

**AGENDA
REGULAR MEETING**

**October 23, 2017
4:30 p.m.**

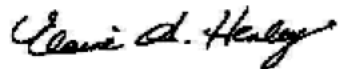
ST. JOHN'S

MEMORANDUM

October 20, 2017

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday, October 23, 2017 at 4:30 p.m.**

By Order



Elaine Henley
City Clerk

ST. JOHN'S

CITY MANAGER

AGENDA
REGULAR MEETING - CITY COUNCIL
October 23, 2017 – 4:30 p.m. – Council Chambers, 4th Floor, City Hall

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. ADOPTION OF THE MINUTES

- Minutes of October 16, 2017

4. BUSINESS ARISING FROM THE MINUTES

- a. **Included in the Agenda:**
- b. **Other Matters**

5. NOTICES PUBLISHED

- A Discretionary Use application has been submitted to the City of St. John's by Rogers Communications Inc. seeking approval of a site design in relation to a rooftop telecommunications site at the Memorial University Earth Science Building on Arctic Avenue.
- A Discretionary Use application has been submitted by Atlantic Planning & Management Ltd. requesting approval to operate a Drive-Thru in association with a national brand coffee shop at **650 Topsail Road**.

6. PUBLIC HEARINGS

7. COMMITTEE REPORTS

- a. Development Committee Report – October 17, 2017

8. RESOLUTIONS

9. DEVELOPMENT PERMITS LIST

- Development Permits List – October 12, 2017 to October 18, 2017

10. BUILDING PERMITS LIST

- Building Permits List – October 23, 2017

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

- Payroll and Accounts – Week ending October 18, 2017

12. TENDERS/RFPS

- a. Council Approval – Tender 2017195 Linegar Avenue Upgrading
- b. Council Approval – Tender 2017161 Light Vehicle and Equipment Mechanical Repair Service.
- c. Council Approval – Tender 2017184 Sanitation Gloves
- d. Council Approval – Tender 2017148 Safety Supplies

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14. NEW BUSINESS

- a. Decision Note Dated October 20, 2017 approved by the City Manager – Re: Standing Committee Review Final Report.

15. OTHER BUSINESS

16. ADJOURNMENT

MINUTES

REGULAR MEETING - CITY COUNCIL

October 16, 2017 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

- Present** Mayor D. Breen
Deputy Mayor S. O’Leary
Councillor M. Burton
Councillor D. Hanlon
Councillor D. Stapleton
Councillor H. Jamieson
Councillor J. Korab
Councillor I. Froude
Councillor W. Collins
- Regrets** Councillor D. Lane
Councillor S. Hickman
- Others** Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering and Regulatory Services
Tanya Haywood, Deputy City Manager of Community Services
Derek Coffey, Deputy City Manager of Finance and Administration
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Kathy Driscoll, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2017-10-16/444R

Moved – Deputy Mayor O’Leary; Seconded – Councillor Hanlon

That the agenda be adopted with three additions:

- DN – Broker Contract and Insurance Renewal Terms 2017-2018
- DN – Canadian Federation of Students
- Mile One Report

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2017-10-16/445R

Moved – Councillor Collins; Seconded – Councillor Stapleton

That the minutes of October 10, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING

**St. John's Development Regulations Amendment 671, 2017
Rezoning from Residential Low Density (R1) Zone to Residential
Medium Density (R2) Zone
REZ1700017
571 Empire Avenue**

Council considered the above noted:

SJMC2017-10-16/446R

Moved – Councilor Korab; Seconded – Councillor Collins

That Council adopt the St. John's Development Regulations Amendment Number 671, 2017, which will rezone land at 571 Empire Avenue, from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone. Further, once the amendment is adopted, it will then be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the provisions of the Urban and Rural Planning Act.

CARRIED UNANIMOUSLY

**St. John's Municipal Plan Amendment Number 141, 2017 and St. John's
Development Regulations Amendment Number 650, 2017
Application to Rezone to the Commercial Central Mixed-Use (CCM) Zone
File no. MPA1600007
90 Duckworth Street (former East End Fire Station)
Applicant: Parlibright Holdings Ltd.**

Council considered the above noted:

SJMC2017-10-16/447R

Moved – Councilor Jamieson; Seconded – Deputy Mayor O'Leary

That Council adopt the resolutions for the St. John's Municipal Plan Amendment Number 141, 2017 and the St. John's Development Regulations Amendment Number 650, 2017. Further that Council appoint Ms. Marie Ryan, a member of the City's commissioner list, to conduct a public hearing on the proposed

Amendments. The proposed date for the public hearing is Tuesday, November 7, 2017, at 7 p.m.at St. John's City Hall.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

- A Discretionary Use (Restoration of Non-Conforming Use) application has been submitted to rebuild the townhouse dwelling at **160 Patrick Street**.

SJMC2017-10-16/448R

Moved – Councillor Hanlon; Seconded – Councillor Jamieson

That Council approve the above listed applications subject to all applicable City requirements.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS

COMMITTEE REPORTS

Development Committee Report – October 3, 2017

[Link to Report](#)

Council considered the above noted:

SJMC2017-10-16/449R

Moved – Councillor Burton; Seconded – Councillor Collins

That in relation to civic 212 Castle Bridge Drive (INT1700135), Council approve the request for the 8.3% Flanking Road Side Yard variance.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information, the above noted for the period October 5, 2017 to October 11, 2017.

BUILDING PERMITS LIST

[Link to List](#)

Council considered, for approval, the above noted for the period dated October 5 to October 11, 2017.

SJMC2017-10-16/450R

Moved – Councillor Hanlon; Seconded – Councillor Korab

That the building permits list dated October 5, 2017 – October 4, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending October 4, 2017.

SJMC2017-16-10/451R

Moved – Councillor Hanlon; Seconded – Councillor Korab

That the requisitions, payrolls and accounts for the week ending October 4, 2017 in the amount of \$7,257,051.01 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPS

Tender – Vehicle Purchase from Provincial Government Tender

Council considered the above noted tender.

SJMC2017-10-16/452R

Moved – Councillor Froude; Seconded – Councillor Hanlon

That Council award the purchase three (3) Chevy Cruze vehicles from the Provincial Government Tender to the lowest bidder meeting all specifications, General Motors of Canada Company, in the amount of \$64,049.25 as per the Public Tendering Act. Taxes (HST) included in price quoted.

CARRIED UNANIMOUSLY

OTHER BUSINESS

City Hall Mile Zero Plaza Project

Council considered the above noted:

SJMC2017-10-16/453R

Moved – Councillor Jamieson; Seconded Councillor Burton

That Council approve the receipt and installation of the bronze plaque via an offer from Parks Canada in relation to commemorating the completion of the Trans-Canada Highway. The intent would be for the plaque to be installed on an existing concrete wall at the rear of the plaza. Further, the plaque is provided with no cost to the City.

CARRIED UNANIMOUSLY

Broker Contract and Insurance Renewal Terms 2017-2018

Council considered the above noted:

SJMC2017-10-16/454R

Moved – Councillor Hanlon; Seconded Councillor Collins

That Council accept the terms as proposed for the contract of broker services with Aon and also the insurance terms proposed via Amlin and Aviva. Both these Insurers are considered A+ in the insurance market. Further, that the agreement with the same service, coverage and premium be extended for a three year period. The City has been offered this option with reasonable conditions that will be outlined and agreed to in the contract.

CARRIED UNANIMOUSLY

Request for Donation – Canadian Federation of Students – Consent Forum

Council considered the above noted:

SJMC2017-10-16/455R

Moved – Deputy Mayor O’Leary; Seconded Councillor Burton

That Council decline the request for funding for \$1,000 by the Canadian Federation of Students as it did not meet the criteria of Policy: 04-09-2 - Financial Support for Meetings and Conventions.

CARRIED UNANIMOUSLY

Discussions ensued and Deputy Mayor O'Leary asked to refer a policy review request of Policy: 04-09-02 - Financial Support for Meeting and Conventions to an upcoming Finance meeting.

Councillor Burton requested consideration be given to holding Municipal level consent forums at the City which will be directed to Community Services for review and consideration.

Mile One Report

Mayor Breen provided Council with an update on the above noted. He advised in March of 2017, Management at Mile One noted a discrepancy between the cash counts in food and beverage areas and the amount recorded in the accounting records. This occurred during preparation for the 2016 year-end reconciliations at Mile One Centre.

In March of 2017, the Senior Manager of Finance and Administration noted a discrepancy between the cash counts performed of the floats at the box office in the food and beverage areas and the amount recorded in the General Ledger.

This was brought to Council as there was an unexplained cash shortage of \$114,863.40.

On May 17, 2017, the Office of the City Internal Auditor was requested by Management, with approval of the St. John's Audit Committee and the Board of St. John's Sports and Entertainment, to begin an investigation to independently verify the amount of the unexplained negative variance and identify and make recommendations to resolve any internal control weaknesses that may have led to this apparent loss.

