue reduced	\$30,000	\$30,000
14. Increased operating expenses due to COVID-19	\$50,000	\$50,000
15. Lost Revenue – Transit	\$871,000	\$871,000
16. Lost Revenue – LED Sign Advertising	-	\$7,000
Sub-Total	\$4,450,100	\$4,307,974

NET PROJECTED DRAFT DEFICIT \$649,300 \$384,514

Covid-19 Related Assumptions

1. The closure of recreation facilities will result in significant lost revenues. (Staff have assumed all recreational facilities and programming will begin re-opening July 6, 2020). The lost revenues are a result of immediate closures, cancellation of spring/ summer classes, and anticipated reduced revenues for the rest of the year as client behavior gradually returns.
2. Staff have assumed all conferences for all departments, including Mayor and Council, cancelled from March 19 to December 31, 2020.
3. Staff have reduced all Corporate Promotions budgets by 20%.
4. Numerous service level adjustments were made over the past. Welland Transit has been providing an essential trip 'Reserve-a-Ride' service and Transit revenue losses are offset by reduced diesel consumption and lower fuel pricing.
5. Interest rate earnings will be lower as the Bank of Canada has lowered interest rates. This will negatively impact interest earned in the Operating budget and interest allocated to reserve funds. On the other hand, the City will be issuing debt and we expect interest rate savings due to record low interest rates.
6. Parking enforcement is reduced with fewer cars on the road.
7. Staff are projecting that fewer Provincial Offences (POA) tickets will be issued and with the closure of courts, some revenues will be deferred.
8. The four-month relief on reduction in penalties/interest charges to tax and water accounts will negatively impact the City. If relief is provided to the end of the year, the City will have a revenue shortfall and has assumed waiver will continue to December 31, 2020.
9. Other increased operating costs due to Covid-19 such as premiums for protective equipment, increased cleaning supplies and frequency of cleaning, material, supplies, and increased advertising.
10. Salary savings due to temporary layoffs for part-time and full-time staff, summer students, and not hiring Interns are assumed.

11. The CLT will delay the hiring of new staffing due to vacancy, resulting in gapping savings.
12. The CLT has implemented various cost containment initiatives in regards to discretionary spending in the 2020 Operating budget.

The combined effect of COVID-19 and currently projected variances as a result of regular business is a forecasted deficit of approximately \$384,500. Staff will continue to refine these estimates as more information becomes available. Pressures may also be increased or mitigated by future Council, Provincial and Federal decisions.

City's 2020 Capital Program and All Approved & Outstanding Projects

The CLT is not proposing any changes to the Council approved 2020 Capital Budget.

Cash Flow Pressures for the City

Staff are monitoring the City's cash flow daily. Our current line of credit allows the City to access up to a maximum of \$9 million. The Province recently announced the deferral of Education tax remittances to the School Boards by 90 days (September and December) and this will assist the City's cash flow requirements. Staff will also be monitoring taxes receivable and all other receivables.

Library and Museum Boards

The CLT has been working closely with both the Library and Museums boards and each entity has also engaged various cost containment initiatives which have included temporary layoff for part-time and full time staff. City staff are requesting City Council to reduce the Library's 2020 Operating Grant in the amount of \$244,770, and the Museum 2020 Operating Grant in the amount of \$28,000.

OTHER DEPARTMENT IMPLICATIONS:

Discussed in report.

SUMMARY AND CONCLUSION:

It is unknown the length of this crisis, but the CLT has implemented cost containment initiatives to deliver essential services to end the year in a stronger financial position in the absence of continuing business as usual. It is inevitable, as revenues decrease, while many costs continue, that CLT will be challenged to end the year with a balanced budget. All four levels of government have provided assistance for Welland residents and businesses. Municipalities in Ontario cannot sustain such fiscal pressures and will require assistance from both provincial and federal levels of government. The Finance department is monitoring the City's daily cash position and developing strategies to mitigate ending the 2020 calendar year in a deficit.

The CLT meets daily to ensure essential services are delivered, discuss issues, and ensure the health and safety of all residents and staff. They will continue to implement various cost containment initiatives to ensure the City's year-end financial position avoids a deficit. The City can run a deficit in a given year but it cannot budget for a deficit. Any deficit can be offset through the use of reserves or by increasing taxes in the subsequent year, or by increasing non-tax revenues. The state of the City's year-end financial position, the state of the economy later in the year, and the financial position of the City's residents and businesses will determine the extent of any 2021 tax increases and the rate of growth. Staff will work with Council including a 2021 budget update at the September Budget Committee meeting.

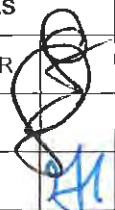

During such challenging economic times, all governments are thinking about the financial recovery that follows. As such, it is incumbent upon both Federal and Provincial governments to establish infrastructure-building programs to provide jobs and get the economy moving. Municipalities have always supported such incremental programs. It is important for Welland City Council, through the Mayor's office, to work with FCM and AMO to support such new incremental programs. Increased funding opportunities include dramatically increasing Federal and Provincial gas tax allocations, and accelerating approvals for the existing Investing in Canada Infrastructure Program (ICIP).

The Corporate Leadership Team will be providing updated Covid-19 Financial Impact Report #3 in June.

ATTACHMENTS:

None.

COUNCIL
CORPORATE SERVICES – CLERKS DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT CLK-2020-14
MAY 19, 2020

02-160

SUBJECT: AMENDMENT TO THE CODE OF CONDUCT FOR MEMBERS OF COUNCIL (HUM-001-0031)

AUTHOR: TARA STEPHENS, CITY CLERK

APPROVING G.M.: STEVE ZORBAS, GENERAL MANAGER, CORPORATE SERVICES, CHIEF FINANCIAL OFFICER/TREASURER

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2020-14: amendment to the Code of Conduct for Members of Council (HUM-001-0031), and further
 THAT Welland City Council approves the amendment to Code of Conduct for Members of Council (HUM-001-0031).

ORIGIN AND BACKGROUND:

On January 17, 2017, Welland City Council approved the Code of Conduct for Members of Council. The Code of Conduct helps to ensure that Members of Council share a common basis for acceptable conduct. The Code of Conduct is not intended to replace personal ethics.

COMMENTS AND ANALYSIS:

During the May 5, 2020 Council meeting, there was confusion regarding wording within the Code of Conduct for Members of Council and the *Municipal Act, 2001*.

Currently the Code of Conduct for Members of Council, section XVI. Compliance, Enforcement and Penalties, states:

"In addition, subsection 223.4(5) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes Council to impose either of two penalties on a member of Council following a report by the Integrity Commissioner that, in his or her opinion, the Member has contravened the Code of Conduct:

1. A reprimand; or
2. Suspension of the remuneration paid to the Member in respect of his or her services as a member of council for a period up to 90 days."

Staff are recommending the Code of Conduct for Members of Council, section XVI. Compliance, Enforcement and Penalties, be updated to the following:

*"In addition, subsection 223.4(5) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes **that Council may impose one or both of the following** penalties on a member of Council following a report by the Integrity Commissioner that, in his or her opinion, the Member has contravened the Code of Conduct:*

1. *A reprimand.*
2. *Suspension of the remuneration paid to the Member in respect of his or her services as a member of council for a period up to 90 days."*

The update to the Code of Conduct for Members of Council will ensure the wording aligns with the *Municipal Act, 2001*.

FINANCIAL CONSIDERATION:

There are no financial implications.

OTHER DEPARTMENT IMPLICATIONS:

The Corporate Leadership Team has reviewed the amendment to Code of Conduct for Members of Council and support the update being proposed.

SUMMARY AND CONCLUSION:

It is important that the Code of Conduct for Members of Council align with the *Municipal Act, 2001*. It is recommended that Council support this staff recommendation.

ATTACHMENT:

Appendix I – Code of Conduct for Members of Council: HUM-001-0031

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APPENDIX I

CITY OF WELLAND
POLICY

Policy Title: Code of Conduct for Members of Council	
Date of Approval: February 5, 2013	Policy Number: HUM-001-0031
Lead Role: City Clerk	Support Role: Integrity Commissioner/City Solicitor
Cross Reference: HUM-001-0033	Next Review Date:
Council File Number: 02-160	Revision Date: February 20, 2018

Purpose:

A written Code of Conduct helps to ensure that the Members of Council share a common basis for acceptable conduct. The Code of Conduct is not intended to replace personal ethics.

AUTHORITY

This *Code of Conduct for Members of Council* was adopted by City Council on February 5, 2013, and amended on January 17, 2017. It is enacted under the authority of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

PREAMBLE

The *Code of Conduct* for Council serves as a guide to Members of Council in the individual conduct of their official duties, helping to ensure that the Members share a common basis for acceptable conduct. It also serves to protect the public interest and encourage high ethical standards among the Members. The Code represents general standards; it supplements, but does not replace Members' roles, responsibilities, actions, and behaviors required by various statutes, by-laws and policies. The Code does not replace personal values or ethics held by individual Members.

The *Code of Conduct* identifies the public's expectations of the Members and establishes guidelines for appropriate behavior. The key principles that underlie the *Code of Conduct* are as follows:

1. Members shall serve and be seen to serve their constituents in a conscientious and diligent manner;
2. Members shall perform their functions with integrity, accountability, and transparency, avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent;

Code of Conduct for Members of Council HUM-001-0031

3. Members shall perform their duties of office in a manner that promotes public confidence and will bear close public scrutiny; and
4. Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and Town Council.

I. STATUTORY PROVISIONS REGARDING CONDUCT

The *Code of Conduct* operates along with and as a supplement to the existing statutes governing the conduct of Members, including, but not limited to, the following:

1. *Municipal Act, 2001*, S.O. 2001, c.25, as amended;
2. *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended;
3. *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended;
4. *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended; and
5. The *Criminal Code of Canada*, R.S.C., 1985, c. C-46, as amended.

II. DEFINITIONS

In the *Code of Conduct*:

“**child**” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

“**employee**” means a person employed by the City of Welland, including those on a personal services contract and volunteers, but does not include Members.

“**family member**” means:

- (a) spouse, including but not limited to common-law spouse and same-sex partner;
- (b) child, mother, father, sibling, grandchild, grandparent, aunt, uncle, niece or nephew;
- (c) parent-in-law or sibling-in-law;
- (d) step-parent, step-sibling, or step-child;
- (e) parent or child in a relationship where the role of the parent has been assumed; or
- (f) any person who lives with the Member on a permanent basis.

“**parent**” means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

“**spouse**” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;

Code of Conduct for Members of Council HUM-001-0031

The terms "child", "parent", and "spouse" have the same meanings as in the *Municipal Conflict of Interest Act*.

III. APPLICATION

This *Code of Conduct* applies to all members of Council, including the Mayor.

IV. COMMUNICATIONS AND MEDIA RELATIONS

Members will show respect for Council's decision-making process, accurately communicate the decisions of Council, even if they disagree with the decision of Council, and acknowledge that information related to decisions and resolutions of Council will normally be communicated to the community by the Council as a whole, or the Mayor as Head of Council, or his or her designate.

V. CONFIDENTIAL INFORMATION

Members have access to confidential information by virtue of their position with the City of Welland.

Confidential information includes: information in the possession of, or received in confidence by the City, that the City is prohibited from disclosing, or has decided to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act*, or other legislation; a matter that has been debated or discussed at a meeting of Council closed to the public, unless the matter is subsequently discussed in Open Council, or it is authorized to be released by Council; reports of consultants, draft documents and internal communications, which, if disclosed may prejudice the reputation of the City, its officers and employees, or its effective operation; and information concerning litigation, negotiation, or personnel matters.

No Member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law, or authorized by Council to do so;

No Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

No Member shall disclose the content of a matter that has been discussed at or the substance of deliberations of an in-camera meeting, except for content that has been authorized by Council to be released to the public;

The obligation to keep information confidential is a continuing obligation even if the Member ceases to be a Member.

Code of Conduct for Members of Council HUM-001-0031**VI. GIFTS AND BENEFITS**

In order to preserve the image and integrity of the City of Welland, business gifts to Members are discouraged. The City recognizes that moderate hospitality is an accepted courtesy of a business relationship. However, Members should not accept any gift, benefit, service, entertainment or hospitality which could be seen to compromise their decision on a matter or create any obligation or special consideration by an individual, group or organization.

No Member shall solicit or accept a fee, advance, gift or benefit that is connected directly or indirectly with the performance of their duties in office, unless permitted by the exceptions listed below.

For these purposes, a fee or advance paid to or a gift or benefit provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of their duties in office is deemed to be a gift or benefit to that Member.

This section does not preclude Members from accepting:

- a) Compensation authorized by law;
- b) Such gifts or benefits that normally accompany the duties of office and are received as an incident of protocol or social obligation;
- c) A political contribution otherwise reported by law;
- d) Admission to a widely attended event, such as a convention, conference, symposium, forum, panel discussion, dinner, viewing, reception or similar event, offered by the entity responsible for organizing and presenting the event and unsolicited by the Member of Council, if attending or participating in their official capacity, including;
 - (i) participation in an event as a speaker or panel participant by presenting information related to City matters;
 - (ii) performance of a ceremonial function appropriate to the Member of Council's office;
 - (iii) attendance at an event that is appropriate to the official capacity of the Member of Council;
- e) Admission to a charity or community organization event offered by the charity or community organization for whose benefit the event is being held and unsolicited by the Member of Council;
- f) Admission to a training or education program, including meals and refreshments furnished to all attendees, if such training or education is related to the Member of Council's duties in office and in the interest of the City;
- g) A suitable memento of a function honouring the Member of Council;
- h) Food, lodging, transportation and entertainment provided by federal, provincial, regional or municipal governments or by political subdivisions of them or by a foreign government within a foreign country;
- i) Food and beverages consumed at banquets, receptions or similar events if;
 - (i) attendance serves a legitimate business purposes;

Code of Conduct for Members of Council HUM-001-0031

- (ii) the person extending the invitation of a representative of the organization is in attendance; and
- (iii) the value is reasonable and the invitations infrequent.
- j) Communication to the office of a Member of Council including subscriptions to newspapers and periodicals.

Except for paragraph (c), the exceptions listed in subsection 7 do not apply to lobbyists. Lobbyists are not permitted to give a gift or benefit under this section unless it is a political contribution permitted by law.

In the case of paragraphs (b), (h), (i), (j) and (k), if the value of the gift or benefits exceeds \$200 or if the total value received from any one source during the course of a calendar year exceeds \$200, the Member of Council shall within 30 days of receipt of the gift or benefit or of reaching the annual limit, file a disclosure statement with the City Clerk. The disclosure statement must indicate:

- (a) The nature of the gift or benefit;
- (b) Its source and date of receipt;
- (c) The circumstances under which it was given or received;
- (d) Its estimated value;
- (e) What recipient intends to do with any gift; and
- (f) Whether gift will at any point be left with the City.

Any disclosure statement will be a matter of public record.

Members will be required to exercise their personal judgment of the provisions within this section;

VII. CONDUCT RESPECTING STAFF

Members are elected legislators and representatives of their constituents. Staff are ultimately accountable to the Chief Administrative Officer, and are responsible for implementing the decisions of Council, and ensuring the efficient and effective operation of municipal services;

Members are expected at all times to treat staff with respect, professionalism and courtesy. Members who contact staff shall ensure that their request is within the employee's realm of responsibility, approved work plan, or available resources.

Members and staff will work cooperatively based on shared values of honesty, trust, mutual respect, and leadership for continuous improvement;

Members shall be respectful of the fact that staff are charged with making recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual Member or group of Members.

Code of Conduct for Members of Council HUM-001-0031**VIII. USE OF MUNICIPAL PROPERTY, SERVICES AND OTHER RESOURCES**

No Member shall use for personal purposes, or permit the use of, City property, facilities, equipment, supplies, services, staff or other resources (for example, City-owned materials, websites, Council transportation delivery services and Members of Council expense budgets) for activities other than the business of the City.

Nor should any member obtain financial gain from the use or sale of City-developed intellectual property, computer programs, technical innovations, or other items capable of being patented. All such property remains the exclusive property of the City.

No Member shall use information gained in the execution of his or her duties that is not available to the general public for any purpose other than his or her official duties.

IX. ELECTION CAMPAIGN WORK

Members are expected to comply with the *Municipal Elections Act, 1996* and with the City of Welland Use of Corporate Resources During Election Period Policy.

X. IMPROPER USE OF INFLUENCE

No Member shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties;

Examples of prohibited conduct include the use of one's status as a Member to improperly influence the decision of another person to the private advantage of oneself, a family member, or associate (business or otherwise). This would include attempts to secure preferential treatment beyond activities in which Members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a Member's supposed influence within Council in return for present actions or inaction.

