

EXTRACT OF DRAFT MINUTES 25
FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
18 MAY 2021

EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 25
COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
LE 18 MAI 2021

QUARTERLY STAGE 2 LRT UPDATE

CITY WIDE

Michael Morgan, Director, Rail Construction Program, Transportation Services was accompanied by John Manconi, General Manager, Transportation Services, and provided a video depicting the progress of the work regarding the Stage 2 LRT. He also spoke to a PowerPoint presentation, a copy of which is held on file with the City Clerk. Councillors R. Brockington, D. Deans, K. Egli, M. Fleury, T. Kavanagh, R. King, C. Kitts, J. Leiper, C. McKenney, C. A. Meehan and S. Menard were in attendance for this portion of the meeting.

Committee then resolved in closed session to consider the following *In Camera* item listed on the agenda, as described further below.

**LRT LEGAL UPDATES – STAGES 1 AND 2 – IN CAMERA –
REPORTING OUT DATE: NOT TO BE REPORTED OUT.**

Committee then returned to questions and answers from staff related to the Quarterly Stage 2 LRT Update.

Committee questions included matters pertaining to the language used at different construction locations (i.e. widening as opposed to lane relocation); the berm located at Trim Road and when it will be reduced/removed; overnight noise complaints; the installation of the Moodie bridge and Walkley multi-use pathways; and the partial opening of O-Train.

After questions and discussion, the Committee considered the following motion:

MOTION No. FEDC 2021 1/25

Moved by Councillor E. El-Chantiry,

WHEREAS the Code of Conduct for Members of Council (“the Code”) complements the existing legislation governing the conduct of Members of Council, including the Municipal Act, 2001 and the Municipal Conflict of Interest Act; and

WHEREAS in accordance with Section 5 of the Code, being “Confidential Information,” Members of Council shall not, “use information that is obtained in his or her capacity as a member and that is not available to the general public to further or seek to further the member’s private interest or improperly to further or seek to further another person’s private interest”; and

WHEREAS the Code further provides that, in accordance with the rules under Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the Procedure By-law, Members of Council shall not, where a matter has been discussed *In Camera*, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the *In Camera* meeting (Subsection 42(1)(d) of the Procedure By-law) nor 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; and

WHEREAS a confidential memo titled, “Stage 1 Insurance Claim – Confidential” was sent from City staff and external legal counsel to Members of Council on May 10, 2021, and was subsequently obtained by the media;

THEREFORE BE IT RESOLVED that pursuant to Section 5 – Confidential Information of the Code of Conduct for Members of Council, the Finance and Economic Development Committee recommend City Council direct the Integrity Commissioner to undertake an investigation into the release of the above-noted confidential memo and provide a report on his findings as soon as possible.

CARRIED

LRT LEGAL UPDATES – STAGES 1 AND 2 – IN CAMERA – REPORTING OUT
DATE: NOT TO BE REPORTED OUT.

CITY WIDE

This item was dealt with *In Camera* pursuant to Procedure By-law (By-law No. 2021-24), Subsection 13 (1)(e), litigation or potential litigation affecting the City, and 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

MOTION No. FEDC 2021 2/22

Moved by Councillor L. Dudas

BE IT RESOLVED THAT the Finance and Economic Development Committee resolve *In Camera* to receive and consider the LRT Legal Updates – Stages 1 and 2, pursuant to the *Procedure By-Law*, Subsections 13 (1)(e), litigation or potential litigation affecting the City, and 13(1)(f), the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Reporting out Date: Not to be reported out.

CARRIED

Committee resolved *In Camera* at 10:22 am and resumed in open session at 12:40 pm.

As the content of the *In Camera* update regarding the LRT Legal Updates – Stages 1 and 2 contains information pertaining to the legal aspects of the subject matter, the material falls within the exception contemplated by Subsection 13(1)(f) of City Council's Procedure By-Law. As such, this matter will not be reported out.

The subject matter of this item was the receipt and consideration of an update on the legal issues and options with respect to the LRT Legal Updates – Stages 1 and 2. Upon resuming in open session, Mayor Watson stated that no votes were taken other than procedural motions and/or directions to staff .