On the matter of the unexplained negative variance, the Auditor has informed Council and St. John's Sports and Entertainment Board that a number of errors and omissions in the coding of accounting entries over a five year period incorrectly increased the balance in the accounting records by \$56,000.00.

After this review, there is still a remaining unexplained cash shortage of \$58,089.05.

The City's Office of the Internal Auditor will now perform a detailed review of the cash handling and reconciliation processes as well as to follow-up on the other side of the accounting system to ensure that they are properly coded and that no other issues were created as a result of the miscoding.

Once this work is finished, a final report, complete with recommendations for improvement, will be prepared. This report is expected by the end of November 2017

Councillor Hanlon

- Spoke to constituents' concerns with lengthy waiting periods to speak with support staff at 3-1-1 and suggested using a back-up system to collect calls. She requested the matter be referred to Community Services for review.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:13 p.m.

MAYOR

CITY CLERK

REPORTS/RECOMMENDATION

Development Committee

October 10, 2017 – 10:00 a.m.

1. 212 Castle Bridge Drive – Request for 8.3% Variance on Flanking Road Side Yard – INT1700135

It is the recommendation of the Development Committee that Council approve the 8.3% Flanking Road Side Yard variance.

Jason Sinyard

**Deputy City Manager – Planning, Engineering & Regulatory Services
Chairperson**

Addendum to Regular Minutes of October 16, 2017

DECISION/DIRECTION NOTE

Title: INT1700135
Request for 8.3% Variance on Flanking Road Side Yard
212 Castle Bridge Drive

Date Prepared: October 10, 2017 (Date of next meeting: October 16, 2017)

Report To: His Worship the Mayor and Members of Council

Councillor and Role: Chair, Planning and Development Committee

Ward: 5

Decision/Direction Required:

To seek approval for a 8.3% variance on the minimum flanking road side yard in order to accommodate the construction of a new dwelling.

Discussion – Background and Current Status:

An application was submitted to construct a single detached dwelling at 212 Castle Bridge Drive. The property is situated in the Residential Low Density (R1) Zone where the Minimum flanking road side yard is 6 metres. The proposed flanking road side yard will be 5.5 metres, which will require an 8.3% variance.

As this lot is located on a corner, it was determined that the proposed location does not encroach into the site triangle.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders:
Abutting property owners of 212 Castle Bridge Drive, 210 Castle Bridge Drive and City of Mount Pearl.
3. Alignment with Strategic Directions/Adopted Plans: Not Applicable.
4. Legal or Policy Implications:
Section 8.4 of the Development Regulations provides that up to a 10% variance pertaining to lot requirements can be considered.
5. Engagement and Communications Considerations:
Letters have been distributed to abutting property owners for notification of the variance request as per Section 8.4(3) of the Regulations.
6. Human Resource Implications: Not Applicable.

ST. JOHN'S

7. Procurement Implications: Not Applicable.
8. Information Technology Implications: Not Applicable.
9. Other Implications: Not Applicable.

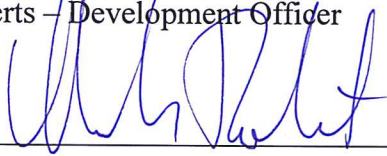
Recommendation:

It is recommended that council approve the 8.3% Flanking Road Side Yard variance.

Prepared by/Date/Signature:

Andrea Roberts – Development Officer

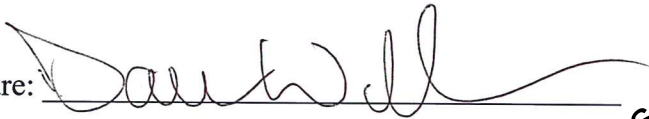
Signature: _____



Approved by/Date/Signature:

 Jason Sinyard, Deputy City Manager - Planning, Engineering & Regulatory Services

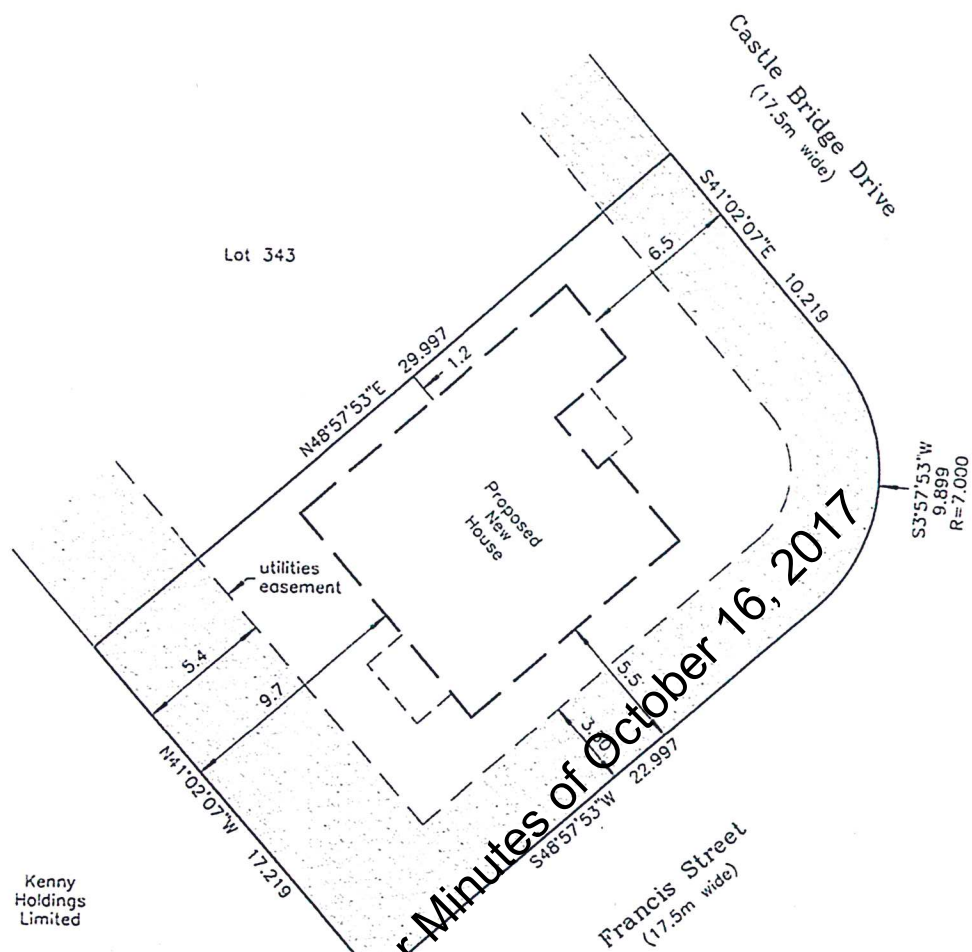
Signature: _____



AAR/dlm

Attachments: House Location

Addendum to Regular Minutes of October 16, 2017



Addendum to Regular Minutes of October 16, 2017

Kenny Holdings Limited



2017 10 05

212 Castle Bridge Drive, St. John's, NL
 Lot 344 (Stage 4) Brookfield Plains Subdivision

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending October 11, 2017**

Payroll

Public Works	\$ 416,588.57
Bi-Weekly Casual	\$ 39,526.05
Accounts Payable	\$ 2,824,990.63