For the purposes of this section, "private advantage" does not include a matter:

- (a) That is of general application;
- (b) That affects a Member or her/his family member or associate as one of a broad class of persons; or
- (c) That concerns the remuneration or benefits of a Member as authorized by Council.

XI. DISCREDITABLE CONDUCT

As a representative of the City, every Member has the duty and responsibility to treat members of the public, one another and staff, appropriately and without abuse, bullying, or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment.

Code of Conduct for Members of Council HUM-001-0031

A Member shall not use indecent, abusive, or insulting words or expressions toward any other Member, any member of staff, or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status, or disability.

During Council and Standing Committee meetings, Members shall conduct themselves with decorum and in accordance with the City's Procedural By-law.

XII. BUSINESS RELATIONS

No Member shall act as a paid agent before Council, its committees, or any agency, board or commission of the City, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

A Member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

XIII. CONDUCT REGARDING CURRENT & PROSPECTIVE EMPLOYMENT

No Member shall allow the prospect of his or her future employment by a person or entity to influence the performance of his or her duties to the City.

XIV. REPRISALS AND OBSTRUCTION

Members should respect the integrity of the *Code of Conduct* and investigations conducted under it. Any reprisal or threat of reprisal against a complainant or anyone providing information to the Integrity Commissioner is prohibited.

No Member shall obstruct the Integrity Commissioner in the carrying out of his or her responsibilities by, for example, the destruction of documents or the erasing of electronic communications.

XV. FAILURE TO ADHERE TO COUNCIL BY-LAWS, POLICIES AND PROCEDURES

Members shall encourage public respect for, and are required to obey the spirit and intent of, all City by-laws, policies and procedures.

XVI. COMPLIANCE, ENFORCEMENT AND PENALTIES

All Members shall be aware of and comply with this Code.

Members are accountable to the public through the election process. Between elections, they may become disqualified and lose their seat if convicted of an offence under the *Criminal Code of Canada*, or for failing to declare a conflict of personal interest under the *Municipal Conflict of Interest Act*, or if convicted of a corrupt practice under the *Municipal Elections Act*.

Code of Conduct for Members of Council HUM-001-0031

In addition, subsection 223.4(5) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes that Council may impose either of the following penalties on a member of Council following a report by the Integrity Commissioner that, in his or her opinion, the Member has contravened the Code of Conduct:

1. A reprimand.
2. Suspension of the remuneration paid to the Member in respect of his or her services as a member of council for a period up to 90 days.

The Integrity Commissioner may also recommend that Council or a local board take the following actions:

1. Removal from membership of a Committee or a local board;
2. Removal as Chair of a Committee or local board;
3. Repayment or reimbursement of moneys received;
4. Return of property or reimbursement of its value; or
5. A request for an apology to Council, the complainant, or both.

XVII. ACTING ON ADVICE OF INTEGRITY COMMISSIONER

Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent considerations of the conduct of the Member in the same manner as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

XVIII. COMPLAINT TIMING AND PROTOCOL

Any individual, including members of the public, city employees, and Members who has reasonable grounds to believe that a Member has breached a provision of the Code, may proceed with a complaint.

Complaints must be submitted within six weeks of the matter becoming known to the individual and no more than six months after the alleged violation occurring.

The *Code of Conduct Complaint Protocol for Members of Council* is available at the City's offices and on its website.

Authority: Item 5.4(e) (PED20076)
 CM: April 22, 2020
 Ward: City Wide
 Bill No. 077

CITY OF HAMILTON
BY-LAW NO. 20-077

To Repeal and Replace By-law No. 09-110, being a By-law to Prohibit and Regulate Certain Public Nuisances within the City of Hamilton; and to Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

WHEREAS the Council of the City of Hamilton deems it appropriate to enact a by-law to prohibit and regulate certain public nuisances within the City of Hamilton pursuant to sections 128 and 129 of the *Municipal Act, 2001*, S.O. 2001, c. 25, ("*Municipal Act, 2001*") as amended;

AND WHEREAS section 444 of the *Municipal Act, 2001* authorizes municipalities to make orders requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS sections 445 and 446 of the *Municipal Act, 2001* authorize municipalities to issue work orders and in default of a work order being completed by the person directed or required to do it, the work shall be done by the City at the person's expense by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS in the opinion of the Council for the City of Hamilton, the following are or could become a public nuisance:

- (a) the act of urinating or defecating in public places;
- (b) the act of knocking over mailboxes, relay boxes, newspaper boxes, recycling boxes and other waste containers located on highways; or
- (c) odours and lighting from the cultivation of cannabis plants.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

PART I - INTERPRETATION

Definitions

1. In this By-law:

"Act" means the *Cannabis Act* S.C. 2018, c. 16 and its regulations, and if applicable, any predecessor or successor acts and its respective regulations, all as amended;

"By-law" means this by-law to prohibit and regulate certain nuisances within the City of Hamilton;

To Repeal and Replace By-law No. 09-110, being a By-law to Prohibit and Regulate Certain Public Nuisances within the City of Hamilton; and to Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

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“Canada Post” means Canada Post Corporation established by the *Canada Post Corporation Act*, R.S.C., 1985, c. C-10;

“City” means the municipal corporation of the City of Hamilton;

“Cannabis Plant” means a plant that belongs to the genus *Cannabis* and, in the absence of evidence to the contrary, includes any plant described as cannabis or by a name that is commonly applied to cannabis;

“Cultivate, Cultivated, Cultivating or Cultivation” in respect of cannabis, means to grow, propagate or to harvest cannabis plants and includes the possession of cannabis plants;

“Defecate” means to discharge excrement from the human body;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, part of which is intended for use or used, by the general public for the passage of vehicles or persons, and includes the area between the lateral property lines thereof, including sidewalks and boulevards;

“Nuisance” means anything that is injurious to health, indecent, offensive to any of the Senses, or results in the loss of enjoyment of normal use of property;

“Officer” means a Police Officer or a Municipal Law Enforcement Officer appointed under any federal or provincial statute or regulation or City by-law or any other person assigned or appointed by Council of the City to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law;

“Porta Potty” means a portable building containing a toilet;

“Public Place” includes a Highway and any place to which the public has access and private property that is exposed to public view, whether or not the property is owned by the person contravening the By-law, but does not include a Washroom Facility;

“Senses” means a faculty by which the human body perceives an external stimulus and includes one or more of the faculties of sight, smell, hearing, taste and touch;

“Urinate” means to discharge urine from the human body; and

“Washroom Facility” means a room inside a building that is equipped with toilet facilities and includes a Porta Potty.

Application

2. This By-law applies to all persons, lands and properties in the City of Hamilton.

PART II - RESTRICTIONS

Urinating or Defecating in a Public Place

3. No person shall Urinate or Defecate in a Public Place.

Knocking over Personal and Public Property

4. No person shall knock over or attempt to knock over a Canada Post mailbox, Canada Post relay box, newspaper box, recycling container, garbage container or other similar waste container located on a Highway. This section shall not apply to:
 - (a) City employees or any person under contract to the City who is acting under the City's Solid Waste Management By-law;
 - (b) City employees or any person under contract to the City while performing work in the normal course of their duties; or
 - (c) Canada Post employees or any person under contract to Canada Post while performing work in the normal course of their duties.

Lighting from the Cultivation of Cannabis Plants

5. No person shall cause, create or permit light from the Cultivation of cannabis plants to shine upon the land of others so as to be or to cause a Nuisance to any person or to the public generally.
6. Every owner or occupier of land shall ensure that no light from the Cultivation of cannabis plants on his or her land shines upon the land of others so as to be or to cause a Nuisance to any person or to the public generally.
7. Outdoor lighting and indoor lighting from the Cultivation of cannabis plants that can be seen outdoors shall be operated, placed and maintained, or have a barrier placed and maintained, so as to prevent or block direct illumination of the interior of a building on adjoining land or lands regardless of whether such a building has or may have a barrier, shades, drapes or other interior window coverings.

Odours from the Cultivation of Cannabis Plants

8. No person shall cause, create or permit the emission of an odour from the Cultivation of cannabis plants so as to be or to cause a Nuisance to any person or to the public generally.
9. Every owner or occupier of land shall ensure that no emission of an odour from the Cultivation of cannabis plants on his or her land is or causes a Nuisance to any person or to the public generally.

PART III - ENFORCEMENT

Enforcement

10. The provisions of this By-law may be enforced by an Officer.
11. If an Officer is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity.
12. An order under section 11 shall set out:
 - (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
 - (b) the date or dates by which there must be compliance with the order.
13. If an Officer is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to do work to correct the contravention.
14. An order under section 13 shall set out:
 - (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred;
 - (b) the work to be completed;
 - (c) and the date by which the work must be complete.
15. An order under section 13 may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.
16. An order made under sections 11 or 13 may be served personally or by registered mail to the last known address of:
 - (a) the person who caused, created or permitted the offence; and
 - (b) the owner or occupier of the lands where the contravention occurred.
17. Where an owner or occupier of the land on which the contravention occurred, who has been served with an order and fails to comply with the order, then an Officer, or any authorized agent on behalf of the City may enter on the land at any reasonable time

and complete the work required to bring the land into compliance with the provisions of this By-law as set out in the order.

18. Where the work required to bring the land into compliance with the By-law has been performed by or for the City, the costs incurred in doing the work may be collected by action or the costs may be added to the tax roll for the land and collected in the same manner as taxes.
19. An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this By-law or an order made under this By-law is being complied with.
20. For the purposes of conducting an inspection pursuant to this By-law, an Officer may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and
 - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
21. No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct an Officer who is exercising a power or performing a duty under this By-law.

Offence and Penalty

22. Any person other than a corporation who contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an Officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$5,000 for a first offence, and a maximum fine of \$10,000 for a subsequent offence.

Same re Corporations

23. Any corporation which contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an Officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence.

Other Remedies

To Repeal and Replace By-law No. 09-110, being a By-law to Prohibit and Regulate Certain Public Nuisances within the City of Hamilton; and to Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

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24. If a person or corporation is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

Continuing Offence

25. Each day or a part of a day that a contravention of this By-law continues is deemed to be a separate offence.

Administrative Penalties

26. In the alternative to a charge for the offences described in this By-law and listed in Schedule A of the City of Hamilton's By-law 17-225, an Officer may issue an administrative penalty notice for the applicable contraventions.

PART IV – MISCELLEOUS

Severability

27. Where a court of competent jurisdiction declares any provision of this By-law invalid, or to be of no force or effect, the provision shall be deemed conclusively to be severable from the By-law and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

Administrative Penalty Table

28. Administrative Penalty By-law No 17-225 is amended by adding Table 23 to Schedule A:

ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	20-077	3	Urinate in public place	\$205.00
2	20-077	3	Defecate in public place	\$305.00
3	20-077	4	Cause to knock over a mailbox	\$205.00
4	20-077	4	Attempt to knock over a mailbox	\$155.00
5	20-077	4	Cause to knock over a relay box	\$205.00
6	20-077	4	Attempt to knock over a relay box	\$155.00
7	20-077	4	Cause to knock over a newspaper box	\$205.00
8	20-077	4	Attempt to knock over a newspaper box	\$155.00
9	20-077	4	Cause to knock over a waste container	\$205.00
10	20-077	4	Attempt to knock over a waste container	\$155.00

To Repeal and Replace By-law No. 09-110, being a By-law to Prohibit and Regulate Certain Public Nuisances within the City of Hamilton; and to Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

Short Title

29. The short title of this By-law is the "Public Nuisance By-law".

Proceedings and Other Actions Continued

30. Any proceeding being conducted, or other action being carried out under By-law No. 09-110 shall be deemed to continue under this By-law, and any reference to By-law 09-110 in such proceeding or other action shall be deemed to refer to this By-law.

Repeal

31. By-law No. 09-110 is hereby repealed.

Enactment

32. This By-law comes into force and effect on the day it is passed.

PASSED this 22nd day of April, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

April 24, 2020

Council Session CL 6-2020, April 23, 2020

DISTRIBUTION LIST**SENT ELECTRONICALLY**

**RE: Report CSD 30-2020 COVID-19 Preliminary Overview of Financial Impacts
Minute Item 9.1.1 CL 6-2020, April 23, 2020**

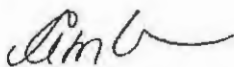
Regional Council, at its meeting held on April 23, 2020, passed the following resolution:

That Report CSD 30-2020, dated April 23, 2020, respecting COVID-19 Preliminary Overview of Financial Impacts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Chair **BE DIRECTED** to lobby provincial and federal levels of government for financial assistance to support Niagara Region's COVID-19 emergency response;
2. That Niagara Region **BE DIRECTED** to participate in efforts with other municipalities seeking financial support from senior levels of government for the financial impact of the COVID-19 pandemic; and
3. That the Regional Clerk **BE DIRECTED** to forward this report to local Members of Parliament, local Members of Provincial Parliament, the Federation of Canadian Municipalities, the Association of Municipalities Ontario and the Local Area Municipalities.

A copy of Report CSD 30-2020 is attached for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk
CLK-C 2020-140

Distribution List:

D. Allison, MP, Niagara West
C. Bittle, MP, St. Catharines
T. Baldinelli, MP, Niagara Falls
V. Badawey, MP, Niagara Centre
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Federation of Canadian Municipalities
Association of Municipalities of Ontario
Local Area Municipalities
T. Harrison, Commissioner, Corporate Services
H. Chamberlain, Director, Financial Management and Planning/Deputy Treasurer
M. Steele, Associate Director, Reporting and Analysis
K. Beach, Executive Assistant to the Commissioner, Corporate Services

Subject: COVID-19 Preliminary Overview of Financial Impacts

Report to: Regional Council

Report date: Thursday, April 23, 2020

Recommendations

1. That the Regional Chair **BE DIRECTED** to lobby provincial and federal levels of government for financial assistance to support Niagara Region's COVID-19 emergency response; and
2. That Niagara Region **BE DIRECTED** to participate in efforts with other municipalities seeking financial support from senior levels of government for the financial impact of the COVID-19 pandemic; and
3. That the Regional Clerk **BE DIRECTED** to forward this report to local MPs, local MPPs, the Federation of Canadian Municipalities and the Association of Municipalities Ontario.

Key Facts

- The purpose of this report is to provide an early indication of the potential financial impacts of the COVID-19 outbreak on the Niagara Region. Estimates and assumptions in this report are fluid and changing on a weekly basis.
- Staff expect that a budget adjustment related to the changes in services, incremental cost and lost revenue associated with the COVID-19 emergency response will be required. At this time, full impacts are unknown and staff will bring back a proposed budget adjustment for Council approval when more clarity around funding sources and full cost is available.
- The Region's preliminary estimate of the net cost of COVID-19 pandemic before funding announcements up to June 30, 2020 is \$9.3 million.
- Incremental costs and lost revenue estimates total \$9.6 million and may be offset by identified cost savings and mitigations of \$5.7 million for a current net budget impact \$3.9 million. The remaining \$5.4 million cost relates to already budgeted resources unavailable to work or redeployed to directly support the emergency response.
- The Region has received confirmed funding announcement of \$4.2 million in specific areas. Review of the eligible cost criteria for this funding is underway and restrictions do apply. Staff are looking for ways to fully leverage this funding and it is expected to support some costs that occur after our June 30, 2020 cost projection above.

Financial Considerations

Given the amount of uncertainty around timelines and availability of funding sources, it is difficult at this time to quantify the full impact of individual items as well as the overall impact to the Region. That being said, staff are of the preliminary view that ultimately the pandemic will result in a 2020 operating shortfall at year-end. Discussions have commenced with respect to opportunities for cost savings across operating and capital budgets. In addition, there are certain actions that the Region could take to offset a shortfall including use of the Taxpayer Relief Reserve. Staff will provide updates to Council with respect to year-end projections and any action that may be required as more details become known.

As of December 31, 2019 the Taxpayer Relief Reserve balance was \$23.8 million which is 4.2% of gross budgeted expenditures excluding agency boards and commissions (our minimum reserve target per the reserve policy is 10% of gross budgeted operating expenses or \$56 million at December 31, 2019).

In addition, staff recommend exploring all opportunities for financial assistance from senior levels of government and will provide updates to Council on any actions being undertaken by Provincial and Federal governments as they are announced. The Province and Federal governments have delayed the release of their respective 2020/21 budgets.

