



## Joint Audit Committee and Transit Commission

### Minutes

<b>Meeting #:</b>	<b>1</b>
<b>Date:</b>	<b>Friday, June 9, 2023</b>
<b>Time:</b>	<b>1 pm</b>
<b>Location:</b>	<b>Andrew S. Haydon Hall, 110 Laurier Avenue West, and by electronic participation</b>
<b>Present:</b>	<b>Chair Cathy Curry, Chair Glen Gower, Vice-Chair David Brown, Councillor Marty Carr, Councillor David Hill, Councillor Allan Hubley, Councillor Theresa Kavanagh, Councillor Catherine Kitts, Councillor Wilson Lo, Councillor Shawn Menard, Councillor Tim Tierney</b>
<b>Absent:</b>	<b>Councillor Riley Brockington, Councillor Jeff Leiper</b>

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1. Notices and meeting information for meeting participants and the public

**The meeting will begin at 1 pm, or 30 minutes following the regular Audit Committee meeting, whichever is later.**

Notices and meeting information are attached to the agenda and minutes, including: availability of simultaneous interpretation and accessibility accommodations; *in camera* meeting procedures; information items not subject to discussion; personal information disclaimer for correspondents and public speakers; notices regarding minutes; and hybrid participation details.

Accessible formats and communication supports are available, upon request.

Except where otherwise indicated, reports requiring Council consideration will be presented to Council on June 14, in the Joint Audit Committee and Transit Commission Report 1.

The deadline to register by phone to speak, or submit written comments or visual presentations is 4 pm on June 8, and the deadline to register to speak by email is 8:30 am on June 9.

2. Declarations of Interest

No Declarations of Interest were filed.

3. In Camera Items

The following items are to be considered *in camera* pursuant to the Procedure By-law (By-law No. 2022–410), Subsection 13(1)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality and Subsection 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

As the content of the Auditor General's report and the *in camera* presentations to the Joint Meeting regarding Zero Emission Buses contains information pertaining to the City's contract negotiations with Envari Energy Solutions, the release of which could prejudice the City's legal and bargaining position in respect of these contract negotiations, and the Committee will receive information related to the contract negotiations, and Committee may seek advice that is subject to solicitor-client privilege, the material falls within the exceptions contemplated by Subsections 13(1)(f) and (k) of City Council's Procedure By-law, and is also exempt from disclosure pursuant to Sections 6(1)(b), 11(e) and 12 of the *Municipal Freedom of Information and Protection of Privacy Act*. As such the Zero Emission Bus (ZEB) Sprint 4 Audit Report will only be reported out upon execution of the contract.

**Motion No. AC-TTC 2023-01-01**

Moved by G. Gower

**BE IT RESOLVED THAT in accordance with the Procedure By-Law, the Joint Meeting resolve *in camera* pursuant to the Procedure By-law (Bylaw No. 2022–410), Subsection 13(1)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality, 13(1)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, and Subsection 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;**

**BE IT FURTHER RESOLVED THAT while *in camera*, the Joint Meeting consider item 3.1, Office of the Auditor General (OAG) – Zero Emission Buses Project – Sprint 4 Audit Report, and item 3.2, Zero Emission Bus (ZEB) Envari Contract;**

**BE IT FURTHER RESOLVED THAT the Zero Emission Bus (ZEB) Sprint 4 Audit Report will only be reported out upon execution of the contract subject to the City Clerk, in consultation with the Office of the Auditor General and Legal Services, redacting any third party commercially confidential information in the OAG Report and the executed contract in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.**

**Carried**

Committee resolved *in camera* at 1:06 pm and resumed in open session at 2:42 pm.

Upon resuming in open session, Chair Curry stated the following:

Please let the record show that the Joint Meeting went *in camera* to receive a presentation from the Auditor General on the Zero Emission Buses Project Sprint 4 Audit Report, and a presentation from the General Manager of Transit Services on Zero Emission Bus draft Envari Contract.

There were no votes taken during the *in camera* session, other than to give direction to staff or procedural motions.

We can now consider the report recommendations on Item 3.1 and 3.2 in open meeting.

The content of the Zero Emission Bus Sprint 4 Audit Report will only be reported out upon execution of the Envari contract as it includes information on contract negotiations and the executed contract will be subject to redactions as may be required by the *Municipal Freedom of Information and Protection of Privacy Act*.

3.1 Office of the Auditor General (OAG) – Zero Emission Buses Project – Sprint 4 Audit Report

File No. ACS2023-OAG-BVG-0006 – City-wide

**Report recommendation**

**That the Joint Audit Committee and Transit Commission receive the audit report and recommend that Council consider and approve the recommendations.**

**Carried**

3.2 Zero Emission Bus (ZEB) Envari Contract

File No. ACS2023-TSD-EN-0010 – City-wide

**Report recommendation**

**That the Joint Transit Commission and Audit Committee recommend that Council direct the General Manager, Transit Services to finalize negotiations and execute an agreement with Envari Energy Solutions for the design, procurement and installation of the Charging and Electrical Infrastructure, the provision of backup power and an energy management system to support OC Transpo’s conversion to battery-electric buses.**

**Carried**

4. Adjournment

Next Meeting: to be determined.

The meeting adjourned at 2:44 pm.

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Committee  
Coordinator

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Chair

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Chair