Total: \$ 3,281,105.25

Addendum to Regular Minutes of October 16, 2017

ST. JOHN'S

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ALYSSA'S PROPERTY SERVICES PRO INC.,	112994	ROBIN HOOD BAY LITTER COLLECTION	5,694.68
RBC INVESTOR & TREASURY SERVICES	112995	AGENCY FEES	1,437.50
EXECUTIVE TAXI LIMITED	112996	TRANSPORTATION SERVICES	29,142.69
BREAKWATER BOOKS LTD.	112997	PROMOTIONAL ITEMS	271.86
BULKLEY VALLEY MUSEUM	112998	PROMOTIONAL ITEMS	16.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	112999	COMMISSIONER FOR OATHS	50.00
RECEIVER GENERAL FOR CANADA	113000	PAYROLL DEDUCTIONS	1,764.90
NEWFOUNDLAND EXCHEQUER ACCOUNT	113001	PAYROLL TAX	243,387.65
NEIA	113002	CONFERENCE FEE	396.88
WILSON, GEORGE	113003	JOURNEYPERSON CERTIFICATE RENEWAL	50.00
ACKLANDS-GRAINGER	113004	INDUSTRIAL SUPPLIES	568.48
REARDON CONSTRUCTION & DEVELOPMENT LTD.	113005	REFUND OVERPAYMENT OF TAXES	11,488.38
THE UPS STORE #169	113006	COURIER SERVICES	108.40
BRINK'S CANADA LIMITED	113007	DELIVERY SERVICES	907.30
ROBERT BAIRD EQUIPMENT LTD.	113008	RENTAL OF EQUIPMENT	1,778.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	113009	ANNUAL OPERATING FEES	441.60
STAPLES THE BUSINESS DEPOT - MP	113010	OFFICE SUPPLIES	544.99
FORBES STREET HOLDINGS LTD	113011	REFURBISH VACANT UNIT	10,061.24
ROYAL CANADIAN LEGION NEWFOUNDLAND & LAB. COMMAND	113012	WREATH	89.25
FRESHWATER SUZUKI	113013	REPAIR PARTS FOR EQUIPMENT	155.30
UNITED RENTAL OF CANADA INC.	113014	RENTAL OF EQUIPMENT	327.20
SME LIMITED	113015	SANITARY SUPPLIES	100.05
WILDLAND TOURS	113016	NET BASKET	300.00
THE BRIGADE COUNCIL OF THE CLB	113017	12TH ANNIVERSARY DINNER TICKETS	320.00
STAPLES THE BUSINESS DEPOT - STAVANGER DR	113018	STATIONERY & OFFICE SUPPLIES	155.84
NEW WORLD FITNESS	113019	MEMBERSHIP DUES FOR FIREFIGHTERS	206.89
CAPITAL READY MIX	113020	CONCRETE	248.16
DAVE CARROLL	113021	BAILIFF SERVICES	586.00
SOBEY'S INC	113022	PET SUPPLIES	872.09
NORTRAX CANADA INC.,	113023	REPAIR PARTS	55,339.19
CLEARWATER POOLS LTD.	113024	POOL SUPPLIES	541.65
STEELE COMMUNICATIONS	113025	ADVERTISING	690.00
PETER'S AUTO WORKS INC.	113026	TOWING OF VEHICLES	407.08
DB PERKS & ASSOCIATES LTD	113027	REPAIR PARTS	850.93
CABOT READY MIX LIMITED	113028	PROFESSIONAL SERVICES	1,301.68
CADILLAC SERVICES LTD.	113029	REFUND SECURITY DEPOSIT	2,000.00
ATLANTIC HOSE & FITTINGS	113030	RUBBER HOSE	96.20
CANADIAN TIRE CORP.-MERCHANT DR.	113031	MISCELLANEOUS SUPPLIES	72.42
CANADIAN TIRE CORP.-KELSEY DR.	113032	MISCELLANEOUS SUPPLIES	708.66
HOME DEPOT OF CANADA INC.	113033	BUILDING SUPPLIES	850.43
OMB PARTS & INDUSTRIAL INC.	113034	REPAIR PARTS	133.95
VITALSINE	113035	PROFESSIONAL SERVICES	10,230.58
FUN "N" FAST 1986 LTD.	113036	REPAIR PARTS	344.66

Addendum to Regular Minutes of October 16, 2017

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ENTERPRISE RENT-A-CAR	113037	LEGAL CLAIM	219.88
PENNEY'S HOLDINGS LIMITED	113038	PROFESSIONAL SERVICES	632.50
ENINIS PAINT INC	113039	PAINT & SUPPLIES	43,534.63
GUILLEVIN INTERNATIONAL CO.	113040	ELECTRICAL SUPPLIES	228.88
COMCOR ENVIRONMENTAL LTD	113041	PROFESSIONAL SERVICES	5,957.00
STELLA BERRY COMMUNITY SER.	113042	CATERING SERVICES	99,000.00
HISCOCK RENTALS & SALES INC.	113043	HARDWARE SUPPLIES	47.15
TOTAL CANADA INC.	113044	REPAIR PARTS	625.59
NL NEWS NOW INC.	113045	ADVERTISING	517.27
SPARTAN INDUSTRIAL MARINE	113046	SAFETY SUPPLIES	97.75
CDMV	113047	VETERINARY SUPPLIES	1,202.13
SUMMIT VETERINARY PHARMACY INC.,	113048	VETERINARY SUPPLIES	320.85
AIR LIQUIDE MEDICAL (DIVISION OF VITAL AIRE CANADA)	113049	VETERINARY SUPPLIES	230.37
XYLEM WATER SOLUTIONS CANADA	113050	REPAIR PARTS	1,152.47
CARMICHAEL ENGINEERING LTD.	113051	PROFESSIONAL SERVICES	4,558.60
RFS CANADA	113052	LEASING OF OFFICE EQUIPMENT	8,890.65
MARK'S WORK WEARHOUSE	113053	PROTECTIVE CLOTHING	229.99
MCDONALD'S HOME HARDWARE	113054	HARDWARE SUPPLIES	110.37
DISTRIBUTION NOW	113055	REPAIR PARTS	130.42
NAIT	113056	REGISTRATION FEE	2,360.35
COASTAL COATINGS LIMITED	113057	REFUND SECURITY DEPOSIT	55,941.76
BACKFLOW SPECIALISTS LTD.	113058	PROFESSIONAL SERVICES	170.00
PROVINCIAL WOODPRODUCTS LTD.	113059	BUILDING MATERIALS	98.90
TORBAY ROAD ANIMAL HOSPITAL	113060	PROFESSIONAL SERVICES	107.81
TRACTION DIV OF UAP	113061	REPAIR PARTS	286.78
TUCKER ELECTRONICS LTD.	113062	ELECTRONICS	392.90
URBAN CONTRACTING JJ WALSH LTD	113063	PROPERTY REPAIRS	6,095.00
LISA ABBOTT	113064	RECREATION PROGRAM REFUND	28.00
JAMES WINTER	113065	REFUND SECURITY DEPOSIT	100.00
RAJESH JUNEJA	113066	REFUND SECURITY DEPOSIT	100.00
THE SWEET SERENDIPIITIES	113067	PERFORMANCE FEE	150.00
STEPHEN GREEN	113068	PERFORMANCE FEE	800.00
FEILDJANS ATHLETIC ASSOCIATION BU13	113069	YOUTH SPORT TRAVEL GRANT	400.00
CURTIS DURDLE & ALLISON JOY	113070	REFUND OVERPAYMENT OF TAXES	1,332.39
TERRY & REGINA CLARKE	113071	REFUND OVERPAYMENT OF TAXES	1,217.50
CLIFFORD PETTEN	113072	REFUND OVERPAYMENT OF TAXES	1,323.20
ERIC & SCOTT WILLIAMS	113073	REFUND OVERPAYMENT OF TAXES	2,096.40
DAVE MORGAN	113074	REFUND OVERPAYMENT OF TAXES	108.50
FREDERICK BUFFETT & JANET BURKE	113075	REFUND OVERPAYMENT OF TAXES	2,287.66
HUBERT & KRISTA SINNOTT	113076	REFUND OVERPAYMENT OF TAXES	2,720.20
CYNTHIA ROBERTS	113077	REFUND OVERPAYMENT OF TAXES	3,462.00
BRIAN & DEBORAH MCNAMARA	113078	REFUND OVERPAYMENT OF TAXES	229.01
LORETTA & KAREN YOUNG	113079	REFUND OVERPAYMENT OF TAXES	171.00

Addendum to Regular Minutes of October 16, 2014

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WALLY PUTT	113080	REFUND OVERPAYMENT OF TAXES	1,278.15
KONGSBERG DIGITAL SIMULATION LTD.	113081	REFUND OVERPAYMENT OF TAXES	81.66
ROYAL BANK OF CANADA	113082	REFUND OVERPAYMENT OF TAXES	1,757.37
JONATHAN MCGRATH	113083	REFUND SECURITY DEPOSIT	993.60
LORRAINE McDONALD	113084	REFUND SECURITY DEPOSIT	2,000.00
ROBERT TUCKER	113085	REFUND SECURITY DEPOSIT	7,500.00
CIBC	113086	REFUND OVERPAYMENT OF TAXES	1,258.22
CAUL'S FUNERAL HOME & CREMATORIUM	113087	REFUND SECURITY DEPOSIT	15,000.00
THE CELTIC FIDDLERS	113088	PERFORMANCE FEE	150.00
MAGNUM CONTRACTING LTD.	113089	PROFESSIONAL SERVICES	5,455.60
BRIAN YOUNG	113090	REFUND OVERPAYMENT OF TAXES	169.40
JIM ADAMSON	113091	REFUND SECURITY DEPOSIT	7,500.00
BENSON, BUFFETT PLC INC.	113092	REFUND COMPLIANCE LETTER	600.00
WRIGHTLAND DEVELOPMENT CORPORATION	113093	REFUND SECURITY DEPOSIT	1,500.00
SINGSONG INC.	113094	PERFORMANCE FEE	400.00
CANADIAN BAR ASSOCIATION	113095	MEMBERSHIP RENEWAL	713.84
SULLIVAN'S CONTRACTING	113096	ELECTION STAFF	50.00
GERRY SMITH	113097	REFUND SECURITY DEPOSIT	300.00
PAUL DUNNE CONTRACTING	113098	HONORARIUM	2,000.00
STAN BUTLER	113099	REFUND SECURITY DEPOSIT	500.00
ELIZABETH SPEARNS	113100	PERFORMANCE FEE	263.50
CAROL MEALEY	113101	ELECTION STAFF	246.50
MARCH, JASON	113102	ELECTION STAFF	200.00
PROVINCIAL INVESTMENTS INC.	113103	CARRIER SERVICES	852.66
BRIAN FINN	113104	PERFORMANCE FEE	400.00
DOREEN MOYST	113105	HONORARIUM	100.00
GERARD KIELEY & PATRICIA KIELEY	113106	REFUND OVERPAYMENT OF TAXES	3,558.61
SHARON PORTER-TRASK	113107	HONORARIUM	200.00
ESTATE OF RODNEY LAWLOR	113108	REFUND SECURITY DEPOSIT	248.35
MALONEY, SCOTT	113109	PERFORMANCE FEE	200.00
UPLAND HOLDINGS LIMITED	113110	REFUND SECURITY DEPOSIT	480.00
GAIL CHAULK	113111	ELECTION STAFF	263.50
KATHLEEN TUCKER	113112	REFUND SECURITY DEPOSIT	300.00
WADE CRANE	113113	REFUND SECURITY DEPOSIT	1,500.00
THE ESTATE OF NORAH MOLLOY	113114	REFUND RENT	607.00
ELDIN & ADNELA HALEBIC-HUSIC	113115	REFUND APPLICATION FEE	50.00
BUTLER, DEBBIE	113116	ELECTION STAFF	263.50
LORRAINE COFFEY	113117	ELECTION STAFF	263.50
BUTLER, KELLY	113118	ELECTION STAFF	306.92
BAKER, GREG	113119	ELECTION STAFF	238.00
DALTON, ROSEANN	113120	ELECTION STAFF	263.50
NOSEWORTHY, TINA	113121	ELECTION STAFF	238.00
MORRIS, MIKE	113122	VEHICLE BUSINESS INSURANCE	155.25