Analysis

Staff have been monitoring and assessing the potential financial impacts to the Region since the onset of the pandemic. Only two months after approving the 2020 Regional budget, a variety of operating expenditures and revenues are now expected to be impacted. While it is still too early to fully understand and quantify all of the potential impacts, some preliminary projections have been made.

To facilitate this analysis, projected costs and savings related to the pandemic have been made up to June 30, 2020

The Region has categorized impacts into 4 high-level categories

1. **Total costs supported by our approved base budget.** This category represents cost of resources unavailable to work or redeployed from their main work functions to directly support the emergency response. While the Region does have an established base budget to support these expenditures, it is important to note that the work these resources are performing during the emergency is not as originally contemplated in the base budget. This may result in delays in work plans and/or backlogs after the emergency is complete.

2. **Costs incremental to base budget.** This category represents all incremental costs over and above the approved 2020 base budget directly related to supporting the emergency.
3. **Lost revenue.** This category represents the loss of revenue that had been planned to fund the 2020 budget.
4. **Cost savings and mitigations.** This category represents identified cost savings the Region may expect to realize as a result of COVID-19 measures and managing the emergency.

The following is a summary of the financial impacts.

	Spent & Committed As of Date	Spent & committed	Projected to June 30	Total
Costs supported by our approved base budget				
EOC Dedicated Resources ¹	09-Apr	\$ 615,424	\$ 1,994,740	\$ 2,610,164
Lost Productivity – Staff Unable to Work ²	04-Apr	443,137	1,831,633	2,274,770
Redeployed Resources ³	04-Apr	86,149	356,083	442,232
Total costs supported by our approved base budget		1,144,710	4,182,456	5,327,166
Costs incremental to base budget				
Additional labour related costs ⁴	04-Apr	748,294	3,092,949	3,841,243
Purchases made or committed ⁵	09-Apr	1,770,942	2,104,081	3,875,023
Total costs incremental to base budget		2,519,236	5,197,030	7,716,266
Lost Revenue ⁶			- 1,914,708	1,914,708
Cost savings/mitigations ⁷			- (5,673,142)	(5,673,142)
Net cost impact before funding announcements		\$ 3,663,946	\$ 5,621,052	\$ 9,284,998

¹ Assumes 100% of salary and benefit costs to any staff member fully activated in the Regional EOC, Public Health EOC, and EMS EOC.

² Staff unable to work due to self-isolation, needing to care for family members or being sick directly associated with COVID-19.

³ Currently only quantified for resources redeployed to the public health call centre. Redeployment in other areas in the organization has started to occur and will be quantified in the future.

⁴ Additional salary, benefits and overtime costs related to managing the emergency.

⁵ Additional purchase commitments made to directly support the emergency (e.g. cleaning supplies and services, personal protective equipment, emergency shelter, screening, advertising).

⁶ Estimated loss of expected revenue sources (e.g. rental income on owned units, transit fare revenue, business licensing revenue, development applications, parental fees, POA infraction revenue).

⁷ Estimated cost savings and mitigations (e.g. gapping of vacant positions, reduced non-emergency repair work, travel costs, transit service costs, electricity, cancelled events).

Impacts by department can be found in Appendix 2. Some of the more significant incremental costs and lost revenue items included in the estimate are outlined below:

- **Niagara Regional Transit:** fare revenue reduction due to reduced ridership and cancellation of Niagara College on-campus spring/summer classes;
- **POA Court:** Reduced POA revenue due to lower ticket volumes and court closure, with some related expenditure savings offsets;
- **Public Health:** Increased staffing and overtime, supplies (including personal protective equipment) and cleaning costs; additional staff to support higher call volumes;
- **Paramedic Services:** Increased staffing, overtime, supplies (including personal protective equipment), and cleaning;
- **Housing:** Increased cleaning costs in common spaces; lower tenant income levels would result in higher rent subsidies at community housing units and lower rent payments at NRH units;
- **Homelessness programs:** Increased costs to support homelessness agencies, housing allowances and expenses relating to the rent, staffing, cleaning, personal protective equipment and food for a self-isolation center;
- **Children's Services:** Loss of parent fee revenue due to closure of regionally operated child care centres;
- **Seniors' Services:** Increased cleaning, staffing, security and personal protective equipment costs; and
- **Technology Services:** Additional costs relating to increased licenses to ensure sufficient capacity for staff working remotely.

Other estimated savings across multiple services and departments include:

- **Labour related savings:** not filling non-essential vacant positions.
- **Fuel:** Short/medium term savings due to significant drop in world oil and local fuel prices.
- **Niagara Regional Transit/Niagara Specialized Transit:** reduction in daily service schedules resulting from decreased demand will result in significant savings;

-
- **Non-emergency maintenance work:** limiting work at NRH owned units to emergencies and move-outs;
 - **Operational savings:** reduced travel, meeting expenses, and conferences due to travel restrictions and cancelled events.

COVID-19 is causing an unprecedented amount of uncertainty and volatility in financial markets. Federal governments around the world are responding through both monetary policy (e.g. through the lowering of interest rates) and fiscal policy (e.g. by introducing spending and tax relief measures for residents and businesses). The impact of these measures is not yet known and as a result there is the possibility of major longer term impacts depending on the duration and severity of the pause in economic activity. The following items have been identified as potential costs or loss revenues, but have not been quantified in the analysis above due to uncertainty around them.

- **Cost of borrowing:** a lower cost of borrowing for planned 2020 debenture issues would lower the amount of debt servicing costs required in the 2021 budget;
- **Investment returns:** a lower investment rate would impact 2020 interest income and interest allocations to reserves. Also any cash flow challenges experienced as identified and discussed in CSD 31-2020 could further reduce interest income;
- **Property taxes:** the economic disruption could lead to a material increase in tax write-offs and lower net assessment growth for 2020 and into 2021;
- **Building Activity:** if construction activity is materially reduced, there would be a lower amount of supplementary taxes collected and lower assessment growth during the year and in future years. This would also lead to a reduced level of development charge collections, potentially impacting the Region's ability to fund growth-related capital projects, and potentially a reduction in development charge exemption costs;
- **Additional support to housing providers:** the economic disruption could lead to housing providers seeking additional support from NRH;
- **Recycling end markets:** the economic disruption could lead to volatility in prices for the sale of recyclables in waste management; and
- **Provincial gas tax:** the economic disruption could impact Niagara Regions gas tax allocation in 2021 and 2022 if we experience a greater decrease in ridership relative to other municipalities or if the total provincial gas tax collected declines due to less gas purchases.

In addition to the above, the Region is currently reviewing all capital projects and determining if any project deferrals are appropriate. It is important to note that deferring capital projects does not result in direct savings that could be used to mitigate the current COVID-19 financial impacts. Most capital projects are funded from previous contributions to reserves or debt issuance. The deferral of capital projects will strengthen the Region's cash flow position as further discussed in CSD 31-2020.

Funding announcements

The Region has also received announcements for three confirmed funding sources identified below. Review of the eligible cost criteria with this funding is underway and restrictions do apply. The team is looking for ways to fully leverage this funding and it is expected to support some costs that occur after our June 30, 2020 cost projection period identified above.

Description	Funding Agency	Amount
Community Homelessness Prevention Initiative *	Ministry of Municipal Affairs and Housing	\$2,408,100
Reaching Home Funding *	Employment and Social Development Canada	1,253,271
Long-term Care Emergency Funding	Ministry of Long-term Care	600,000
		<u>\$4,261,371</u>

* Incremental funding to cover full fiscal year of April 1, 2020 to March 31, 2021

While no formal funding announcements have been made, the Province has indicated that it plans to work with municipalities to support Children's Service operations to minimize shortfalls.

Ontario Works also expects to see a substantial increase in subsidy claim payments to Ontario Works clients based on Provincial announcements. This increase will be directly offset by additional funding from the Province.

Additionally the Province has announced it plans to defer further reductions to the public health funding formula in 2021.

Budget Implications

As previously mentioned the full magnitude of the financial implications for the COVID-19 emergency on the Niagara Region's 2020 budget is not yet known. With that said, staff do expect the impact will require a gross budget adjustment that will exceed \$1 million requiring Council approval.

In order to avoid multiple adjustments and approvals, staff recommend that a budget adjustment will be completed once impacts, including funding announcements, are more clearly understood.

Should a funding shortfall materialize after all additional funding and cost mitigation strategies have been exhausted, Council could consider:

- An in-year budget amendment in accordance with the Budget Control Bylaw to draw on the Taxpayer Relief Reserve. This would require giving public notice.
- Making a recommendation through the year-end transfer report as per the Operating Surplus/Deficit Policy.

The decision on which approach would be recommended by staff will depend on the timing and magnitude of the required adjustment. Staff hope to be able to more fully outline the potential adjustment with the completion of the Q2 financial update report.

Staff will continue to provide Council with financial impact information in the weekly COVID-19 memo and will report back with a formal report outlining the budget adjustment prior to its completion.

Procurement Process

The Region has leveraged its existing Procurement By-law where appropriate to secure goods and services that are critical to our response to COVID-19. These purchases have utilized the special circumstance provision, which provides for both:

- an event that is exceptional or could not be foreseen and is likely to pose a threat to the health, safety or welfare of the public
- an emergency as defined in the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended, or any successor legislation thereto

At the time of writing this report, the Region has executed 12 special circumstance purchases over \$10,000 for a total value of \$1.3 million. These purchases consist mainly of personal protective equipment, cleaning supplies/services, emergency shelter, and screening services. Staff will continue to rely on the special circumstance provisions in the procurement by-law on an as-required basis and report back to Council as needed.

Alternatives Reviewed

Staff are working with both the area municipality treasurers within Niagara Region and with colleagues across the province (through the Ontario Regional and Single-Tier Treasurers group) to share ideas and strategies to respond to the financial and operational impacts of this pandemic.

Staff will also work with Standard and Poor's (who provide the Region's credit rating) to discuss potential implications on the ratings of the municipal sector as a whole across the country.

Relationship to Council Strategic Priorities

Supporting the COVID-19 emergency response directly supports Council's strategic priority of a Healthy and Vibrant Community.

Other Pertinent Reports

CSD-31 2020 Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings

Prepared by:
Melanie Steele, MBA CPA CA
Associate Director, Reporting & Analysis
Corporate Services

Recommended by:
Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with regional departments and EOC members, and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

Appendices

Appendix 1 COVID-19 Financial Impact by Department

Appendix 1 - COVID-19 Financial Impact by Department

	Total costs supported by our approved base budget	Total costs incremental to base budget	Lost Revenue	Cost savings & mitigations	Net cost/(savings) impact before funding announcements
Corporate Administration	\$ 395,761	\$ 134,827	\$ -	\$ (199,943)	\$ 330,645
Corporate Services	466,285	389,735	166,900	(517,785)	505,135
Court Services	36,970	3,431	196,875	(103,914)	133,362
Planning	87,909	8,055	120,000	(109,207)	106,757
Niagara Regional Housing	-	86,055	600,000	(844,065)	(158,010)
Niagara Regional Police Service *	71,674	110,471	-	-	182,145
Transportation	177,362	92,361	604,933	(3,249,355)	(2,374,699)
Public Health					-
Public Health	1,405,563	1,371,691	-	-	2,777,254
Emergency Medical Services	1,384,672	1,419,631	26,000	(62,000)	2,768,303
Sub-total Public Health	2,790,235	2,791,322	26,000	(62,000)	5,545,557
Community Services					-
Childrens Services	133,360	79,939	200,000	-	413,299
Seniors Services	783,506	2,707,961	-	-	3,491,467
Social Assistance & Employment Opportuniti	126,836	5,453	-	-	132,289
Homelessness Services	18,099	1,142,788	-	-	1,160,887
Sub-total Community Services	1,061,801	3,936,141	200,000	-	5,197,942
Total Levy Supported	5,087,997	7,552,398	1,914,708	(5,086,269)	9,468,834
Waste Management	211,669	105,429	-	(63,890)	253,208
Water/Wastewater	27,500	58,439	-	(522,983)	(437,044)
Total Rate Supported	239,169	163,868	-	(586,873)	(183,836)
Total	\$ 5,327,166	\$ 7,716,266	\$ 1,914,708	\$ (5,673,142)	\$ 9,284,998

*NRPS are preparing their own analysis of financial impacts they will be sharing with their board. The only costs included in the analysis above are those the Region is aware of as they are purchase order commitments or actual costs recorded in our financial system or members participating in our EOC.

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

May 4, 2020

Council Session CL 6-2020, April 23, 2020

LOCAL AREA MUNICIPALITIES**SENT ELECTRONICALLY**

**RE: Memorandum CHR 2-2020 COVID-19 Government Relations Strategy
Minute Item 5.1 CL 6-2020, April 23, 2020**

Regional Council, at its meeting held on April 23, 2020, passed the following resolution:

1. That Memorandum CHR 2-2020 from Daryl Barnhart Executive Officer to the Regional Chair, dated April 23, 2020, respecting COVID-19 Government Relations Strategy, **BE RECEIVED**;
2. That the Regional Clerk **BE DIRECTED** to forward a copy of the Regional Chair memo CHR 2-2020, and staff reports CSD-30-2020 and CSD-31-2021 to the Councils of the 12 local area municipalities;
3. That the Regional Chair **BE DIRECTED** to engage and actively collaborate with the Councils of the 12 local area municipalities to ensure the exchange of critical information in the development of short, medium, and long-term impacts of COVID-19;
4. That the Regional Chair **BE DIRECTED** to work with the 12 local area municipalities to coordinate the response and required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19; and
5. That the Regional Chair **REQUEST** that the 12 local area municipalities formally endorse motions that support the collaboration between all of Niagara's communities and the Niagara Region.

Regional Council amended the recommendation from Report CSD 31-2020, and passed the following resolution:

That Report CSD 31-2020, dated April 23, 2020, respecting Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the May 13, 2020 Region general and special purposes levy amounts **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** until June 30, 2020;
2. That the August 5, 2020 and October 14, 2020 instalments for Region general and special purposes levy **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** for a period of 30 days;
3. That the April through November water and wastewater amounts billed monthly on the 15th of the month and due at the end of the month **BE REMITTED** to the Niagara Region based on actual amounts collected by the Local Area Municipalities;
4. That the difference in the amount billed by the Region and collected by the Local Area Municipalities for the water and wastewater requisitions **BE PAYABLE** before December 31, 2020;
5. That interest charges on the outstanding amount from the Local Area Municipalities for the water and wastewater requisition payments **BE WAIVED** for the year 2020;
6. That By-law 2019-94, By-law 2019-95 and By-law 2020-04 **BE AMENDED** to adjust interest charge provisions in consideration of the COVID-19 pandemic; and

7. That any amounts due from the Niagara Region to the Local Area Municipalities **BE DEFERRED** until such time as the amount due to the Local Area Municipality exceed the amount receivable from that municipality.

A copy of Memorandum CHR 2-2020 and Report CSD 31-2020 is attached for your information. Report CSD 30-2020 was circulated separately on April 24, 2020.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ann Marie Norio', with a stylized flourish at the end.

Ann-Marie Norio
Regional Clerk
CLK-C 2020-147



Office of the Regional Chair | Jim Bradley
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MEMORANDUM

CHR 2 - 2020

Subject: COVID-19 Government Relations Strategy

Date: April 23, 2020

To: Regional Chair and Members of Council

From: Daryl Barnhart, Executive Officer to the Regional Chair

In response to the COVID-19 pandemic, the federal and provincial governments have developed a number of different programs designed to support individuals and businesses. While these measures were designed to provide much-needed relief to these groups, announcements of wide-spread support for municipalities have yet to be specified. As Regional and Local Area Municipal (LAM) staff continue to assess the full financial impacts of the COVID-19 outbreak, it has already become clear that substantial financial relief will be needed to maintain municipal service levels (as detailed in CSD-30 - 2020 and CSD-31 - 2020). Without any such support from senior levels of government, the potential outcomes include prolonged service level reductions and/or significant property tax and rate increases.

It is paramount that the Niagara Region, in close partnership with the 12 Local Area Municipalities, leverage pre-existing relationships with other levels of governments and municipal organizations to identify opportunities for the mitigation of financial hardships, as well as strategies to secure this support at an accelerated pace.

Given the wide-spread impact of COVID-19 on all municipalities, it is crucial that Niagara be coordinated, consistent and bold in our requests in order to stand out among other jurisdictions.

To this end, the following high-level government relations activities are being recommended:

1. Ensure sufficient coordination, consistency & cooperation between the Region and LAMs
2. Develop an accurate and reliable projection of the impacts of COVID-19
3. Take advantage of formal consultation opportunities with the provincial government
4. Align an advocacy approach with municipal stakeholder groups (i.e. AMO, FCM, etc.)
5. Maintain strong working two-way relationships with our local federal MPs and provincial MPPs

Ensure regional coordination and consistency

Ensuring the Region and Niagara's Local Area Municipalities are unified in any requests being brought forward to the senior levels of government will be vital. It is also critical that the Region and local municipalities present a consistent view on shared priorities as well as potential solutions. Conflicting opinions or requests coming from Niagara may dilute our request and potentially have negative impacts on our ability to secure funding.

Development of an accurate picture of COVID-19 impacts

It is strongly recommended that the Region, in close partnership with the 12 municipalities, work together to develop accurate short, medium and long-term impacts of COVID-19. Being able to accurately determine these figures will be a key element in ensuring we are seeking what we require from other levels of government. This data will provide an objective and factual underpinning that will be used as part of all related Government Relations activities related to the pandemic.

In discussions with provincial ministries, the Region has made commitments that whatever figures are brought forward will be accurate, straightforward and veracious. It is also worth noting that these impacts will not be limited to financial provisions as attention will also be paid to social and health considerations.

Take advantage of formal provincial consultation opportunities

On April 9, the Provincial Government announced that Rod Phillips, Minister of Finance, will be chairing a new Ontario Jobs and Recovery Committee. This committee has been mandated to develop a plan to stimulate economic growth and job creation in the weeks and months ahead. As part of its work, it will be consulting with a wide variety of people to assess the impact of COVID-19 on the provincial economy and develop an action plan to move forward, including business associations, chambers of commerce, municipal leaders, corporate leaders, small business owners, and entrepreneurs.

The Region and the local area municipalities should be prepared for these consultations. Delivering reliable, strong projections on the financial impacts will be essential in presenting a holistic view on the region's challenging economic situation and the financial difficulties confronting its municipalities.

Regional staff will be reaching out to their municipal counterparts to explore the initiation of a formal coordinated approach to these consultations. Based on previous experience with provincial decision makers, it would be beneficial to ensure that any submissions through this process are consistent and Niagara presents a unified front.

Alignment with municipal stakeholder groups and counterparts

While there are certain aspects to Niagara that make the region unique, it is also fair to assume that all municipalities across Ontario, and arguably Canada, will require additional operational funding from other levels of government.

Frequent collaboration with other municipal associations has, and will continue to offer significant insights into the approaches taken by municipalities across Ontario and Canada. These connections strengthen Niagara Region's voice among its municipal counterparts and frequent consultation and engagement help ensure that we will be "in step" with our counterparts. It is our view that the Region should remain aligned with the positions being adapted by these organizations as there will be "strength in numbers".

Strategic alignment with the following groups will continue to be paramount:

- **Association of Municipalities of Ontario** – AMO's long-standing relationship and MOU with the Province of Ontario will help position its membership, including the Region, to have a strong voice with decision makers at Queen's Park. AMO is currently working closely with the Ontario Job and Recovery Committee to ensure the needs of municipalities are being heard.
- **Federation of Canadian Municipalities** – FCM has been working diligently to advocate for a municipal relief package from the federal government, focused primarily on highlighting the need for direct financial assistance to local governments to provide some immediate relief and allow essential services to keep operating. The Region will continue to work with FCM to ensure Niagara is contributing to this conversation.
- **MARCO / LUMCO** – These groups, representing the large urban mayors and regional chairs across Ontario, have been having ongoing discussions with Municipal Affairs and Housing to explore options to mitigate economic and social impacts of COVID-19 on municipalities. As members of the Mayors and Regional Chairs of Ontario (MARCO), the Region has gained insight into potential policy directions that the Province may (or may not) undertake to alleviate some of the financial pressures experienced by municipalities.
- **Counterparts across Ontario** – As members of the Ontario Regional and Single-Tier Treasurers and the Municipal Finance Officers Association (MFOA), Regional staff has the opportunity to consult with municipal counterparts regarding the financial impact the pandemic has on municipalities, possible relief measures that can be provided to communities, and potential strategies for refining new budget realities arising from the costs for managing the pandemic.

Maintain strong two-way relationships with federal and provincial MPs

Staff have been in constant contact with local MPPs and MPs to share pertinent information and ensure key messages regarding the management of the pandemic are aligned and communicated effectively to the public. Particularly, staff have participated in extensive discussions with MPP Sam Oosterhoff to illustrate the impact the outbreak is having on the region and how the Province can support the region in resolving critical issues that have emerged since the Provincial Emergency Declaration.

Conclusion

Provided there is support from Regional Council for the recommended high-level activities outlined in this memo, Regional staff will begin to actively reach out to local counterparts to develop a more fulsome strategy with the input of all stakeholders.

Moving forward, staff will continue to work with other municipalities and levels of government to find creative solutions to challenges, and opportunities to strengthen the region through recovery initiatives. As stimulus programs, grants, and other funding initiatives surface, government relations staff will connect the Region, local area municipalities, and the community to these funding opportunities.

Respectfully submitted and signed by

Original signed by:

Daryl Barnhart, M.A., APR
Executive Officer to the Regional Chair

Prepared in consultation is Gina van den Burg, Government & Stakeholder Relations Specialist; Helen Chamberlain, Director of Financial Management & Planning/Deputy Treasurer; and Todd Harrison, Commissioner of Corporate Services/Regional Treasurer

Subject: Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings

Report to: Regional Council

Report date: Thursday, April 23, 2020

Recommendations

1. That the May 13, 2020 Region general and special purposes levy amounts **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** until June 30, 2020;
2. That the August 5, 2020 and October 14, 2020 instalments for Region general and special purposes levy **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** for a period of 30 days;
3. That the April through November water and wastewater amounts billed monthly on the 15th of the month and due at the end of the month **BE REMITTED** to the Niagara Region based on actual amounts collected by the Local Area Municipalities;
4. That the difference in the amount billed by the Region and collected by the Local Area Municipalities for the water and wastewater requisitions **BE PAYABLE** before December 31, 2020;
5. That interest charges on the outstanding amount from the Local Area Municipalities for the water and wastewater requisition payments **BE WAIVED** for the year 2020;
6. That By-law 2019-94, By-law 2019-95 and By-law 2020-04 **BE AMENDED** to adjust interest charge provisions in consideration of the COVID-19 pandemic;
7. That any amounts due from the Niagara Region to the Local Area Municipalities **BE DEFERRED** until such time as the amount due to the Local Area Municipality exceed the amount receivable from that municipality; and

-
8. That any interest and penalty charged by the Local Area Municipalities to the Niagara Region **BE WAIVED** for the year 2020.

Key Facts

- The purpose of this report is to respond to the motions included in appendix 1 passed by Welland, St. Catharines, and Thorold Councils (representing approximately 39% of Niagara Region's levy) requesting payment relief from the Niagara Region in light of the COVID-19 pandemic.
- This report has been written based on significant consultations with a variety of stakeholders as outlined in the report. Staff have used this information to develop assumptions from which the recommendations have been made. This situation remains fluid and staff will update Council on a regular basis.
- Based on meetings with the local area treasurers we understand that due to the extended payment terms being offered to taxpayers they may experience cash flow challenges which require special consideration by the Region for tax and water and wastewater payments.
- Overall the amount due from the LAMs for general and special purposes tax levies and water and wastewater payments the period of April 1st to June 30th is approximately \$130 million; the amount due for the third and fourth quarter are approximately \$148 million and \$146 million, respectively.
- The province has provided for a deferral of the second and third education tax remittances of \$42 million each from June 30th to September 30th, and from September 30th to December 15th, respectively which has been incorporated in the cash flow analysis completed by staff.

Financial Considerations

Most municipalities are considering extended payment terms to offer financial relief to tax and rate payers through a combination of payment deferrals and/or the waiving of late fees and interest charges. The Niagara Region is considering the impact of these decisions impact on the LAMs' cash flow and consequently offering alternative payment arrangements to the LAMS.

Finance staff have been monitoring the Region's cash flow during this crisis and will continue to analyze the position to ensure there is sufficient liquidity to provide for ongoing operations. Staff are ensuring flexibility by holding funds in High Interest Savings Accounts (HISA) to maintain essential regional services and capital works.

The recommendations made in this report will reduce balances in the Region's bank accounts that contribute to the budgeted investment income of \$2.7 million. The reduction in our average cash balances resulting from these recommendations and the decline in interest rates due to the pandemic is estimated to reduce investment income budgeted by up to \$1.3 million depending on what is approved by Council and the level of collections by the LAMs. This amount is in addition to the \$9.3 million estimated cost of COVID-19 in CSD 30-2020 as the cash flow analysis was not yet available at the time of publishing that report.

Analysis

The Region establishes and approves their own tax levy, waste management budget each year. These amounts are collected from the local area municipalities in four installment dates in the year. The municipalities bill and collect this amount on behalf of the Region, as well as their own tax levy, from the property owners either through four installment dates established in their bylaws (not the same dates as the Region installment due dates see appendix 2), monthly pre-authorized payment plans, or payments made by mortgage companies.

The Region also establishes and approves their own water and wastewater budgets each year. This establishes the wholesale rate for these services which the municipalities incorporate into their budget to establish the periodic billing rates to property owners. While some municipalities may not bill each month, remittances to the Region are due at each month end.

We understand that the Local Area Municipalities are impacted by the following decisions in response to the COVID-19 pandemic:

- Waiving interest and penalties on property tax, water, and wastewater payments from residents, many through to June.
- Some municipalities that have approved their water and wastewater rates are considering deferring the rate increases until the second or third quarter of the year.
- Some municipalities have not yet approved their water and wastewater budgets and are considering modifications to address COVID-19.
- Most are continuing with their pre-approved payments plans from residents, however are waiving penalties or charges on non-sufficient funds or withdrawal from the program.

-
- Facilities have been closed to the public limiting options to pay in person, however payment accepted by mail; cash or cheque; at financial institutions, both in person and electronically.
 - The Ontario Government deferral of education tax payments from municipalities (\$42 million each quarter) with June 30th deferred to September 30th and September 30th deferred to December 15th.

These items are putting additional strain on the LAMs as they try to meet the billing schedule of the Niagara Region, and could result in negative cash flows being experienced. In order to understand the cash flow implications to the Region, staff started with a forecast under the status quo requirements of the Regional general and special purposes tax levies and water and wastewater payments. Staff then incorporated into the analysis the impacts of the Local Area Municipality motions (option A). Based on the negative effect of the municipal requests on Regional cash flows and the ability to sustain of Regional services staff developed an alternative (option B), which the recommendations in this report are based on.

Option A

The three municipal council motions that have been presented request consideration of the following:

- Water and wastewater payments be deferred to June 30th
 - Niagara Region's by-law 2019-94 and 2019-95 for the water and wastewater rates provide that the amount due is billed on the 15th of the month and due at the end of the month.
 - The total amount in aggregate that is collected is approximately \$9.5 million per month.
 - Both by-laws include a provision for interest to be charged on amounts in default until the date of payment.
- 2020 Water and Wastewater rate increases be deferred to June 30th
 - The Niagara Region has approved a budget with an additional \$0.5 million a month. This amount has already been billed for January and February. The February amount that was due in March was paid in full by all municipalities except one.
 - Billing of the 2019 rate for March to June would result in a revenue shortfall of \$2 million. Deferring the increase for the remainder of the year would result in a total revenue shortfall of \$5 million.

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- The above shortfall of \$2 million relates \$0.5 million to Water and \$1.5 million to Wastewater, increasing to \$1.2 million and \$3.8 million for Water and Wastewater, respectively, if extended to December.
 - Stabilization reserve balances are \$3.0 million for water and \$1.4 million for wastewater. Wastewater balances are insufficient to support the revenue loss, therefore alternative options would need to be considered, including budget amendment or use of capital reserves.
 - The May 13th tax levy installment be deferred to June 30th
 - Niagara Region's By-law 2020-04 approves a scheduled payment in aggregate of \$100 million from the LAMs due May 13th.
 - The by-law did not include a provision of interest charges on late payments.

Other Assumptions

- Niagara Region detailed cash flow analysis and expenditure review assumes the following:
 - Operating costs for essential services, including Water, Wastewater, Seniors Services, etc. continue to be incorporated.
 - Incremental costs related to COVID-19 are being tracked and these have been offset by non-essential services and savings that have been identified in report CSD 30-2019.
 - Capital projects with budgets greater than \$1 million have been evaluated to assess if they are essential and if staff and/or industry capacity exists, and cash flow projections for the balance of the year have been updated accordingly.
 - The LAM requests noted above have been incorporated into cash flow projections.

Conclusions

- Niagara Region would not have adequate cash flows to support operations for the month of June. Recovery will occur on June 30th with the full remittance and remain positive for the balance of the year.
- St. Catharines requested deferral of tax payment for 90 days (May 13th to August 11th); if deferred \$27 million would remain uncollected until August.
- The reduced Water and Wastewater billing has been incorporated into this scenario, however it does not solve the budget shortfall which would require a budget amendment to the 2020 budget.

Option B

As a result of the cash shortfall of the above scenario, staff have considered alternatives which hopefully alleviate some of the strain on the Local Area Municipalities without the significant negative impact on the Region that may have an impact on continuity of essential services.

Tax Levy Assumptions

- Concessions by LAMs will result in continued, but reduced, collections. Therefore for modelling purposes, staff have conservatively assumed arrears of up to 50%, which would result in \$50 million in cash flow relief to the local area municipalities. The balance of the \$50 million would be remitted to the Region by June 30th being the date to which municipalities have deferred interest and penalties
- The final levy instalments of \$115 million each are scheduled for August 5th and October 14th, as included in by-law 2020-19. For modelling purposes staff have conservatively assumed arrears of up to 50%. Based on discussion with LAM Treasurers there may be continued difficulty in collection and/or ability to issue tax bills to residents. A deferral of each of these payments for 30 days has been included in the cash flow.

Water and Wastewater Assumptions

- Concessions by LAMs will result in continued, but reduced, collections. Therefore for modelling purposes, staff have conservatively assumed arrears of 25%, which would result in \$2.6 million in cash flow relief a month to the local area municipalities. The balance of the amount owing would be remitted to the Region no later than December 31st, 2020.

Other Assumptions

- All other assumptions for operating and capital expenditures are the same as in Option A.

Conclusions

- Niagara Region would have adequate cash flows to support operations for the month of June.
- The Region would not be required to pursue further cost cutting or cash mitigation measures related to essential services or the deferral of essential capital projects/

-
- Regional cash flow will be depleted again in August and October if tax instalments in their entirety are deferred 30 days, therefore, remittance based on LAM collection would still be required (minimum of 25% of instalment due would be required to sustain operations)
 - No budget amendment would be required for Water or Wastewater.

The following details to support the above option are incorporated in the recommendations for greater clarity.

- LAMs will remit to the Niagara Region Taxes and Water/Wastewater amounts based on actual collection experience, (not the 50% and 25% modelled). However, if their collection is less than the 50% modelled the Region will experience further cash flow shortfalls.
- Staff recommend that the final instalments bylaw include an interest waiver of 30 days, however it is expected that LAMs able to bill residents will remit funds to the Region on the due dates based on their collection experience.
- Interest charges would be deferred for one month for tax payments and until the end of the year for water and wastewater payments; regional by-laws will be amended accordingly.
- The Region is routinely billed by the Local Area Municipalities for tax write-offs, water and wastewater for Regional facilities, cost shared capital projects, etc. In order to ensure that the Region cash flow is not further negatively impacted, we will offset these against the amounts receivable from the LAMs.

Regional staff cannot undertake a full analysis of LAMs individual cash flow impacts as we do not understand the impact of items such as facilities closures, lost event revenues, incremental costs due to COVID-19, etc. The concessions recommended in this report along with education payment deferral offered by the Ontario Government is expected to provide some level of cash flow relief to the Local Area Municipalities to align with their anticipated delay in tax collection from property owners.

Since the onset of the Provincial emergency declaration, Regional staff have been meeting weekly with the Ontario Regional and Single Tier Treasurers. Discussions have included:

- Opportunities for lower tier municipalities to provide relief to property owners. Many Ontario municipalities are offering the community options to defer payment of taxes and water/wastewater payments that are very similar to those of Niagara municipalities.