Addendum to Regular Minutes of October 16, 2017

NAME	CHEQUE #	DESCRIPTION	AMOUNT
O'BRIEN, KEN	113123	ELECTION STAFF	238.00
RICK PRICE	113124	MILEAGE	113.44
KELLY, KAREN	113125	MILEAGE	46.83
CHRISTINE FITZGERALD	113126	ELECTION STAFF	263.50
BEST, LESLIE	113127	ELECTION STAFF	229.50
MCGRATH, JENNIFER	113128	ELECTION STAFF	263.50
CRYSTAL BARRON	113129	ELECTION STAFF	263.50
COLIN CLARKE	113130	MILEAGE	364.35
ALYSSA BRENNAN	113131	ELECTION STAFF	238.00
LAURA WINTERS	113132	TRAVEL ADVANCE	2,138.22
DOMINIQUE BAKER	113133	ELECTION STAFF	263.50
IMP SOLUTIONS	113134	SOFTWARE RENEWAL	21,804.00
MENTAL HEALTH COMMISSION OF CANADA	113135	TRAINING PROGRAM	575.00
THE ENERGY COMPANY	113136	PROFESSIONAL SERVICES	690.00
STAN'S EXCAVATOR RENTALS INC.	113137	RENTAL OF EQUIPMENT	1,535.25
ELIZABETH JACKSON	113138	ELECTION STAFF	246.50
NEWFOUNDLAND EXCHEQUER ACCOUNT	113139	FILING FEES FOR STATEMENT OF CLAIM	300.00
BIRKETT, BARBARA	113140	BENEFICIARIES FOR GROUND RENT & ARREARS	96.50
ERIC TAYLOR LTD.	113141	PROGRESS PAYMENT	191,476.45
NEARY, JANICE	113143	LEGAL CLAIM	3,910.00
J & N EXCAVATING & CONTRACTING	113143	PROGRESS PAYMENT	26,971.86
ALYSSA'S PROPERTY SERVICES PRO INC.,	EFT000000026119	ROBIN HOOD BAY LITTER COLLECTION	8,542.00
PUBLIC SERVICE CREDIT UNION	EFT000000026197	ROLL DEDUCTIONS	6,194.69
NEWFOUNDLAND POWER	EFT00000002620	ELECTRICAL SERVICES	457,500.89
VOKEY'S JANITORIAL SERVICE	EFT00000002621	JANITORIAL SERVICES	539.35
ROGERS COMMUNICATIONS CANADA INC.	EFT00000002622	DATA & USAGE CHARGES	4,014.65
ROGERS COMMUNICATIONS CANADA INC.	EFT00000002623	DATA & USAGE CHARGES	186.68
INFINITY CONSTRUCTION	EFT00000002624	PROFESSIONAL SERVICES	4,249.25
TALL SHIPS ART PRODUCTIONS LTD.	EFT00000002625	PROMOTIONAL ITEMS	664.70
HARRIS & ROOME SUPPLY LIMITED	EFT00000002626	ELECTRICAL SUPPLIES	2,336.63
MCLOUGHLAN SUPPLIES LTD.	EFT00000002627	ELECTRICAL SUPPLIES	1,020.91
ARIVA	EFT00000002628	PAPER PRODUCTS	6,590.07
GORDON BARNES	EFT00000002629	PROFESSIONAL SERVICES	2,400.00
NEWFOUNDLAND POWER	EFT00000002630	ELECTRICAL SERVICES	12,291.36
THEA MORASH	EFT00000002631	TRAVEL ADVANCE	2,486.14
JENNIFER TIPPLE	EFT00000002632	TRAVEL ADVANCE	989.98
ROGERS COMMUNICATIONS CANADA INC.	EFT00000002633	DATA & USAGE CHARGES	26,244.53
SERVICE MASTER CONTRACT SERVICE	EFT00000002634	CLEANING SERVICES	1,311.00
TOYS "R" US CANADA LTD	EFT00000002635	SUPPLIES - RECREATION PROGRAMS	517.44
BABB SECURITY SYSTEMS	EFT00000002636	SECURITY SERVICES	431.25
RDM INDUSTRIAL LTD.	EFT00000002637	INDUSTRIAL SUPPLIES	1,714.63
PREMA NEWFOUNDLAND	EFT00000002638	REPAIR PARTS	38.48
GRAND CONCOURSE AUTHORITY	EFT00000002639	MAINTENANCE CONTRACTS	3,674.53

Addendum to Regular Minutes of September 16, 2017

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SMS EQUIPMENT	EFT000000002640	REPAIR PARTS	2,308.71
CABOT PEST CONTROL	EFT000000002641	PEST CONTROL	4,014.34
PIK-FAST EXPRESS INC.	EFT000000002642	BOTTLED WATER	14.50
ROCKWATER PROFESSIONAL PRODUCT	EFT000000002643	CHEMICALS	1,349.18
PRINT & SIGN SHOP	EFT000000002644	SIGNAGE	345.00
CLASS C SOLUTIONS GROUP	EFT000000002645	REPAIR PARTS	862.02
OVERHEAD DOORS NFLD LTD	EFT000000002646	REPAIRS TO DOORS	1,771.00
RICOH	EFT000000002647	REPAIR PARTS	1,231.65
BRENKIR INDUSTRIAL SUPPLIES	EFT000000002648	PROTECTIVE CLOTHING	48,641.73
DBA CONSULTING ENGINEERS LTD.	EFT000000002649	PROFESSIONAL SERVICES	6,986.25
JLG TRANSPORTATION LTD.	EFT000000002650	TAXI SERVICES	347.50
WESTERN HYDRAULIC 2000 LTD	EFT000000002651	REPAIR PARTS	741.75
AIR LIQUIDE CANADA INC.	EFT000000002652	CHEMICALS AND WELDING PRODUCTS	29,156.31
NORTH ATLANTIC SYSTEMS	EFT000000002653	REPAIR PARTS	581.95
MAC TOOLS	EFT000000002654	TOOLS	614.01
NORTH ATLANTIC SUPPLIES INC.	EFT000000002655	REPAIR PARTS	264.50
ATLANTIC HOME FURNISHINGS LTD	EFT000000002656	APPLIANCES	736.00
DULUX PAINTS	EFT000000002657	PAINT SUPPLIES	1,901.91
COLONIAL GARAGE & DIST. LTD.	EFT000000002658	AUTO PARTS	1,812.83
SAFWAY SERVICES CANADA INC.	EFT000000002659	REPAIR PARTS	357.17
SCARLET EAST COAST SECURITY LTD	EFT000000002660	TRAFFIC CONTROL	32,915.17
MAXXAM ANALYTICS INC.,	EFT000000002661	WATER PURIFICATION SUPPLIES	1,516.86
J3 CONSTRUCTION LIMITED	EFT000000002662	RENTAL OF EQUIPMENT	559.48
JAMES G CRAWFORD LTD.	EFT000000002663	PLUMBING SUPPLIES	1,174.20
ENVIROSYSTEMS INC.	EFT000000002664	PROFESSIONAL SERVICES	94,904.59
NEWFOUND CABS	EFT000000002665	TRANSPORTATION SERVICES	86.49
CUMMINS EASTERN CANADA LP	EFT000000002666	REPAIR PARTS	1,803.00
DICKS & COMPANY LIMITED	EFT000000002667	OFFICE SUPPLIES	21,253.62
MIC MAC FIRE & SAFETY SOURCE	EFT000000002668	SAFETY SUPPLIES	517.50
EAST COAST HYDRAULICS	EFT000000002669	REPAIR PARTS	1,299.32
REEFER REPAIR SERVICES (2015) LIMITED	EFT000000002670	REPAIR PARTS	11,237.30
DOMINION RECYCLING LTD.	EFT000000002671	PIPE	486.11
RUSSEL METALS INC.	EFT000000002672	METALS	414.00
EAST COAST MARINE & INDUSTRIAL	EFT000000002673	MARINE & INDUSTRIAL SUPPLIES	15,783.75
ELECTRONIC CENTER LIMITED	EFT000000002674	ELECTRONIC SUPPLIES	331.09
EMCO SUPPLY	EFT000000002675	REPAIR PARTS	552.00
ENVIROMED ANALYTICAL INC.	EFT000000002676	REPAIR PARTS AND LABOUR	1,904.89
THE TELEGRAM	EFT000000002677	ADVERTISING	5,288.62
DOMINION STORE 935	EFT000000002678	MISCELLANEOUS SUPPLIES	722.06
BASIL FEARN 93 LTD.	EFT000000002679	REPAIR PARTS	181.13
FRESHWATER AUTO CENTRE LTD.	EFT000000002680	AUTO PARTS/MAINTENANCE	2,086.22
PRINCESS AUTO	EFT000000002681	MISCELLANEOUS ITEMS	420.71
COASTLINE SPECIALTIES	EFT000000002682	REPAIR PARTS	379.50