-
- Upper Tier Regional governments are being asked to consider impact the above concessions have on the ability to comply with established deadlines for remittances to the upper tier. Responses to the request have varied based on the upper tier cash flow analysis. Generally the constraints on the upper tier have been significant as well and most are asking for remittance from the lower tier based on the actual collections from the property owners in order to ensure no undue hardship to either party. This is similar to the Niagara recommendations.
 - Impact of capital expenditure on cash flow. Many feel strongly that continued capital investment is necessary to keep the economy going however others are dealing with the reality of inadequate cash flow which requires significant reprioritization of capital works in particular in line with the Province's guidelines regarding essential vs non-essential services. This has been Niagara's position in the cash flow projection.
 - Impact of lack of construction is having on development charges collected and ability to delivery anticipated growth related capital program. This will have impacts on future capital plans.
 - Provincial lobbying for incremental funding for the unbudgeted cost of the pandemic. This includes assistance from Municipal Finance Officers Association (MFOA) to consolidate some asks as well as incorporating recommendations to share our financial implications reports with other levels of government, MP and MPPs. The types of impacts Niagara is experiencing with respect to costs and revenue losses are very consistent with those of other municipalities except the order of magnitude varies
 - Lobbying of the Province with respect to latitude on other legislation not the least of which is the necessity to fund a deficit in next budget year. Many of Ontario municipalities are project very significant deficits and many do not have stabilization reserves to assist in funding the deficit. Use of other reserves such as capital reserves will only further the difficulty in recovery from the pandemic and adding to the next year's budget may impact community and businesses that are still in recovery from economic losses of the emergency. One consideration to be put to the Province is the ability to fund the deficit over a number of years in the future.
 - Other items being discussed include workforce planning, work for home policies, short term borrowing etc.

Alternatives Reviewed

Staff **DO NOT RECOMMEND** option A for the conclusions noted above. Therefore option B is **RECOMMENDED**.

Relationship to Council Strategic Priorities

The recommendations in this report support Council's Strategic Priorities of Business and Economic Growth through the shared efforts with local area municipalities to retain vulnerable businesses in the Niagara Region, and Sustainable and Engaging Government through coordination with Local Area Municipalities with the goal of shared financial sustainability during this state of emergency.

Other Pertinent Reports

CSD 30-2020	COVID-19 Preliminary Overview of Financial Impacts
CSD 23-2020	2020 Property Tax Rates and Ratios

Prepared by:

Helen Chamberlain, CPA, CA
Director Financial Management and
Planning, Deputy Treasurer
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner Corporate Services,
Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Tyler Potts, Senior Budget Analyst, and reviewed by Margaret Murphy, Associate Director Budget Planning and Strategy.

Appendices

Appendix 1 Motions from Local Area Municipalities

Appendix 2 Property Tax Payment Due Dates



March 30, 2020

Ann-Marie Norio
 Office of the Regional Clerk, Niagara Region
 1815 Sir Isaac Brock Way, P.O. Box 1042
 Thorold, ON L2V 4T7

Sent via email: Ann-Marie.Norio@niagararegion.ca

**Re: COVID-19 Pandemic - Municipal Tax and Service Charge Deferral
 Our File 10.57.19**

Dear Ms. Norio,

At its special meeting held on March 27, 2020, St. Catharines City Council approved the following motion:

The recommendations in this report are intended for use in the emergency situation known as the COVID-19 pandemic. Staff are confident that these measures will contribute and support the wellbeing of the residents and businesses of St Catharines. These recommendations can be revisited at upcoming Council Meetings as desired:

- Defer the April 30th Interim Tax Instalment to June 30th
- Waive Tax Penalty and Interest Charges until June 30th
- Waive Water and Wastewater Penalty and Interest Charges until June 30th
- Waive Accounts Receivable Penalty and Interest Charges until June 30th
- Continue to process Pre-Authorized Payments (PAP) for taxes and water unless suspended in writing by the payor
- Waive charges for any cheques or pre-authorized payments (PAP) returned for non-sufficient funds (NSF) or payments stopped by the payor
- Amend the 2020 Final Tax Levy instalment dates of June 30 and September 30 to July 31 and October 30, 2020, respectively
- Defer the 2020 Water and Wastewater rate increase from April 1st to July 1st
- Parking enforcement is limited to safety-related issues, including but not limited to, fire-routes, accessible parking, no-parking areas and fire hydrants, until June 30th, 2020
- Waive payment for on-street parking or in a municipal parking lot or garages
- Water services shall not be disconnected by the City of St Catharines for nonpayment of water and wastewater billings until June 30th, 2020
- Waive late fees for 2020 Dog Licences
- Waive late fees for 2020 General Business Licences

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2

Tel: 905.688.5600 | TTY: 905.688.4889 | www.stcatharines.ca



- That the Region of Niagara be requested to defer their payments requirement by 90 days to align with the change in instalment dates.
- That the Region of Niagara be requested to defer their water and wastewater monthly payments until June 30th
- That the Province of Ontario be requested to defer the June and September school board payment requirements by 90 days; and

That Council approve the above recommendations and that all actions taken by staff to implement these recommendations prior to March 27, 2020 be hereby ratified; and

That the City Solicitor be directed to prepare or amend the necessary by-law(s).
FORTHWITH

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in black ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:kn

cc. Kristine Douglas, Director of Financial Management Services and City Treasurer



Where Ships Climb The Mountain...

April 1, 2020

Office of the Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Ann-Marie.Norio@niagararegion.ca

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

Re: Water and Sewer Invoices

Please be advised Thorold City Council, at its March 31, 2020 meeting, adopted the following motions:

1. That the Water Sewer Budget 2020 and related pricing increase normally scheduled for the April billing be deferred to the June billing, which would be due at the end of July.
2. That the Water Sewer Budget report be brought forward for Council consideration and implementation in late-May, to be effective for the June billing with a July 31st due date.
3. That should it be required due to COVID-19 pandemic ramifications to revisit the deferral date, that a further report be prepared for Council
4. That the Region be requested to defer collection of the water and sewer monthly invoices until June 30, 2020.
5. That the Region be requested to defer their 2020 price increase, and bill at the 2019 rates for the period up to June 30, 2020.

Yours truly,



Donna Delvecchio,
City Clerk

ec: M. Dilwaria, Chief Administrative Officer
Council Agenda – April 21, 2020

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.ca

Tel: 905-227-6613



City of Welland
 Legislative Services
 Office of the City Clerk
 60 East Main Street, Welland, ON L3B 3X4
 Phone: 905-735-1700 Ext. 2280 | Fax: 905-732-1919
 Email: clerk@welland.ca | www.welland.ca

April 8, 2020

File No. 20-37

SENT VIA EMAIL

Niagara Region
 1815 Sir Isaac Brock Way
 P.O. Box 1042
 Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Ann-Marie Norio:

Re: April 1, 2020 – WELLAND CITY COUNCIL

At its meeting of April 1, 2020, Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND approves that the Water Sewer Budget 2020 and related pricing increase normally scheduled for the April, May and June billing be deferred to the billing cycle starting July 1, 2020; and further THAT Welland City Council directs staff that should it be required due to COVID-19 pandemic ramifications to revisit the deferral date that a further report be prepared for Council; and further THAT Niagara Region be requested to defer collection of the Water and Sewer monthly invoices until June 30; and further THAT Niagara Region be requested to defer their 2020 price increase, and bill at the 2019 rates, for the period up to June 30.”

Yours truly,

Tara Stephens
 City Clerk

TS:cap

c.c.: S. Zorbas, General Manager, Corporate Services, Chief Financial Officer/Treasurer, sent via email

Appendix 2 Property Tax Payment Due Dates

Municipality	First Instalment	Second Instalment	Third Instalment	Fourth Instalment
Fort Erie	February 28	April 30	June 30	September 30
Grimsby	March 6	May 1	August 7	October 2
Lincoln	February 28	April 30	July 31	September 30
Niagara Falls	February 28	April 30	June 30	September 30
Niagara-On-The-Lake	February 28	May 20	July 31	September 25
Pelham	February 28	April 30	June 30	September 30
Port Colborne	February 28	April 30	July 2	October 1
St. Catharines	February 28	April 30	June 30	September 30
Thorold	February 28	April 30	June 30	August 31
Wainfleet	February 28	April 30	July 31	September 30
Welland	March 2	May 1	July 1	September 1
West Lincoln	February 28	April 30	July 31	September 30
Niagara Region	March 11	May 13	August 5	October 14

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

May 7, 2020

Council Session CL 6-2020, April 23, 2020

LOCAL AREA MUNICIPALITIES**SENT ELECTRONICALLY**

**RE: Report CSD 23-2020 2020 Property Tax Policy, Ratios and Rates
Minute Item 9.1.3 CL 6-2020, April 23, 2020**

Regional Council, at its meeting held on April 23, 2020, passed the following resolution:

That Report CSD 23-2020, dated April 23, 2020, respecting 2020 Property Tax Policy, Ratios and Rates, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVE** the following tax ratios and sub-class reductions for the 2020 taxation year:

Property Classification	Tax Ratio	Sub-Class Reduction
Residential	1.000000	
New Multi-Residential	1.000000	
Multi-Residential	1.970000	
Commercial	1.734900	
Commercial – Excess Land	1.734900	30%
Commercial – Vacant Land	1.734900	30%
Industrial	2.630000	
Industrial – Excess Land	2.630000	30%
Industrial – Vacant Land	2.630000	30%
Pipeline	1.702100	
Farmland	0.250000	
Managed Forest	0.250000	
Farmland Awaiting Development 1	1.000000	25%
Farmland Awaiting Development 2	Class Ratio	
Landfill Sites	2.940261	

2. That by having no properties subject to capping adjustments in 2019 in the commercial class, Regional Council **OPT OUT** of the capping program for the commercial tax class for the 2020 and subsequent taxation years;

3. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration and **CIRCULATED** to the Councils of the Area Municipalities for information.
4. That this report **BE APPROVED** and **CIRCULATED** to the Councils of the Area Municipalities for information.

A copy of Report CSD 23-2020 and the associated by-laws are attached for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk
CLK-C 2020-141

cc: T. Harrison, Commissioner, Corporate Services
H. Chamberlain, Director, Financial Management and Planning/Deputy Treasurer
M. Murphy, Associate Director, Budget Planning & Strategy
R. Fleming, Senior Revenue and Tax Analyst
K. Beach, Executive Assistant to the Commissioner, Corporate Services

Subject: 2020 Property Tax Policy, Ratios and Rates

Report to: Regional Council

Report date: Thursday, April 23, 2020

Recommendations

1. That Regional Council **APPROVE** the following tax ratios and sub-class reductions for the 2020 taxation year:

Property Classification	Tax Ratio	Sub-Class Reduction
Residential	1.000000	
New Multi-Residential	1.000000	
Multi-Residential	1.970000	
Commercial	1.734900	
Commercial – Excess Land	1.734900	30%
Commercial – Vacant Land	1.734900	30%
Industrial	2.630000	
Industrial – Excess Land	2.630000	30%
Industrial – Vacant Land	2.630000	30%
Pipeline	1.702100	
Farmland	0.250000	
Managed Forest	0.250000	
Farmland Awaiting Development 1	1.000000	25%
Farmland Awaiting Development 2	Class Ratio	
Landfill Sites	2.940261	

2. That by having no properties subject to capping adjustments in 2019 in the commercial class, Regional Council **OPT OUT** of the capping program for the commercial tax class for the 2020 and subsequent taxation years;
3. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration and **CIRCULATED** to the Councils of the Area Municipalities for information.
4. That this report **BE APPROVED** and **CIRCULATED** to the Councils of the Area Municipalities for information.

Key Facts

- The purpose of this report is to set the tax policy for 2020 which includes tax ratios, rates and other policy considerations. Tax policy accounts for property assessment changes and affects the actual taxes paid by property owners or classes.
- The recommended tax policy for 2020 is status quo based on the tax policy decision adopted for the 2019 taxation year and is being recommended by Regional staff and Area Treasurers.
- In order for the Area Municipalities to complete final tax billings in June, Regional bylaws should be established no later than April.
- The Region approved a 2020 levy increase of 5.92%. Area Municipal increases are projected to range from 1.55% to 13.40%.
- Under the status quo tax policy the residential class in aggregate will see a tax increase of 5.74% for the Regional levy as a result of the reassessment shift reducing residential taxes by 0.20% (see Table 1).
- The reassessment impacts, proposed tax policy and approved Regional tax levy will result in an increase of approximately \$85 to the typical residential property with a CVA of \$277,044 in 2020 for an annual Regional property tax of \$1,601.
- This report recommends the complete exit of tax capping for 2020 and future years as there are no longer any capped properties.
- 2020 is the fourth and final year of the four year assessment phase-in period meaning that 2021 will be the first year of the new assessment cycle. The Municipal Property Assessment Corporation (MPAC) has provided preliminary assessments for the 2021 assessment cycle. Based on this information, the residential tax class is anticipated to experience assessment increases of approximately 50% which may create a substantial shift of taxes onto the residential class.

Financial Considerations

There are no direct costs to the Region as a result of setting 2020 tax policy. There are however, taxpayer impacts as a result of tax shifts between property classes due to reassessment phase-in, assessment growth and tax ratio decisions. Detailed analysis of assessment growth, reassessment and phase-in changes and tax ratios are included in the Tax Policy Study attached as Appendix 1.

As will be discussed under the Other Policy Consideration section of this report, Council approved the phase-out of the commercial/industrial vacant unit rebate program starting in 2019 through CSD 3-2019. As part of the same report, Council approved the phase-

out of the vacant/excess land subclass discount, which does not have an impact on tax policy until 2021.

Analysis

The Municipal Act provides the Region with the responsibility to establish tax policy to raise levy requirements. These tax policy decisions are reviewed and discussed with the Area Treasurers. Regional staff met with the Area Treasures and discussed options for the 2020 tax policy and the Area Treasurers unanimously supported the recommendations in this report.

Due to the 2016 reassessment, assessment growth and provincial legislation, tax shifts will occur across all property classes. These factors are outside the control of Niagara Regional Council and the budget process. The only opportunity to affect these is through a thorough analysis of options available for ratios and resulting impacts. Staff, with the use of a third party consultant undertook an analysis of a number of options to arrive at the recommendations presented in this report.

Region staff presented Area Treasurers with a draft copy of the tax study as completed by the Region's external tax consultant as well as reviewed various options and scenarios for 2020. Based on the feedback provided, both Regional staff and Area Treasurers are recommending a status quo tax policy for the 2020 taxation year. This recommendation is guided by the discussion contained under the Tax Policy Considerations section of this report. Due to the expected impact that 2021 reassessment will have on the residential tax class, the BMA study showing that all residential taxation categories are above the BMA study average, coupled with data provided by the Region's Affordable Housing Strategy Steering Committee, that many of the households in the core housing need currently reside in single detached homes (included in the residential tax class), Regional staff and Area Treasurers support the recommendation that the reduction in residential taxes shifted to other classes in 2020 of 0.20% be maintained.

In previous years, the Region utilized the tax shift away from the residential class to benefit commercial and multi-residential property owners. In addition, the Region also created a new multi-residential tax class in 2003 which carries the same ratio as residential properties which provides greater relief to newly constructed multi-residential buildings. See Appendix 2 for historical Regional tax ratios.

Analysis of Current State/Status Quo*1. Assessment Growth*

The overall real assessment growth that occurred in 2019 for the Region was 1.42% (as included in the approved 2020 operating budget), equivalent to \$5.2 million in tax dollars from new taxpayers. Table 1 summarizes the overall assessment growth that occurred in 2019 as well as the impacts affecting each of the tax classes based on maintaining the status quo tax ratios for 2020.

Table 1 – 2020 Tax Levy Impacts by Property Class (Status Quo Policy)

Property Class	2019 Approved Levy	Growth Impacts	Phase-In Impacts	2020 Levy Impacts	2020 Approved Levy	Avg. % Increase
Residential	\$ 265,269,922	\$5,084,359	\$ (536,036)*	\$ 15,751,193	\$ 285,569,438	5.74%
New Multi-Res	815,906	130,479	4,216	55,493	\$1,006,094	7.32%
Multi-Residential	15,025,478	(204,665)	(54,469)	862,021	\$15,628,365	5.37%
Farm	3,113,063	(59,446)	189,577	189,328	\$3,432,522	12.17%
Management Forest	19,688	970	777	1,251	\$22,686	10.30%
Commercial	67,237,042	(749,744)	490,011	3,909,962	\$70,887,271	6.54%
Industrial	11,865,167	965,090	(66,738)	745,094	\$13,508,613	5.72%
Pipelines	2,320,511	23,923	(26,578)	135,310	\$2,453,166	4.69%
Landfill	58,884	-	(953)	3,382	\$61,313	4.13%
Total	\$ 365,725,661	\$ 5,190,966	\$ (193)	\$ 21,653,034	\$ 392,569,468	5.92%
% Increase		1.42%	0%	5.92%	7.34%	

* Represents a tax shift away from residential of 0.20%

2. Re-Assessment Phase-In and Tax Shifts

Reassessments of all properties is mandated by the Province every four years across Ontario to ensure that current value assessments (CVA) relied upon for property tax purposes are reflective of current market conditions. Increases in assessment are phased in over 2017-2020. As identified above in Table 1, there is a decrease in the residential class' proportionate share of taxes (0.20%) as a result of phase-in changes which has been consistent over the current reassessment cycle. Table 2 shows the relative tax share of each tax class from 2019 to 2020. The 2020 amounts in Table 2 are based on the proposed status quo ratios from 2019. The table represents a starting point for the ratio analysis.