Addendum to Power Analytics for October 16, 2017

NAME	CHEQUE #	DESCRIPTION	AMOUNT
STELLAR INDUSTRIAL SALES LTD.	EFT000000002683	INDUSTRIAL SUPPLIES	653.14
BOOMIT	EFT000000002684	REPAIR PARTS	229.99
PROVINCIAL FENCE PRODUCTS	EFT000000002685	FENCING MATERIALS	13,038.36
WOLSELEY CANADA INC.	EFT000000002686	REPAIR PARTS	767.78
HARVEY & COMPANY LIMITED	EFT000000002687	REPAIR PARTS	2,760.64
HARVEY'S OIL LTD.	EFT000000002688	PETROLEUM PRODUCTS	707.14
HVAC SPECIALTIES INC.	EFT000000002689	CHEMICALS	2,152.80
BRENNTAG CANADA INC	EFT000000002690	CHLORINE	12,220.76
GRAY MATTER SYSTEMS CANADA INC	EFT000000002691	PROFESSIONAL SERVICES	1,278.60
RONA	EFT000000002692	BUILDING SUPPLIES	112.65
HOLDEN'S TRANSPORT LTD.	EFT000000002693	RENTAL OF EQUIPMENT	690.00
FLEET READY LTD.	EFT000000002694	REPAIR PARTS	513.78
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	EFT000000002695	REPAIR PARTS	861.47
UNIVAR CANADA	EFT000000002696	CHEMICALS	12,786.53
PENNECON ENERGY TECHNICAL SERVICE	EFT000000002697	PROFESSIONAL SERVICES	747.50
ULINE	EFT000000002698	SAND BAGS	739.07
IMPRINT SPECIALTY PROMOTIONS LTD	EFT000000002699	PROMOTIONAL ITEMS	10,511.69
HICKMAN DODGE JEEP CHRYSLER	EFT000000002700	AUTO PARTS	469.78
UMBRELLA SECURITY	EFT000000002701	ALARM MONITORING	86.25
BOSCH REXROTH CANADA CORP.	EFT000000002702	REPAIR PARTS	1,909.46
WORK AUTHORITY	EFT000000002703	PROTECTIVE CLOTHING	115.00
SAFETY FIRST-SFC LTD.	EFT000000002704	PROFESSIONAL SERVICES	66.93
KENT BUILDING SUPPLIES-STAVANGER DR	EFT000000002705	BUILDING MATERIALS	64.26
VOHL INC.,	EFT000000002706	REPAIR PARTS	177.20
ROWSELL APPLEBY NEWTOWN ENGINEERING INC.,	EFT000000002707	PROFESSIONAL SERVICES	2,300.00
MARTIN'S FIRE SAFETY LTD.	EFT000000002708	SAFETY SUPPLIES	267.95
WSP CANADA INC.	EFT000000002709	PROFESSIONAL SERVICES	33,269.50
REXEL CANADA ELECTRICAL INC.,	EFT000000002710	REPAIR PARTS	698.04
MIKAN INC.	EFT000000002711	LABORATORY SUPPLIES	383.30
CUTTING EDGE LAWN CARE INC.,	EFT000000002712	PROFESSIONAL SERVICES	10,570.41
SHORELINE LUBRICANTS & INDUSTRIAL SUPPLY	EFT000000002713	CHEMICALS	1,450.44
MODERN PAVING LTD.	EFT000000002714	ASPHALT	643.83
WAJAX INDUSTRIAL COMPONENTS	EFT000000002715	REPAIR PARTS	52.21
NU-WAY EQUIPMENT RENTALS	EFT000000002716	RENTAL OF EQUIPMENT	4,692.00
NEWFOUND DISPOSAL SYSTEMS LTD.	EFT000000002717	DISPOSAL SERVICES	47,116.50
NEWFOUNDLAND DISTRIBUTORS LTD.	EFT000000002718	INDUSTRIAL SUPPLIES	112.59
TRC HYDRAULICS INC.	EFT000000002719	REPAIR PARTS	1,834.32
TOROMONT CAT	EFT000000002720	AUTO PARTS	3,699.69
NORTH ATLANTIC PETROLEUM	EFT000000002721	PETROLEUM PRODUCTS	52,066.95
PENNECON ENERGY HYDRAULIC SYSTEMS	EFT000000002722	REPAIR PARTS	1,971.56
PBA INDUSTRIAL SUPPLIES LTD.	EFT000000002723	INDUSTRIAL SUPPLIES	220.92
ORKIN CANADA	EFT000000002724	PEST CONTROL	131.10
ARIVA	EFT000000002725	PAPER PRODUCTS	2,661.71

Addendum to Power Meters Report, October 16, 2017

NAME	CHEQUE #	DESCRIPTION	AMOUNT
GCR TIRE CENTRE	EFT000000002726	TIRES	6,152.23
CW PARSONS LIMITED	EFT000000002727	PROFESSIONAL SERVICES	52,702.71
K & D PRATT LTD.	EFT000000002728	REPAIR PARTS AND CHEMICALS	3,001.42
PROFESSIONAL UNIFORMS & MATS INC.	EFT000000002729	PROTECTIVE CLOTHING	4,929.68
RIDEOUT TOOL & MACHINE INC.	EFT000000002730	TOOLS	166.59
NAPA ST. JOHN'S 371	EFT000000002731	AUTO PARTS	70.49
S & S SUPPLY LTD. CROSSTOWN RENTALS	EFT000000002732	REPAIR PARTS	1,571.49
ST. JOHN'S PORT AUTHORITY	EFT000000002733	RENTAL OF QUARRY SITE	5,544.82
SAUNDERS EQUIPMENT LIMITED	EFT000000002734	REPAIR PARTS	367,749.88
SANSOM EQUIPMENT LTD.	EFT000000002735	REPAIR PARTS	586.50
SPEEDY AUTOMOTIVE LTD.	EFT000000002736	AUTOMOTIVE SUPPLIES	177.88
STATE CHEMICAL LTD.	EFT000000002737	CHEMICALS	1,238.55
SUPERIOR PROPANE INC.	EFT000000002738	PROPANE	30.19
FJ WADDEN & SONS LTD.	EFT000000002739	SANITARY SUPPLIES	589.72
WATERWORKS SUPPLIES DIV OF EMCO LTD	EFT000000002740	REPAIR PARTS	10,367.49
WEIRS CONSTRUCTION LTD.	EFT000000002741	STONE/ROAD GRAVEL	2,330.12
WINDCO ENTERPRISES LTD.	EFT000000002742	FLAGS	600.30
BELL MOBILITY INC. RADIO DIVISION	EFT000000002743	MAINTENANCE CHARGES & REPAIRS	2,694.01
ACE CLEANING COMPANY	EFT000000002744	CLEANING SERVICES	34,711.84
CHOICES FOR YOUTH INC.	EFT000000002745	FRONT STEP CHOICES FOR YOUTH HPS ADVANCE	25,000.00
MUGFORD, WENDY	EFT000000002746	MILEAGE	281.45
WINSOR, MICHELLE	EFT000000002747	MILEAGE	82.88
COFFEY, DEREK	EFT000000002748	GRAVEL REIMBURSEMENT	191.17
FRANCIS SHEA	EFT000000002749	MILEAGE	35.34
O'BRIEN, LESLIE	EFT000000002750	VEHICLE BUSINESS INSURANCE	24.00
SHERRY MERCER	EFT000000002751	MILEAGE	36.26
STACEY ROBERTS	EFT000000002752	MILEAGE	60.36
JAMES LENNON MATCHIM	EFT000000002753	TUITION	400.00
DANIEL MARTIN	EFT000000002754	VEHICLE BUSINESS INSURANCE	381.95
LISA BENNETT	EFT000000002755	ELECTION STAFF	204.00
JENNIFER TIPPLE	EFT000000002756	TRAVEL ADVANCE	2,627.32
MIKE ADAM	EFT000000002757	MILEAGE	699.38
ANNA BAUDITZ	EFT000000002758	TRAVEL ADVANCE	272.92
HAYWARD, CHRIS	EFT000000002759	MILEAGE	393.00
ARITEC LP	EFT000000002760	REPAIR PARTS	18,745.75
HORSESHOE HILL CONSTRUCTION INC.	EFT000000002761	PROGRESS PAYMENT	195,337.62
PYRAMID CONSTRUCTION LIMITED	EFT000000002762	PROGRESS PAYMENTS	66,263.29
Total:			\$ 2,824,990.63

Addendum to Regular Minutes of October 16, 2017

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on October 23, 2017.**

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
1	Arctic Avenue C. A. Pippy Park Zone	4	<p>A Discretionary Use application has been submitted to the City of St. John's by Rogers Communications Inc. seeking approval of a site design in relation to a rooftop telecommunications site at the Memorial University Earth Science Building on Arctic Avenue.</p> <p>In accordance with the City of St. John's Siting Protocol for Wireless Facilities, the City of St. John's hereby notifies residents in the vicinity of Arctic Avenue Street of Rogers' intention to install an antenna system consisting of:</p> <ul style="list-style-type: none"> • Six (6) kathrein antenna, three (3) initial and three (3) future antennas, divided into 3 sectors on the rooftop. All sectors will be installed on the penthouse roof top. The antenna sectors on the penthouse will be installed at 2.0m above the penthouse roofline. The existing building is currently 16.675 metres for the main roof and 20.675 metres for the penthouse. • A 1.8m x 2.4m prefabricated equipment shelter, which will be installed on the main roof supported by a metal structure anchored to the roof structure. 				No Submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
2	650 Topsail Road Commercial Highway (CH) Zone	3	<p>A Discretionary Use application has been submitted by Atlantic Planning & Management Ltd. requesting approval to operate a Drive-Thru in association with a national brand coffee shop at 650 Topsail Road.</p> <p>The application is advertised in accordance with Section 7.30 “Drive-Thru Facilities” of the St. John’s Development Regulations.</p>				Three Submissions received (attached)	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

The Office of the City Clerk and the Department of Planning, Development & Engineering, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

G:\Planning and Development\Planning\ARCHIVED-NoticesPublishedLists\2017\27-Oct 23 2017 docx

Jason Sinyard, P. Eng, MBA
Deputy City Manager, Planning, Engineering and Regulatory Services



Re: Application for Drive-Thru at 650 Topsail Road 

City Clerk and Council to: Mary Burke

2017/10/04 01:04 PM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen
Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen

Good Afternoon Ms. Burke:

We acknowledge your feedback and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.


Any/all submissions received will be forwarded to Council prior to a final decision being reached.

Elaine Henley
City Clerk

Mary Burke

As a property owner at 63 Bonavista St, I am op...

2017/10/04 09:10:14 AM

From: Mary Burke 
To: cityclerk@stjohns.ca
Date: 2017/10/04 09:10 AM
Subject: Application for Drive-Thru at 650 Topsail Road

As a property owner at 63 Bonavista St, I am opposing operation of Drive-Thru business in association with national brand coffee shop at 650 Topsail Rd. It would increase noise levels in the area, garbage would also be an issue. It would also lower my property value , with a coffee shop practically in my backyard.

Thanks

Mary Burke

Sent from my iPad



650 Topsail Road 

City Clerk and Council to: Paulette Hardiman

2017/10/05 01:55 PM

Sent by: Elaine Henley

Cc: cityclerk, planning, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Kathy Driscoll, Ashley Murray, Maureen

Good Afternoon Ms. Hardiman:

We acknowledge receipt of your email and advise that your questions and concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for a response.

We thank you for your feedback.

Elaine Henley
City Clerk

Paulette Hardiman

Re application 650 Topsail Rd. Is this applicatio...

2017/10/05 11:07:19 AM

From: Paulette Hardiman 
To: planning@stjohns.ca, cityclerk@stjohns.ca
Date: 2017/10/05 11:07 AM
Subject: Fwd:

Re application 650 Topsail Rd.

Is this application for Tim's? Speaking to the attached application, specifically the last paragraph, why was there a drive-thru put in at Mary Brown's without notice to those who live within the radius of 150 meters? A while back this application was turned down due to residents signing a petition of objection to this drive-thru, these objections are still there so why is this happening? And why was it done without contacting the residents? We have enough to deal with in this area as it is, Gentara manages the builds in this area and you can't even get them to pick up the garbage on their property or cut the grass or replace the boards in their fence. The only time this area is noticed is when someone wants to squeeze another business in. The other day there was a crew working on a residents sewer, they dumped a load of crush stone in the cul-da-sac, they took their crush stone but left a mess in the street. Every year we pick up numerous bags of garbage from the business above us, cups/wrappers/pop cans/cigarette butts/all kinds of papers/even beer bottles. While I have no objection to the Tim's I do to Mary Brown's and will be asking the new council why this was done without following City Policy? Can you answer that question?



20171005_105351.jpg



Fw: 650 Topsail Road - approval to operate a Drive - thru
Elaine Henley to: Karen Chafe

2017/10/17 11:00 AM

for relevant file

ELAINE A. HENLEY
City Clerk
Office of the City Clerk
10 New Gower Street
P.O. Box 908
St. John's NL A1C 5M2
Telephone - (709) 576-8202
Cell - (709) 691-0451

----- Forwarded by Elaine Henley/CSJ on 2017/10/17 11:00 AM -----

From: Planning/CSJ
To: City Clerk
Date: 2017/10/16 02:05 PM
Subject: Fw: 650 Topsail Road - approval to operate a Drive - thru
Sent by: Donna L Mullett

----- Forwarded by Donna L Mullett/CSJ on 2017/10/16 02:05 PM -----

From: Brenda Thorne <[REDACTED]>
To: planning@stjohns.ca
Date: 2017/10/02 07:38 PM
Subject: 650 Topsail Road - approval to operate a Drive - thru

wondering if it is possible to get the company name that made the application regarding a drive thru? Looking at the map that I received today in the mail and I am strongly AGAINST this as this will bring unwanted noise, graffiti, potential crime. We have lived here for 45 years and this is a quiet family neighborhood and we would like to keep it that way. Not to mention that all properties affected will have major property value.

This is clearly a money making scam with little regard to the hard working people that have maintained and protected this community. Not to mention the safety of kids on the street. We dont need drunk, and unwanted people prowling our backyards and through our streets.

please provide better plans than just a map and also the company that is hopeful of taking the vacate space

thanks.

REPORTS/RECOMMENDATION

Development Committee

October 17, 2017 – 10:00 a.m.

1. Proposed Demo/Rebuild for Private Family Dwelling in Watershed INTI 700084 - 26A King's Hill Road

It is recommended by the Development Committee that Council only allow for the 50% expansion on the proposed dwelling for a total floor area of 77.34 m² in accordance with Section 104 of the City Act. Also only one accessory building is permitted on the lot. In order to approve the proposed accessory building, all other accessory buildings must be removed from the lot or a refundable security must be submitted to the City of St. John's for their removal.

Jason Sinyard

**Deputy City Manager – Planning, Engineering & Regulatory Services
Chairperson**

DECISION/DIRECTION NOTE

Title: Proposed Demo/Rebuild for Private Family Dwelling in Watershed
INT1700084
26A King's Hill Road
Greg Pike

Date Prepared: October 18, 2017 (Date of Next Meeting: October 23, 2017)

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Chair, Planning and Development Committee

Ward: Town of Portugal Cove – St. Philip's – Broad Cove River Watershed

Decision/Direction Required:

To seek approval by Council to rebuild a private family dwelling & a 29.7 m² accessory building in the Watershed.

Discussion – Background and Current Status:

An application was submitted requesting to demolish and rebuild a private family dwelling at 26A King's Hill Road. The property is located within the Broad Cove Watershed. Council may permit an extension of up to 50% as per Section 104 of the City of St. John's Act for existing building dilapidated 50% or more. Regulatory Services have inspected the property and determined that the property was more than 50% dilapidated and that is not economical to renovate the property.

The floor area of the existing dwelling is 38.67 m², and the applicant has proposed a floor area of 102.19m² for the new dwelling, which more than the 50% allowable expansion, as well there is an existing accessory building on site.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
Town of Portugal Cove- St. Phillip's
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications:
Section 104 of the City of St. John's Act
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.

The logo for St. John's features the words "ST. JOHN'S" in a bold, serif font. The letter "O" in "JOHN'S" is replaced by a stylized icon of a signal tower or antenna with three curved lines radiating from its base.