The residential increase noted above of 5.74% (below the total Regional levy increase of 5.92%) is as a result of the residential class phase-in assessment growth being 3.49% which is lower than the overall average of phase-in assessment changes of 3.83% (See Appendix 1, Table 13). Classes with assessment increases greater than the 3.83% average will experience tax increases greater than the Region's levy increase of 5.92% and classes with assessment less than the 3.83% average will see increases less than 5.92%.

Table 2 – Multi-Year Tax Distribution by Tax Class

Realty Tax Class	2019 Year End (As Revised)	Share	2020 Levy (As Returned)	Share
Taxable	\$	%	\$	%
Residential	\$ 270,354,281	72.89%	\$ 285,569,438	72.74%
Farm	3,053,617	0.82%	3,432,522	0.87%
Managed Forest	20,658	0.01%	22,686	0.01%
New Multi-Residential	946,385	0.26%	1,006,094	0.26%
Multi-Residential	14,820,813	4.00%	15,628,365	3.98%
Commercial	66,487,298	17.93%	70,887,271	18.06%
Industrial	12,830,257	3.46%	13,508,613	3.44%
Landfill	58,884	0.02%	61,313	0.02%
Pipeline	2,344,434	0.63%	2,453,166	0.62%
Total Taxable	\$ 370,916,627	100%	\$ 392,569,468	100%

3. Municipal Impacts of Tax Shifts

Similar to interclass shifts noted above, there will also be shifts between municipalities. Table 3 below provides a summary of the tax burden shifts across municipalities for the residential tax class as well as all tax classes overall. Appendix 1, Table 14 shows the municipal tax levy impacts of status quo tax policy recommendations overall.

Table 3 – Regional Tax Levy Shifts (2019 Revised to 2020 Notional)

Area Municipality	Residential	Total (Includes All Tax Classes)
Fort Erie	-1.40%	-1.42%
Grimsby	1.64%	1.90%
Lincoln	0.75%	0.72%
Niagara Falls	0.13%	0.24%
NOTL	0.17%	0.69%
Pelham	-0.73%	-0.61%
Port Colborne	-1.14%	-0.95%
St. Catharines	-0.67%	-0.32%
Thorold	-0.91%	-0.78%
Wainfleet	0.13%	0.57%
Welland	-0.93%	-0.94%
West Lincoln	0.99%	1.08%
Region Average	-0.20%	0.00%

- Six Municipalities (Fort Erie, Pelham, Port Colborne, St. Catharines, Thorold and Welland) see a tax shift away from the residential class above the Region average of 0.20% under the status quo scenario due to the residential reassessment increase being below the average increase for other municipalities.
- The remaining six municipalities (Grimsby, Lincoln, Niagara Falls, NOTL, Wainfleet and West Lincoln) will still see a positive tax shift on the residential class under a status quo scenario ranging from 0.13% to 1.64%.

4. Education Rates

The education tax rates are established by the Province and the decrease in the Provincial rate is greater than Niagara's average assessment phase-in increase therefore the average property in Niagara will benefit from a reduction in education taxes paid which may assist in offsetting municipal tax increases.

5. Waste Management Rates

Waste management tax rates are also set based on the Regional tax ratios. The waste management requisition by municipality was approved through report CSD 70-2019; however the by-law setting for the waste management rates for the 2020 requisitions

are brought forward with the 2020 general tax levy by-law as the rates are based on each municipality's assessment and are dependent on the tax ratios (with the exception of Niagara-on-the-Lake).

Tax Policy Considerations

The Region utilizes several BMA tax related performance metrics as seen in Appendix 3. These metrics were considered in the evaluation of tax policy options and discussed with Area Treasurers which helped inform the policy decisions proposed.

- *Residential taxpayer* - The residential class is responsible for 73% of the overall tax levy. Under the status quo tax policy the tax shift away from the residential class will mitigate 0.20% the overall levy increase for the year of 5.92% to 5.74% (see Table 1). This decrease in the residential class' proportionate share of taxes has been observed in previous years of the current assessment cycle. In those previous years, the Region utilized the tax shift away from the residential class to provide relief to multi-residential and commercial tax classes through reduced tax ratios (see Appendix 2). As identified in the most recent BMA study, the weighted average residential property taxes (including water and wastewater) payable as a percentage of household income is above the BMA study average (i.e., Niagara 5.0% [5.2% weighted average] versus BMA average 4.9%). The tax shift from the reassessment will assist with narrowing the gap between Niagara and the BMA average.

In addition to this, the Region's Affordable Housing Strategy Steering Committee also provided information regarding the distribution of housing need in Niagara. The information demonstrated that the majority (approximately 85%) of households with modest incomes live in traditional residential buildings (i.e., residential tax class) as opposed to multi-residential structures.

- *Anticipated Impact of 2021 Re-Assessment* – as indicated previously, 2020 represents the final year of the current assessment cycle. 2021 will be the first year of the new assessment cycle which will start the phase-in of assessment values based on a January 1, 2019 valuation date. MPAC has released preliminary figures for the 2021 new assessment cycle and based on this preliminary analysis, Niagara will experience significant residential assessment increases. The residential tax class in Niagara is anticipated to experience a 50% increase in average assessed values while all other non-residential classes will experience an approximate 20% assessment value increase. This increase for the residential tax class is approximately 20% higher than the MPAC average for the Regions of Niagara, Peel and Halton, Cities of Hamilton and Brantford, and the Counties of Haldimand,

Norfolk and Brant. Niagara residential assessments represents one of the highest increases across the Province. It is important to note that these values are still preliminary and are subject to change until finalized by MPAC later in 2020. More information on the residential assessment impacts can be found in Appendix 4.

Staff have completed an estimate of the impacts that this assessment change will have on the residential class in comparison to the estimated changes for other tax classes. It is estimated that there could be a shift onto the residential class of approximately 1.74% or \$5 million. This means that the residential class as a whole would pick-up \$5 million in Regional taxes in comparison to 2020. Shifts would also be experienced on an Area Municipality level but may vary as a result of different assessment trends that may occur on a more granular level.

- *Multi-Residential Tax Class* – the multi-residential tax category consists of two property tax classes. The multi-residential class is responsible for 4.0% of the overall tax levy while the new-multi-residential category (which includes multi-residential structures constructed after 2003) is responsible for 0.3%. Under the status quo tax policy the multi-residential and new-multi-residential classes will see an increase of 5.37% and 7.32% over 2019 as a result of the 2020 levy increase and reassessment tax shifts. In previous years, the Region utilized the tax shift away from the residential class to provide relief to multi-residential through reduced tax ratios from 2.0 to 1.97.

Appendix 3 provides BMA metrics related to two multi-residential structure types (Walk-up and Mid/High-Rise). The walk-up style structure was identified as above the survey average by \$191 and the high/mid-rise structure types are below the average by \$12 for 2019.

- *Industrial Tax Class* – per Table 2, under the status quo tax policy, the Industrial property class will be responsible for 3.44% of Regional taxes which includes a tax shift away from the industrial class in 2020 of 0.52%. Due to significant reassessment and appeal reductions in the property class in the recent past, the Industrial class share of taxation is down from 3.62% in 2016 and remains below or at the BMA relative tax burden averages for standard industrial provided in Appendix 3. The Region also offers many incentive programs including tax increment and development charge related grants that reduce the actual tax burden experienced by some industrial properties in Niagara. The current tax ratio has been in effect since 2007.

- *Commercial Tax Class* - properties pay the second largest share (after residential) of Regional taxes at 18.06%. Appendix 3 illustrates that Niagara taxation of shopping centres and hotels are moderately above the BMA average while office buildings and motels are below. It should be noted that a significant number of hotel appeals that were previously outstanding have been settled which will decrease the overall burden experienced by those properties. It is also important to note that the current assessment practice for hotels is the net rental income approach. A higher potential income per night from a higher concentration of hotels in Niagara Falls tourist areas helps explain the higher Niagara hotel taxes relative to neighbouring municipalities. For the 2018 taxation year Council approved a reduction in the commercial tax ratio from 1.7586 to 1.7349. The BMA study also compares commercial tax ratios for all participating municipalities which can be found in Appendix 5. The Region's tax ratio for the commercial class approximates the BMA average of 1.6785. The current tax ratio has been in effect since 2018 when it was reduced from 1.7586.

2020 Property Tax Levy Impacts

Table 4 shows the Regional tax increases for status quo tax policy. As per Appendix 1 Table 13, reassessment impacts increased the overall Region taxable assessment by an average of 3.83% for all tax classes. Properties that are reassessed with increases greater than the average of 3.83% will see tax increases greater than the Region's budget increase of 5.92% and conversely properties reassessed less than the 3.83% average will see increases (or decreases) of less than 5.92%.

Table 4 – Regional Tax Increases for Status Quo Tax Policy

Taxation Class	2019 Avg. CVA	2019 Regional Taxes	2020 Avg. CVA	2020 Regional Taxes*	\$ Increase	% Increase
Residential	267,711	1,516	277,044	1,601	85	5.6%
Multi-Res.	2,533,468	28,262	2,617,326	29,802	1,540	5.4%
Commercial	772,380	7,588	806,828	8,090	502	6.6%
Industrial	735,909	10,960	761,371	11,574	614	5.6%
Farmland	363,311	514	400,114	578	64	12.4%

* Based on draft rates utilizing the 2019 status quo tax ratios.

Other Policy Considerations

- *Changes in discounts to commercial and industrial classes for excess and vacant land*

In 2019, Regional Council reviewed and approved report CSD 3-2019 which recommended the elimination of this subclass discount over a 4 year phase-out starting 2021. As per the Council approved phase-out schedule, there are no impacts for 2020 for the commercial/industrial subclass property discounts.

As discussed, the 2021 assessment cycle is anticipated to create a significant shift onto the residential tax class for each year of the cycle. The current Provincial approved vacant/excess land subclass phase-out for the Region is over a four year period starting in 2021. Staff have also reviewed the impacts in 2021 if the subclass discount was removed completely in 2021. If this occurred, it would reduce the shift onto the residential class by approximately \$1 million. This analysis has been included in report CSD 9-2020 for Council's consideration as well.

- *Tax Capping Program*

There were no properties capped in 2019 and no properties projected for 2020 and as a result, the Region is eligible for opting out the commercial tax class in 2020. It is therefore recommended that the necessary steps be completed to fully opt out of the capping program. The Region opted out of the capping program for multi-residential properties in 2017 followed by industrial in 2019.

Alternatives Reviewed

A number of scenarios were reviewed for the 2020 tax policy. All scenarios considered utilizing a portion of the tax shift away from the residential class to benefit other tax classes (i.e., industrial and multi-residential). Staff did not feel that these scenarios would achieve the desired outcomes for the reasons cited below. This coupled with the anticipated impacts of the 2021 assessment cycle update on the residential tax class resulted in staff **RECOMMENDING** a status quo option for 2020.

Given the strong emphasis on affordable housing, staff analyzed an alternative that utilized half of the tax shift away from the residential class (0.10% of 0.20%) to reduce the tax ratio of the multi-residential tax class from 1.97 (status-quo) to 1.921. While this alternative was explored it is **NOT RECOMMENDED**. Under the Residential Tenancy Act, tenants are entitled to an automatic rent reduction when landlord's property taxes

have been reduced by more than 2.49% from one year to the next. Based on current levy requirements for the Region and the anticipated levy requirements for the Area Municipalities, it is not anticipated that a significant number of properties (if any) would be eligible for the mandatory rent reduction as outlined in the Act, meaning that there would be no legislated requirement for the landlords to pass any of the property tax savings as a result of a ratio reduction to the tenant.

Further to this, Regional Council approved a multi-residential tax class ratio reduction for 2018 which also utilized the tax shift away from the residential class 2018. It is important to note, that the new-multi-residential tax class has a legislated tax ratio of 1 (same as residential tax class). The intent behind the new class as legislated in 2017 (adopted by Region in 2003) is to assist in rental affordability of newly constructed multi-residential properties. Any reduction to the multi-residential tax class would also increase the tax burden on the new-multi-residential tax class.

Staff also analyzed an alternative which utilized half of the tax shift away from the residential class t (0.10% of 0.20%) to reduce the tax ratio of the industrial tax class from 2.67 (status-quo) to 2.554. This alternative was **NOT RECOMMENDED** as a result of the analysis discussed under the Tax Policy Considerations section of this report. Many of the Region's existing and future incentives will focus on the employment (industrial) sectors. The Region currently offers grants to these property types in the form of tax increment and development charge grants which effectively reduces the burden experienced by some of the existing property owners in the industrial tax class.

Relationship to Council Strategic Priorities

This tax policy report is aligned to Sustainable and Engaging Government.

Other Pertinent Reports

- CSD 7-2019 - 2019 Budget-Waste Management Services Operating Budget and Requisition
- CSD 3-2019 - Vacancy Program Revisions Submission to Ministry of Finance

Prepared by:

Rob Fleming, MBA
Senior Tax & Revenue Analyst
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting, Chief Administrative Officer

This report was prepared in consultation with Margaret Murphy, Associate Director, Budget Planning & Strategy, and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

Appendices

Appendix 1	2020 Tax Policy Study
Appendix 2	History of Regional Tax Ratios
Appendix 3	Performance Measures
Appendix 4	MPAC Preliminary Market Trends – 2021 Assessment Cycle
Appendix 5	BMA Commercial Tax Ratio Comparison

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-18

A BY-LAW TO SET TAX RATIOS AND TAX RATE
REDUCTIONS FOR PRESCRIBED PROPERTY
SUBCLASSES FOR REGIONAL PURPOSES AND AREA
MUNICIPAL PURPOSES FOR THE YEAR 2020

WHEREAS pursuant to Section 308 (5) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended (referred hereinafter as "the *Municipal Act, 2001*"), The Regional Municipality of Niagara (referred hereinafter as "The Regional Corporation") may establish the tax ratios for The Regional Corporation and the Area Municipalities;

WHEREAS the tax ratios determine the relative amount of taxation to be borne by each property class;

WHEREAS the property classes have been prescribed by the Ministry of Finance pursuant to Section 7 of the *Assessment Act*, R.S.O. 1990, c. A.31, as amended;

WHEREAS pursuant to Section 313 (1) of the *Municipal Act, 2001*, The Regional Municipality of Niagara may establish tax reductions for prescribed property subclasses for The Regional Corporation and the Area Municipalities; and

WHEREAS the property subclasses for which tax rate reductions are to be established are in accordance with Section 8 of the *Assessment Act*.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows for the 2020 taxation year:


1. That the tax ratio for property in:
 - a. The residential property class is 1.000000;
 - b. The new multi-residential property class is 1.000000;
 - c. The multi-residential class is 1.970000;
 - d. The commercial property class is 1.734900;
 - e. The industrial property class is 2.630000;
 - f. The pipelines property class is 1.702100;
 - g. The farm property class is 0.250000;
 - h. The managed forest property class is 0.250000;
 - i. The landfill property class is 2.940261.