7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

Recommendation:

It is recommended by the Development Committee that Council only allow for the 50% expansion on the proposed dwelling for a total floor area of 77.34 m² in accordance with Section 104 of the City Act. Also only one accessory building is permitted on the lot. In order to approve the proposed accessory building, all other accessory buildings must be removed from the lot or a refundable security must be submitted to the City of St. John's for their removal.

Prepared by - Date/Signature:

Ashley Murray, Assistant Development Officer

Signature:  _____

Approved by/Date/Signature:

Jason Sinyard, P.Eng., MBA, Deputy City Manager – Planning, Engineering and Regulatory Services

Signature:  _____

AAM/dlm

Attachments: Not applicable.

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF Oct 12, 2017 TO Oct 18, 2017

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Subdivide to create 1 Additional Building Lot	26 Pitcher's Path	4	Approved	17-10-12
OT	Lat49 Architecture Inc.	Kenmount Terrace Community Center	85 Messenger Drive	4	Approved	17-10-16
RES		Demo/Rebuild for Single Family Dwelling	76 Allandale Road	4	Approved	17-10-16

* Code Classification:
RES - Residential INST - Institutional
COM - Commercial IND - Industrial
AG - Agriculture
OT - Other

** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

Gerard Doran
Development Supervisor
Planning, Engineering and
Regulatory Services

Building Permits List

Council's October 23, 2017 Regular Meeting

Permits Issued: 2017/10/12 To 2017/10/18

Class: Commercial

71 O'leary Ave	Co	Car Sales Lot
1-3 Petty Harbour Rd	Sn	Tavern
673 Topsail Rd	Co	Service Shop
344 Pennywell Rd	Nc	Patio Deck
70 Ruby Line	Rn	Mixed Use
35 Ridge Rd	Rn	Recreational Use
355-367 Main Rd, Bank N.S.	Rn	Bank
460 Kenmount Rd	Rn	Service Station
Avalon Mall, The Source	Rn	Retail Store
Avalon Mall, Jump	Cr	Retail Store
45 Hebron Way, Suite 102	Cr	Office
250 Southside Rd	Nc	Office

This Week \$ 18,814,992.00

Class: Industrial

10 U.S. Army Dock Rd - Pier 17	Sw	Accessory Building
--------------------------------	----	--------------------

This Week \$ 100,000.00

Class: Government/Institutional

This Week \$.00

Class: Residential

27 Brownrigg Pl	Nc	Fence
89 Cornwall Ave	Nc	Accessory Building
30 Country Grove Pl	Nc	Accessory Building
144 Diamond Marsh Dr, Lot 27	Nc	Single Detached Dwelling
146 Diamond Marsh Dr, Lot 26	Nc	Single Detached & Sub.Apt
50 Grenfell Ave	Nc	Patio Deck
50 Grenfell Ave	Nc	Fence
11 Irish Loop St	Nc	Accessory Building
4 Kitchener Ave	Nc	Mixed Use
12 Malta St	Nc	Patio Deck
13 O'driscoll Pl	Nc	Fence
110 Old Bay Bulls Rd	Nc	Accessory Building
3 Seaborn St	Nc	Accessory Building
168 Signal Hill Rd	Nc	Patio Deck
11 Sycamore Pl	Nc	Fence
9 Ventura Pl	Co	Home Office
15 Convent Sq	Cr	Apartment Building
396 Blackmarsh Rd	Ex	Single Detached & Sub.Apt
74-76 Howlett's Line	Ex	Single Detached Dwelling
169 Petty Harbour Rd	Ex	Single Detached Dwelling
11 Rankin St	Ex	Single Detached Dwelling
17 Balsam St	Rn	Townhousing
2 Central St	Rn	Single Detached Dwelling
58 Circular Rd	Rn	Semi-Detached Dwelling
27 Fagan Dr	Rn	Single Detached Dwelling
3 Laggan Pl	Rn	Single Detached Dwelling
84 Montague St	Rn	Townhousing
86 Montague St	Rn	Townhousing
88 Montague St	Rn	Townhousing

90 Montague St	Rn	Townhousing
92 Montague St	Rn	Townhousing
94 Montague St	Rn	Townhousing
96 Montague St	Rn	Townhousing
98 Montague St	Rn	Townhousing
39 Parsonage Dr	Rn	Single Detached Dwelling
7 Riverside Dr W	Rn	Mobile Home
1 Waterford Bridge Rd	Rn	Patio Deck
11 Bindon Pl	Sw	Single Detached Dwelling
51 Graves St	Sw	Single Detached Dwelling
13 Tralee St	Sw	Single Detached & Sub.Apt

This Week \$ 4,668,325.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 23,583,317.00

Repair Permits Issued: 2017/10/12 To 2017/10/18 \$ 70,000.00

Legend

Co	Change Of Occupancy	Sw	Site Work
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Sn	Sign
Nc	New Construction	Cc	Chimney Construction
Oc	Occupant Change	Dm	Demolition
Rn	Renovations		

Year To Date Comparisons			
October 23, 2017			
TYPE	2016	2017	% VARIANCE (+/-)
Commercial	\$106,262,926.00	\$136,782,520.00	29
Industrial	\$0.00	\$5,100,000.00	0
Government/Institutional	\$5,997,584.00	\$1,337,200.00	-78
Residential	\$61,261,359.00	\$74,913,682.00	22
Repairs	\$3,884,498.00	\$2,980,948.00	-23
Housing Units (1 & 2 Family Dwelling)	193	163	
TOTAL	\$177,406,367.00	\$221,114,350.00	25

Jason Sinyard, P. Eng., MBA
Deputy City Manager
Planning, Engineering & Regulatory Services

MEMORANDUM

Weekly Payment Vouchers For The Week Ending October 18, 2017

Payroll

Public Works	\$ 440,782.90
Bi-Weekly Administration	\$ 880,931.37
Bi-Weekly Management	\$ 912,773.22
Bi-Weekly Fire Department	\$ 810,480.08
Accounts Payable	\$ 3,403,001.98