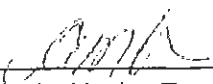
Bill No. 2020-18

Authorization Reference: CL 6-2020;
Minute Item 9.1.3

2. That the municipal purpose tax reduction for:
 - a. The vacant land and excess land subclasses in the commercial property class is 30%;
 - b. The vacant land and excess land subclasses in the industrial property class is 30%;
 - c. The first class of farmland awaiting development in the residential, multi-residential, commercial or industrial property classes is 25%;
 - d. The second class of farmland awaiting development in the residential, multi-residential, commercial or industrial property classes is 0%.
3. That for the purposes of this bylaw:
 - a. The industrial property class includes all properties classified as industrial and large industrial as per Ontario Regulation 282/98;
 - b. The first class of farmland awaiting development and the second class of farmland awaiting development consists of land as defined in accordance with Ontario Regulation 282/98.
4. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA



James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: April 23, 2020

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-19

A BY-LAW TO SET AND LEVY THE RATE OF TAXATION
FOR REGIONAL GENERAL AND SPECIAL PURPOSES
FOR THE YEAR 2020

WHEREAS the Regional Council of The Regional Municipality of Niagara (hereinafter referred to as "The Regional Corporation") has prepared and adopted a budget including estimates of all sums it required during the year 2020 for the purposes of the Regional Corporation pursuant to Section 289 (1) of the Municipal Act 2001, S.O. 2001, c. 25, as amended (hereinafter referred to as the "Municipal Act");

WHEREAS Regional Council by By-Law No. 2019-96 adopted the 2020 Waste Management Budget, and by By-Law No. 2019-98 adopted the 2020 Operating Budget and Tax Levy;

WHEREAS for the purposes of raising the general levy for the Regional Corporation, the Regional Corporation shall pass a by-law directing each Lower-Tier Municipality to levy a separate tax rate, as specified in the by-law, on the assessment in each property class in the Lower-Tier Municipality ratable for the purposes of The Regional Corporation, pursuant to Section 311 (2) of the Municipal Act

WHEREAS the tax ratios and the tax rate reductions for prescribed property classes for the 2020 taxation year have been set out in By-Law No. 2020-18 of The Regional Corporation dated the 23rd of April 2020;

WHEREAS The Regional Corporation is responsible for providing Waste Management services pursuant to By-Laws 8280-96, 8281-96, 8282-96 and 8283-96;

WHEREAS Regional Council is desirous of imposing a special levy for Waste Management purposes and the sums required by taxation in the year 2020 for the said purposes are to be levied by separate rates by the applicable Area Municipalities as directed by Regional by-law pursuant to Subsection 311 (4) of the Municipal Act; and,

WHEREAS Regional Council established tax rates for property classes, and other decisions consistent with setting and levying rates of taxation for regional purposes for 2020.


NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

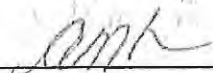
Bill No. 2020-19

Authorization Reference: CL 6-2020;
Minute Item 9.1.3

1. That for the year 2020 in The Regional Municipality of Niagara the lower-tier municipalities shall levy upon the property tax classes set out in Schedule "A" the property tax rates applicable thereto.
2. That payment of all amounts directed to be levied pursuant to the provisions of this by-law and due to The Regional Municipality of Niagara shall be due and payable in the amounts and at the times shown on Schedule "B" attached to this by-law.
3. That for the year 2020 in The Regional Municipality of Niagara, the Town of Niagara-on-the-Lake be required to pay \$1,682,389 to the Regional Corporation as the charges for Waste Management purposes set out in Schedule "C". The remaining area municipalities shall levy upon the property tax classes and applicable subclasses the tax rates for Waste Management purposes set out in Schedule "C" attached to this by-law.
4. That if a lower-tier municipality fails to make any payment or portion thereof related to the August 5, 2020 installment, as provided in this by-law, the lower-tier municipality shall pay to the Regional Corporation interest due on the amount in default at the rate of fifteen (15) per cent per annum which will begin to accrue on September 5, 2020 until the full payment is made.
5. That if a lower-tier municipality fails to make any payment or portion thereof related to the October 14, 2020 installment, as provided in this by-law, the lower-tier municipality shall pay to the Regional Corporation interest due on the amount in default at the rate of fifteen (15) per cent per annum which will begin to accrue on November 14, 2020 until the full payment is made.
6. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA



James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: April 23, 2020

Schedule A – 2020 Tax Ratios, Sub-Class Reductions, and Rates

Property Classification	Tax Ratio	Sub-Class Reduction	Tax Rate by Class
Residential	1.000000		0.00577985
New Multi-Residential	1.000000		0.00577985
Multi-Residential	1.970000		0.01138630
Commercial	1.734900		0.01002746
Commercial - Excess	1.734900	30%	0.00701922
Commercial - Vacant	1.734900	30%	0.00701922
Landfill	2.940261		0.01699427
Industrial	2.630000		0.01520101
Industrial - Excess	2.630000	30%	0.01064070
Industrial - Vacant	2.630000	30%	0.01064070
Pipelines	1.702100		0.00983788
Farmland	0.250000		0.00144496
FAD 1	1.000000	25%	0.00433489
FAD 2	Class Ratio		Class Rate
Managed Forests	0.250000		0.00144496

Schedule B – 2020 GENERAL TAX LEVY

2020 Upper-Tier General Levy and Dates by Local Municipality (Taxable Levy Only)

Municipality	Interim Payment Due March 11, 2020	Interim Payment Due May 13, 2020	Final Payment Due August 5, 2020	Final Payment Due October 14, 2020	2020 Approved General Levy	Regional Department	Niagara Regional Police	Niagara Regional Housing	Niagara Peninsula Conservation Authority	Court Services
Fort Erie	5,726,046	5,726,046	6,399,463	6,399,463	24,251,016	12,644,842	9,541,673	1,750,995	358,875	(45,369)
Grimsby	6,852,188	6,852,188	8,181,590	8,181,590	30,067,557	15,677,673	11,830,218	2,170,967	444,950	(56,250)
Lincoln	5,341,710	5,341,710	6,325,098	6,325,098	23,333,615	12,166,495	9,180,717	1,684,756	345,299	(43,652)
Niagara Falls	19,292,739	19,292,739	22,108,445	22,108,445	82,802,369	43,174,391	32,578,970	5,978,577	1,225,337	(154,906)
Niagara-on-the-Lake	7,863,682	7,863,682	9,149,971	9,149,971	34,027,305	17,742,345	13,388,198	2,456,873	503,547	(63,658)
Pelham	3,790,363	3,790,363	4,399,068	4,399,068	16,378,860	8,540,182	6,444,337	1,182,602	242,380	(30,642)
Port Colborne	2,979,336	2,979,336	3,304,200	3,304,200	12,567,070	6,552,658	4,944,571	907,380	185,972	(23,510)
St. Catharines	24,269,932	24,269,932	27,000,024	27,000,024	102,539,911	53,465,840	40,344,796	7,403,686	1,517,420	(191,831)
Thorold	3,636,661	3,636,661	4,210,627	4,210,627	15,694,576	8,183,386	6,175,103	1,133,195	232,254	(29,361)
Wainfleet	1,377,324	1,377,324	1,593,486	1,593,486	5,941,620	3,098,049	2,337,758	429,003	87,926	(11,116)
Welland	7,460,447	7,460,447	8,786,067	8,786,067	32,493,027	16,942,349	12,784,530	2,346,093	480,843	(60,788)
West Lincoln	2,840,987	2,840,987	3,395,247	3,395,247	12,472,468	6,503,331	4,907,349	900,549	184,572	(23,333)
Regional Total	91,431,414	91,431,414	104,853,283	104,853,283	392,569,394	204,691,543	154,458,220	28,344,677	5,809,372	(734,418)

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Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY**2020 Upper-Tier Special Levy (Waste Management) and Dates by Local Municipality (Taxable Levy)**

Municipality	Interim Payment Due March 11, 2020	Interim Payment Due May 13, 2020	Final Payment Due August 5, 2020	Final Payment Due October 14, 2020	2020 Approved Special Levy
Fort Erie	669,137	669,137	807,802	807,802	2,953,876
Grimsby	462,426	462,426	598,004	598,004	2,120,858
Lincoln	400,600	400,600	484,586	484,586	1,770,372
Niagara Falls	1,732,600	1,732,600	2,074,971	2,074,971	7,615,141
Niagara-on-the-lake	386,227	386,227	454,968	454,968	1,682,389
Pelham	301,185	301,185	370,153	370,153	1,342,676
Port Colborne	442,770	442,770	530,356	530,356	1,946,252
St. Catharines	2,718,320	2,718,320	3,189,854	3,189,854	11,816,347
Thorold	368,883	368,883	452,320	452,320	1,642,405
Wainfleet	136,860	136,860	163,498	163,498	600,715
Welland	990,994	990,994	1,186,657	1,186,657	4,355,302
West Lincoln	222,074	222,074	265,496	265,496	975,141
Regional Total Taxable Only	8,832,074	8,832,074	10,578,663	10,578,663	38,821,474

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Fort Erie Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	3,494,840,772	0.00070401	2,460,403
New Multi-Residential	47,900	0.00070401	34
Multi-Residential	40,097,200	0.00138690	55,611
Commercial	245,576,821	0.00122139	299,945
Commercial - Excess	4,990,688	0.00085497	4,267
Commercial - Vacant	20,610,200	0.00085497	17,621
landfill	0	0.00206997	-
Industrial	43,564,791	0.00185155	80,662
Industrial - Excess	772,400	0.00129608	1,001
Industrial - Vacant	4,355,000	0.00129608	5,644
Pipelines	15,504,000	0.00119830	18,578
Farmland	55,934,900	0.00017600	9,845
FAD 1	0	0.00052801	-
Managed Forests	1,505,900	0.00017600	265
Taxable Total	3,927,800,572		\$2,953,876

Grimsby Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	4,343,352,548	0.00040769	1,770,741
New Multi-Residential	0	0.00040769	-
Multi-Residential	30,264,000	0.00080315	24,307
Commercial	336,484,615	0.00070730	237,996
Commercial - Excess	13,620,295	0.00049511	6,744
Commercial - Vacant	14,869,500	0.00049511	7,362
landfill	0	0.00119872	-
Industrial	49,262,300	0.00107222	52,820
Industrial - Excess	3,708,300	0.00075056	2,783
Industrial - Vacant	4,140,600	0.00075056	3,108
Pipelines	8,261,000	0.00069393	5,733
Farmland	89,987,095	0.00010192	9,171
FAD 1	0	0.00030577	-
Managed Forests	913,800	0.00010192	93
Taxable Total	4,894,864,053		\$2,120,858

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Lincoln Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	3,183,013,444	0.00043853	1,395,847
New Multi-Residential	0	0.00043853	-
Multi-Residential	21,808,500	0.00086390	18,840
Commercial	205,396,774	0.00076081	156,268
Commercial - Excess	7,579,000	0.00053256	4,036
Commercial - Vacant	10,011,200	0.00053256	5,332
landfill	0	0.00128939	-
Industrial	93,922,558	0.00115333	108,324
Industrial - Excess	2,755,600	0.00080733	2,225
Industrial - Vacant	9,361,000	0.00080733	7,557
Pipelines	20,718,000	0.00074642	15,464
Farmland	514,211,237	0.00010963	56,373
FAD 1	0	0.00032890	-
Managed Forests	965,500	0.00010963	106
Taxable Total	4,069,742,813		\$1,770,372

Niagara Falls Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	8,829,291,652	0.00053156	4,693,298
New Multi-Residential	10,875,500	0.00053156	5,781
Multi-Residential	321,441,900	0.00104717	336,604
Commercial	2,400,465,210	0.00092220	2,213,709
Commercial - Excess	41,293,877	0.00064554	26,657
Commercial - Vacant	143,782,400	0.00064554	92,817
landfill	3,152,500	0.00156293	4,927
Industrial	105,191,400	0.00139800	147,058
Industrial - Excess	5,418,500	0.00097860	5,303
Industrial - Vacant	37,642,400	0.00097860	36,837
Pipelines	45,297,000	0.00090477	40,983
Farmland	82,293,900	0.00013289	10,936
FAD 1	0	0.00039867	-
Managed Forests	1,737,200	0.00013289	231
Taxable Total	12,027,883,439		\$7,615,141

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Niagara-on-the-Lake Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	4,213,806,966	N/A	-
New Multi-Residential	0	N/A	-
Multi-Residential	14,834,100	N/A	-
Commercial	762,217,667	N/A	-
Commercial - Excess	15,147,439	N/A	-
Commercial - Vacant	14,493,000	N/A	-
landfill	0	N/A	-
Industrial	34,787,800	N/A	-
Industrial - Excess	91,900	N/A	-
Industrial - Vacant	16,855,500	N/A	-
Pipelines	18,559,000	N/A	-
Farmland	524,802,139	N/A	-
FAD 1	0	N/A	-
Managed Forests	1,402,100	N/A	-
Taxable Total	5,616,997,611		\$1,682,391

Pelham Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	2,555,511,770	0.00047381	1,210,827
New Multi-Residential	544,000	0.00047381	258
Multi-Residential	17,693,000	0.00093341	16,515
Commercial	90,350,086	0.00082201	74,269
Commercial - Excess	806,111	0.00057541	464
Commercial - Vacant	1,192,000	0.00057541	686
landfill	0	0.00139313	-
Industrial	4,048,000	0.00124612	5,044
Industrial - Excess	45,100	0.00087228	39
Industrial - Vacant	101,000	0.00087228	88
Pipelines	17,467,000	0.00080647	14,087
Farmland	169,321,433	0.00011845	20,056
FAD 1	0	0.00035536	-
Managed Forests	2,897,100	0.00011845	343
Taxable Total	2,859,976,600		\$1,342,676

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Port Colborne Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	1,618,093,179	0.00089512	1,448,388
New Multi-Residential	1,226,000	0.00089512	1,097
Multi-Residential	38,583,000	0.00176339	68,037
Commercial	135,350,189	0.00155294	210,191
Commercial - Excess	133,400	0.00108706	145
Commercial - Vacant	3,138,400	0.00108706	3,412
landfill	0	0.00263189	-
Industrial	71,345,727	0.00235417	167,960
Industrial - Excess	2,072,441	0.00164792	3,415
Industrial - Vacant	8,271,700	0.00164792	13,631
Pipelines	10,485,000	0.00152358	15,975
Farmland	57,403,600	0.00022378	12,846
FAD 1	1,411,500	0.00067134	948
Managed Forests	923,800	0.00022378	207
Taxable Total	1,948,437,936		\$1,946,252

St. Catharines Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	12,261,380,202	0.00066605	8,166,692
New Multi-Residential	83,316,920	0.00066605	55,493
Multi-Residential	683,669,568	0.00131212	897,057
Commercial	1,993,459,777	0.00115553	2,303,503
Commercial - Excess	13,609,687	0.00080887	11,008
Commercial - Vacant	16,722,100	0.00080887	13,526
landfill	0	0.00195836	-
Industrial	156,267,348	0.00175171	273,735
Industrial - Excess	5,071,860	0.00122620	6,219
Industrial - Vacant	25,209,900	0.00122620	30,912
Pipelines	31,123,000	0.00113368	35,284
Farmland	137,636,000	0.00016651	22,918
FAD 1	0	0.00049954	-
Managed Forests	0	0.00016651	-
Taxable Total	15,407,466,362		\$11,816,347

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Thorold Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	2,031,014,860	0.00060485	1,228,459
New Multi-Residential	65,945,300	0.00060485	39,887
Multi-Residential	42,120,300	0.00119155	50,188
Commercial	168,817,122	0.00104935	177,148
Commercial - Excess	3,424,100	0.00073455	2,515
Commercial - Vacant	9,034,500	0.00073455	6,636
landfill	0	0.00177842	-
Industrial	49,506,513	0.00159076	78,753
Industrial - Excess	3,801,265	0.00111353	4,233
Industrial - Vacant	18,007,800	0.00111353	20,052
Pipelines	26,249,000	0.00102952	27,024
Farmland	49,135,040	0.00015121	7,430
FAD 1	0	0.00045364	-
Managed Forests	528,600	0.00015121	80
Taxable Total	2,467,584,400		\$1,642,405

Wainfleet Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	919,734,704	0.00058436	537,456
New Multi-Residential	0	0.00058436	-
Multi-Residential	457,000	0.00115119	526
Commercial	19,811,500	0.00101381	20,085
Commercial - Excess	1,042,000	0.00070966	739
Commercial - Vacant	650,500	0.00070966	462
landfill	0	0.00171817	-
Industrial	3,672,300	0.00153687	5,644
Industrial - Excess	105,100	0.00107581	113
Industrial - Vacant	132,000	0.00107581	142
Pipelines	5,582,000	0.00099464	5,552
Farmland	203,489,810	0.00014609	29,728
FAD 1	0	0.00043827	-
Managed Forests	1,835,100	0.00014609	268
Taxable Total	1,156,512,014		\$600,715

Schedule C – 2020 WASTE MANAGEMENT TAX RATES & LEVY

Welland Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	4,215,851,211	0.00077472	3,266,104
New Multi-Residential	12,113,500	0.00077472	9,385
Multi-Residential	154,514,900	0.00152620	235,821
Commercial	375,813,033	0.00134406	505,115
Commercial - Excess	7,493,067	0.00094084	7,050
Commercial - Vacant	21,671,100	0.00094084	20,389
landfill	455,400	0.00227788	1,037
Industrial	129,995,587	0.00203751	264,867
Industrial - Excess	3,310,238	0.00142626	4,721
Industrial - Vacant	6,067,300	0.00142626	8,654
Pipelines	21,052,000	0.00131865	27,760
Farmland	21,714,600	0.00019368	4,206
FAD 1	0	0.00058104	-
Managed Forests	998,400	0.00019368	193
Taxable Total	4,971,050,336		\$4,355,302

West Lincoln Property Classification	2020 Roll Return CVA	Tax Rate by Class	Waste Management Levy by Class
Residential	1,740,809,528	0.00045189	786,654
New Multi-Residential	0	0.00045189	-
Multi-Residential	7,074,000	0.00089022	6,297
Commercial	77,375,400	0.00078398	60,661
Commercial - Excess	758,300	0.00054879	416
Commercial - Vacant	2,769,500	0.00054879	1,520
landfill	0	0.00132867	-
Industrial	36,185,200	0.00118847	43,005
Industrial - Excess	336,200	0.00083193	280
Industrial - Vacant	819,000	0.00083193	681
Pipelines	29,062,000	0.00076916	22,353
Farmland	469,583,447	0.00011297	53,049
FAD 1	0	0.00033892	-
Managed Forests	1,993,000	0.00011297	225
Taxable Total	2,366,765,575		\$975,141

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-20

A BY-LAW TO ADOPT OPTIONAL TOOLS FOR THE PURPOSES OF
ADMINISTERING LIMITS FOR THE COMMERCIAL, INDUSTRIAL AND MULTI-
RESIDENTIAL PROPERTY CLASSES FOR THE YEAR 2020

WHEREAS the Corporation of The Regional Municipality of Niagara (hereinafter referred to as "The Municipality") may, in accordance with section 329.1 of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended (hereinafter referred to as "The Act"), and Ontario Regulation 131/17, as made and amended under The Act, modify the provisions and limits set out in Part IX of The Act, with respect to the calculation of taxes for municipal and school purposes for properties in the commercial, industrial and multi-residential property classes;

WHEREAS The Municipality did, in accordance with the terms and provisions of Ontario Regulation 73/03 as made and amended under The Act, pass a by-law ending the application of Part IX of The Act for the Multi-Residential property class in 2017 and Industrial property class in 2019;

WHEREAS The Municipality may, in accordance with the terms and provisions of Ontario Regulation 73/03 as made and amended under The Act, pass a by-law to end the application of Part IX of The Act for the for Commercial property class;

WHEREAS for the purposes of this by-law, the commercial classes shall be considered a single property class;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

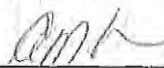
1. That having determined that the eligibility requirements set out under Section 8.2 of Ontario Regulation 73/03 have been met in respect of the Commercial property class, The Municipality opts to end the application of Part IX of The Act for that class for the 2020 and subsequent taxation years;

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA



James Bradley, Regional Chair



Ann-Marie Norio, Regional Clerk

Passed: April 23, 2020



Community Services

Legislative Services

May 5, 2020

Sent via email: Justin.trudeau@parl.gc.ca

The Right Honourable Justin Trudeau
 Prime Minister
 House of Commons
 Ottawa, ON K1A 0A6

Honourable and Dear Sir:

Re: Canada/US Border Crossings - Essential Traffic Only - COVID-19

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of May 4, 2020 passed the following resolution for your action:

Whereas the COVID-19 Pandemic has resulted in all countries taking extraordinary measures to ensure the health of their populations, and

Whereas the limiting to essential traffic only at the border between the United States of America (US) and Canada has undoubtedly assisted in the containment of this disease, and

Whereas the medical community has stated that the possibility exists for another wave of infections, and

Whereas the Governors of US States have been empowered to begin easing restrictions, and

Whereas the conduct and travel of residents, and the operation of businesses in the US States bordering Canada and beyond, has a direct impact on the potential spread of the virus by virtue of those individuals entering Canada, and

Whereas Canadians and Americans entering each other's countries have the potential to return home after becoming infected, and

Whereas in less extraordinary times our American friends, family and neighbours are welcome in our community, and

Whereas we urge the government of Canada to continue to be guided by health and science in making its decisions regarding the border;

Now therefore be it resolved,

That: The Corporation of the Town of Fort Erie hereby requests the Prime Minister of Canada to continue limitation of cross- border traffic to essential traffic only, and further

.../2

Mailing Address:

The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

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The Honourable Justin Trudeau
Prime Minister

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That: The restrictions remain in place until such time that it can be demonstrated that the flattening of the outbreak curve in the United States of America is on par with the progress we are seeing in Ontario, and further

That: Canada Border Services Agency, in association with other health and law enforcement authorities, continues its protocol of screening and monitoring those individuals crossing the border to ensure that only essential travellers or individuals who reside in Canada gain entry into Canada as long as the border restrictions remain in place, and further

That: Special attention be paid to the outbreak statistics concerning border States in the eventual decision making process to return cross-border travel to pre-pandemic normalcies, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, Prime Minister, The Honourable Chrystia Freeland, Deputy Prime Minister, The Honourable Doug Ford, Premier of Ontario, Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario, Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario, Jennifer Stevens, MPP-St. Catharines, Jeff Burch, MPP-Niagara Centre, Dean Allison, MP-Niagara West, Chris Bittle, MP- St. Catharines, Tony Baldinelli, MP- Niagara Falls, Vance Badawey, MP, Niagara Centre, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.

Manager, Legislative Services/Clerk

cschofield@forterrie.ca

CS:dlk

Cc:

Sent via email:

The Honourable Chrystia Freeland, Deputy Prime Minister Chrystia.Freeland@parl.gc.ca

The Honourable Doug Ford, Premier of Ontario premier@ontario.ca

Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario wgates-co@ndp.on.ca

Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario sam.oosterhoff@pc.ola.org

Jennifer Stevens, MPP-St. Catharines JStevens-CO@ndp.on.ca

Jeff Burch, MPP-Niagara Centre JBurch-QP@ndp.on.ca

Dean Allison, MP-Niagara West dean.allison@parl.gc.ca

Chris Bittle, MP- St. Catharines Chris.Bittle@parl.gc.ca

Tony Baldinelli, MP- Niagara Falls Tony.Baldinelli@parl.gc.ca

Vance Badawey, MP- Niagara Centre Vance.Badawey@parl.gc.ca

The Regional Municipality of Niagara

Niagara Area Municipalities



Community Services

Legislative Services

May 5, 2020

Sent via email: sbellows@niagaraparks.com

Sandie Bellows, Chair
 Niagara Parks Commission
 7400 Portage Road, P.O. Box 150
 Niagara Falls, Ontario, Canada L2E 6T2

Dear Ms. Bellows:

Re: Niagara Parks Commission Development of Miller's Creek Marina

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of May 4, 2020 passed the following resolution for your action:

Whereas the Niagara Parks Commission ("NPC") has considered options for the operation or closing of its marina on the Niagara River in Fort Erie, near Miller's Creek; and

Whereas in 2005, the NPC agreed to work with the Town of Fort Erie to permit the Fort Erie Economic Development & Tourism Corporation ("EDTC") to undertake a Request for Proposals process for the expansion and enhancement of the marina and potential development of the lands between the Niagara Parkway and Cairns Crescent ("the adjacent lands"); and

Whereas as a result of the cooperative efforts of the NPC, Town of Fort Erie and the EDTC, submissions were received for expansion and enhancement of the marina and the development of a resort on the adjacent lands, and

Whereas since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller's Creek Marina, and

Whereas the NPC's most recent initiative resulted at the end of August 2017 in no proponent submitting a response to the NPC's Request for Proposals for development at the marina, and

Whereas the NPC maintains that it continues to be committed to marina enhancements and development on the adjacent lands, and

Whereas the Council of the Town of Fort Erie understands that there remains developer interest in proceeding to develop the marina and adjacent lands at Miller's Creek Marina.

Now therefore be it resolved,

That: The Council of the Town of Fort Erie reiterates its continuing support for the expansion and enhancement of the marina and a resort development on the adjacent lands at the NPC's Miller's Creek Marina; and further

.../2

That: Council urges the NPC to continue its discussions with the Province of Ontario regarding the transfer of a portion of the adjacent lands to facilitate redevelopment of the marina and development of a resort; and further

That: Council requests the NPC to review the realignment of the Niagara Parkway to allow for the development of the marina and resort development; and further

That: Council requests that the NPC work with the Town of Fort Erie and the Region of Niagara in the preparation and circulation of a public Request for Proposal (RFP) that maintains the integrity of the mandate of the NPC; and further

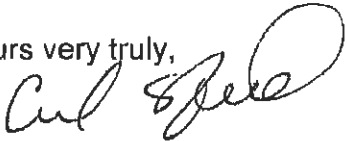
That: A copy of this resolution be forwarded to the Chair of the NPC for action; and further

That: A copy of this resolution be forwarded to the Premier of the Province of Ontario, the Minister of Tourism, Culture and Sport, the Minister of Infrastructure, the Chair of the Region of Niagara, the M.P.P.'s in Niagara, and the Honourable Tony Baldinelli, M.P.; and further

That: A copy of this resolution be circulated to the Councils of the local municipalities in Niagara for their support.

Trusting this information will be of assistance to you.

Yours very truly,



Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk
cschofield@forterie.ca

CS:dlk

Cc:

Sent via email:

The Honourable Doug Ford, Premier of Ontario premier@ontario.ca

The Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries
minister.MacLeod@ontario.ca

The Honourable Laurie Scott, Minister of Infrastructure minister.scott@ontario.ca

Jim Bradley, Regional Chair Jim.Bradley@niagararegion.ca

Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario wgates-co@ndp.on.ca

Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario sam.oosterhoff@pc.ola.org

Jennifer Stevens, MPP-St. Catharines JStevens-CO@ndp.on.ca

Jeff Burch, MPP-Niagara Centre JBurch-QP@ndp.on.ca

Tony Baldinelli, MP-Niagara Falls Tony.Baldinelli@parl.gc.ca

Niagara Area Municipalities

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

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Web-site: www.forterie.ca

Ministry of
Transportation

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

APR 9 2 2020

Ministère des
Transports

Bureau de la ministre

777, rue Bay, 5^e étage
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transports



Mayor Frank Campion
City of Welland
60 East Main Street
Welland ON L3B 3X4

Dear Mayor Campion:

RE: Dedicated Gas Tax Funds for Public Transportation Program

This Letter of Agreement between the **City of Welland** (the "Municipality") and Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario (the "Ministry"), sets out the terms and conditions for the provision and use of dedicated gas tax funds under the Dedicated Gas Tax Funds for Public Transportation Program (the "Program"). Under the Program, the Province of Ontario provides two cents out of the provincial gas tax to municipalities to improve Ontario's transportation network and support economic development in communities for public transportation expenditures.

The Ministry intends to provide dedicated gas tax funds to the Municipality in accordance with the terms and conditions set out in this Letter of Agreement and the enclosed Dedicated Gas Tax Funds for Public Transportation Program 2019/2020 Guidelines and Requirements (the "guidelines and requirements").

In consideration of the mutual covenants and agreements contained in this Letter of Agreement and the guidelines and requirements, which the Municipality has reviewed and understands and are hereby incorporated by reference, and other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Ministry and the Municipality agree as follows:

1. To support local public transportation services in the Municipality, the Ministry agrees to provide funding to the Municipality under the Program to a maximum amount of up to **\$742,347** ("the "Maximum Funds") in accordance with, and subject to, the terms and conditions set out in this Letter of Agreement and, for greater clarity, the guidelines and requirements.
2. Letter of Agreement and a copy of the authorizing municipal by-law(s) and, if applicable, resolution(s) for the Municipality to enter into this Letter of Agreement, provide the Municipality with **\$556,760**; and any remaining payment(s) will be provided thereafter.
3. If another municipality authorizes the Municipality to provide local public transportation services on its behalf and authorizes the Municipality to request and receive dedicated gas tax funds for those services also on its behalf, the Municipality will in the by-law(s) and, if

applicable, resolution(s) described in section 2 confirm that the Municipality has the authority to provide those services and request and receive those funds.

4. The Municipality agrees that any amount payable under this Letter of Agreement may be subject, at the Ministry's sole discretion, to any other adjustments as set out in the guidelines and requirements.
5. The Municipality will deposit the funds received under this Letter of Agreement in a dedicated gas tax funds reserve account, and use such funds and any related interest only in accordance with the guidelines and requirements.
6. The Municipality will adhere to the reporting and accountability measures set out in the guidelines and requirements, and will provide all requested documents to the Ministry.
7. The Municipality agrees that the funding provided to the Municipality pursuant to this Letter of Agreement represents the full extent of the financial contribution from the Ministry and the Province of Ontario under the Program for the 2019/2020 Program year.
8. The Ministry may terminate this Letter of Agreement at any time, without liability, penalty or costs upon giving at least thirty (30) days written notice to the Municipality. If the Ministry terminates this Letter of Agreement, the Ministry may take one or more of the following actions: (a) cancel all further payments of dedicated gas tax funds; (b) demand the payment of any dedicated gas tax funds remaining in the possession or under the control of the Municipality; and (c) determine the reasonable costs for the Municipality to terminate any binding agreement(s) for the acquisition of eligible public transportation services acquired, or to be acquired, with dedicated gas tax funds provided under this Letter of Agreement, and do either or both of the following: (i) permit the Municipality to offset such costs against the amount the Municipality owes pursuant to paragraph 8(b); and (ii) subject to section 1, provide the Municipality with funding to cover, in whole or in part, such costs. The funding may be provided only if there is an appropriation for this purpose, and in no event will the funding result in the Maximum Funding exceeding the amount specified under Section 1.
9. Any provisions which by their nature are intended to survive the termination or expiration of this Letter of Agreement including, without limitation, those related to disposition, accountability, records, audit, inspection, reporting, communication, liability, indemnity, and rights and remedies will survive its termination or expiration.
10. This Letter of Agreement may only be amended by a written agreement duly executed by the Ministry and the Municipality.
11. The Municipality agrees that it will not assign any of its rights or obligations, or both, under this Letter of Agreement.
12. The invalidity or unenforceability of any provision of this Letter of Agreement will not affect the validity or enforceability of any other provision of this Letter of Agreement. Any invalid or unenforceable provision will be deemed to be severed.
13. The term of this Letter of Agreement will commence on the date of the last signature of this Letter of Agreement.

14. The Municipality hereby consents to the execution by the Ministry of this Letter of Agreement by means of an electronic signature.

If the Municipality is satisfied with and accepts the terms and conditions of this Letter of Agreement, please print it, secure the required signatures for it, and then return a fully signed copy, in pdf format, to the following email account:

MTO-PGT@ontario.ca

Sincerely,



Caroline Mulroney
Minister of Transportation

I have read and understand the terms and conditions of this Letter of Agreement, as set out above, and, by signing below, I am signifying the Municipality's consent to be bound by these terms and conditions.

Municipality

Date

Name (print):
Title (head of council or
authorized delegate):

I have authority to bind the Municipality.

Date:

Name (print):
Title (clerk or authorized delegate):

I have authority to bind the Municipality.



Crohn's and
Colitis Canada
Crohn et
Colite Canada

*Crohn's and Colitis Canada - World IBD Day
Proclamation for the City of Welland*

World IBD Day - May 19, 2020

WHEREAS patient organisations representing over 50 countries unite on May 19, 2020 for World IBD Day to raise awareness about Crohn's disease and ulcerative colitis (the two main forms of inflammatory bowel disease) and show support for people around the world affected by these diseases;

WHEREAS Crohn's disease and ulcerative colitis are debilitating diseases with no known cures that impact quality of life;

WHEREAS Crohn's and Colitis Canada is the country's only national, volunteer-based charity focused on finding cures for Crohn's disease and ulcerative colitis and improving the lives of children and adults affected by these diseases;

WHEREAS Canada has one of the highest rates in the world as 270,000 Canadians live with inflammatory bowel disease;

WHEREAS it is expected that 400,000 Canadians will live with these diseases by 2030;

WHEREAS Crohn's and Colitis Canada transforms the lives of Canadians affected by these diseases through research, patient programs and services, advocacy and awareness;

NOW THEREFORE, I, Mayor, Frank Campion, proclaim May 19, 2020 as "World IBD Day" in the City of Welland.

crohnsandcolitis.ca | crohnetcolite.ca

Registered charity number 118811189 BC (2014) and 14014 Canada
Le nombre d'organisme à but non lucratif enregistré est 118811189 BC (2014) et 14014 Canada

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