Total: \$ 6,447,969.55

ST. JOHN'S

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

NAME	CHEQUE #	DESCRIPTION	AMOUNT
AUTOMATIONDIRECT	1316	REPAIR PARTS	862.29
SWANA	1317	MEMBERSHIP RENEWAL	264.94
IMPRIVATA INC.,	1318	SOFTWARE RENEWAL	1,724.59
SMITH STOCKLEY LTD.	113144	PLUMBING SUPPLIES	843.99
ENCON GROUP INC.	113145	HEALTH PREMIUMS	537.41
BELL MOBILITY INC.	113146	CELLULAR PHONE USAGE	167.76
BELL ALIANT	113147	TELEPHONE SERVICES	1,048.23
BRUCE W. CHAFE	113148	PROFESSIONAL SERVICES	200.00
MONT LINGARD	113149	PROMOTIONAL ITEMS	303.60
NEWFOUNDLAND EXCHEQUER ACCOUNT	113150	CERTIFICATE EXAM FEES	603.75
CITY OF ST. JOHN'S	113151	REPLENISH PETTY CASH	287.88
WEBBER, MARK	113152	PERFORMANCE FEE	275.00
JANES, SEAN	113153	TRAVEL REIMBURSEMENT	1,151.17
SQUIRES, RICK	113154	EMPLOYMENT RELATED EXPENSES	186.77
CITY OF ST. JOHN'S	113155	REPLENISH PETTY CASH	385.37
JOSEPHINE HAMMOND	113156	RECREATION PROGRAM REFUND	51.00
HERBERT HAMMOND	113157	RECREATION PROGRAM REFUND	51.00
ST. JOHN'S SOCCER ASSOCIATION U15 BOYS	113158	YOUTH SPORT TRAVEL GRANT	400.00
NEWFOUNDLAND EXCHEQUER ACCOUNT	113159	OCIO REMOTE ACCESS SERVICE	140.00
ACKLANDS-GRAINGER	113160	INDUSTRIAL SUPPLIES	941.59
GRECO PIZZA	113161	MEAL ALLOWANCES	51.59
THE UPS STORE #169	113162	COURIER SERVICES	69.42
CABOT AUTO GLASS & UPHOLSTERY	113163	CLEANING SERVICES	264.50
MUNICIPAL CONSTRUCTION LIMITED	113164	SAND AND GRAVEL	18,879.07
CAREW SERVICES LTD.	113165	BOULDERS	1,240.62
ROBERT BAIRD EQUIPMENT LTD.	113166	RENTAL OF EQUIPMENT	3,949.56
JW BIRD & CO. LTD.	113167	REPAIR PARTS	230.00
HERCULES SLR INC.	113168	REPAIR PARTS	215.58
CHARTERED PROFESSIONAL ACCOUNTANTS OF CANADA	113169	HANDBOOK	132.25
PLAZA BOWL LIMITED	113170	AFTER SCHOOL PROGRAM OUTING	99.75
EASTERN FARMERS CO-OP SOCIETY	113171	DUCK FOOD	449.66
MARITIME GREEN PRODUCTS	113172	REPAIR PARTS	422.07
BROWNE'S AUTO SUPPLIES LTD.	113173	AUTOMOTIVE REPAIR PARTS	834.55
DRL COACHLINES LTD	113174	BUS CHARTERS	1,265.00
FARRELL'S EXCAVATING LTD.	113175	ROAD GRAVEL	10,906.14
STAPLES THE BUSINESS DEPOT - STAVANGER DR	113176	STATIONERY & OFFICE SUPPLIES	137.63
LEXISNEXIS CANADA INC.	113177	PUBLICATION	372.38
NEW WORLD FITNESS	113178	MEMBERSHIP DUES FOR FIREFIGHTERS	413.78
CBS RENTALS LTD.	113179	RENTAL OF EQUIPMENT	127.56
SOBEY'S INC	113180	PET SUPPLIES	888.77
NORTRAX CANADA INC.,	113181	REPAIR PARTS	6,370.52
CLARKE'S TRUCKING & EXCAVATING	113182	GRAVEL	3,036.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CLEARWATER POOLS LTD.	113183	POOL SUPPLIES	1,631.67
CANADIAN RED CROSS	113184	CPR RECERTIFICATION	10,373.25
STEELE COMMUNICATIONS	113185	ADVERTISING	3,946.80
PETER'S AUTO WORKS INC.	113186	TOWING OF VEHICLES	203.54
COUNTRY TRAILER SALES 1999 LTD	113187	REPAIR PARTS	172.50
IMAGE FUSION INC.	113188	SELF ADHESIVE FOAM	1,324.37
HARTY'S INDUSTRIES	113189	STEEL FLAT BAR	345.00
LONG & MCQUADE	113190	REAL PROGRAM	771.86
GJ CAHILL & COMPANY LIMITED	113191	PROGRESS PAYMENT	74,371.27
WAJAX POWER SYSTEMS	113192	REPAIR PARTS	230.00
NORTH ATLANTIC MARINE SUPPLIES & SERVICES	113193	REPAIR PARTS	129.03
GOODLIFE FITNESS	113194	FITNESS MEMBERSHIP	123.34
WOLSELEY COMPANY INC.	113195	REPAIR PARTS	506.00
CANADIAN TIRE CORP.-HEBRON WAY	113196	MISCELLANEOUS SUPPLIES	748.24
CANADIAN TIRE CORP.-MERCHANT DR.	113197	MISCELLANEOUS SUPPLIES	454.53
CORE ENGINEERING INCORPORATED	113198	PROFESSIONAL SERVICES	4,715.00
21ST CENTURY OFFICE SYSTEMS 1992 LTD.	113199	OFFICE SUPPLIES	83.72
OMB PARTS & INDUSTRIAL INC.	113200	REPAIR PARTS	1,074.68
ABSTRACT & AUXILIARY SERVICES	113201	TITLE SEARCH	140.00
CITY WIDE TAXI	113202	TAXI SERVICES	7.50
LESTER'S FARM MARKET	113203	PUMPKINS	333.73
THAT PRO LOOK	113204	RECREATION SUPPLIES	339.30
PETTY HARBOUR CANVAS CO. LTD.	113205	PROFESSIONAL SERVICES	416.88
THE WORKS	113206	MEMBERSHIP FEES	127.20
EASTERN PROPANE	113207	PROPANE	32.20
COAST 101.1 FM	113208	ADVERTISING	1,380.00
ATLANTIC CRANE & MATERIAL HANDLING	113209	PROFESSIONAL SERVICES	2,597.35
THE DANCE SPECTRUM INC.	113210	REAL PROGRAM	61.24
GUILLEVIN INTERNATIONAL CO.	113211	ELECTRICAL SUPPLIES	703.04
HATCH MOTT MACDONALD	113212	PROFESSIONAL SERVICES	12,694.57
AVALON CLEANING & RESTORATION INC.	113213	PROFESSIONAL SERVICES	784.30
MURRAY'S LANDSCAPE SERVICES LTD.	113214	PROFESSIONAL SERVICES	543.38
HISCOCK RENTALS & SALES INC.	113215	HARDWARE SUPPLIES	734.92
TTI SALES & SERVICES INC.,	113216	REPAIR PARTS	29.24
MICROSOFT CANADA	113217	SOFTWARE RENEWAL	25,353.36
KANSTOR INC.	113218	REPAIR PARTS	660.10
RJ BARTLETT ENGINEERING LTD.	113219	PROFESSIONAL SERVICES	8,050.00
PETROFORMA INC.,	113220	REPAIR PARTS	153.45
ARCHITECTURE49 INC.	113221	PROFESSIONAL SERVICES	6,869.32
RFS CANADA	113222	LEASING OF OFFICE EQUIPMENT	285.91
UNIFORM WORKS LIMITED	113223	CLOTHING ALLOWANCE	659.99
MARK'S WORK WEARHOUSE	113224	PROTECTIVE CLOTHING	396.74

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ON POWER SYSTEMS INC.,	113225	REPAIR PARTS	59,627.50
TTL SUPPLY LTD.	113226	REPAIR PARTS	388.13
DISTRIBUTION NOW	113227	REPAIR PARTS	316.29
DEXTER CONSTRUCTION	113228	PROGRESS PAYMENT	132,270.80
MEMORIAL UNIVERSITY OF NFLD.	113229	EMPLOYEE TRAINING	500.25
VECTOR MEDICAL CORPORATION	113230	PROFESSIONAL SERVICES	1,354.40
ADVOCATE PRINTING	113231	OFFICE SUPPLIES	517.50
MOORE CANADA	113232	PARKING TICKETS	5,970.69
C.A. PIPPY PARK GOLF COURSE LTD.	113233	JIM CULLEN TRAINING	260.76
166 ROYAL CANADIAN SEA CADETS FORT TOWNSHED	113234	REFUND FIELD BOOKING	45.00
PETER PAN SALES LTD.	113235	SANITARY SUPPLIES	5,757.25
PINCHIN LEBLANC ENV. LTD	113236	PROFESSIONAL SERVICES	1,630.13
CA PIPPY PARK COMMISSION	113237	GROUNDS MAINTENANCE	16,905.00
PUROLATOR COURIER	113238	COURIER SERVICES	243.42
SMITH STOCKLEY LTD.	113239	PLUMBING SUPPLIES	140.23
CHANDLER	113240	CLOTHING ALLOWANCE	206.77
SPORTSCRAFT 1990 LTD.	113241	SPORTING EQUIPMENT	151.80
AETTNL	113242	MEMBERSHIP RENEWALS	276.00
TRACTION DIV OF UAP	113243	REPAIR PARTS	3,442.84
URBAN CONTRACTING JJ WALSH LTD	113244	PROPERTY REPAIRS	465.75
CANSEL WADE	113245	REPAIR PARTS	1,541.00
PAUL LEGROW & HEATHER DECKER	113246	REFUND OVERPAYMENT OF TAXES	3,055.06
10511 NEWFOUNDLAND INC.	113247	REFUND OVERPAYMENT OF TAXES	499.10
NANCY ELIZABETH GRIFFITHS	113248	REFUND OVERPAYMENT OF TAXES	197.27
POLLYANNA GALLERY LTD.	113249	REFUND OVERPAYMENT OF TAXES	75.10
MARTIN & THERESA HEFFERMAN	113250	REFUND OVERPAYMENT OF TAXES	204.00
PRO TECH CONSTRUCTION LIMITED	113251	REFUND OVERPAYMENT OF TAXES	5,000.00
MITCHELL KEOUGH	113252	OVERPAYMENT OF RENT	617.09
PAUL CHRISTOPHER MOOREHEAD	113253	REFUND SECURITY DEPOSIT	2,000.00
DAVID SAUNDERS & SARA DALLEY	113254	COURT OF APPEAL REFUND	60.00
CATHERINE EVANS	113255	ELECTION STAFF	263.50
DIANNE FITZGERALD	113256	ELECTION STAFF	263.50
LEONA HARVEY	113257	ELECTION STAFF	246.50
DEIRDRE WHITTEN	113258	ELECTION STAFF	229.50
COREY MULLETT	113259	ELECTION STAFF	263.50
PAULA CORCORAN	113260	ELECTION STAFF	246.50
VICKI HARNETT	113261	PERFORMANCE FEE	100.00
MARC BURTON	113262	LEGAL CLAIM	114.00
SUSAN KENNEDY	113263	RECREATION PROGRAM REFUND	80.00
LINDA FUREY	113264	RECREATION PROGRAM REFUND	45.00
LAUREL PENNEY	113265	RECREATION PROGRAM REFUND	24.00
FERGUS BROWN-O'BYRNE - THE FREELS	113266	PERFORMANCE FEE	400.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
STAPLES THE BUSINESS DEPOT - KELSEY DR	113267	OFFICE SUPPLIES	590.14
MAGNUM CONTRACTING LTD.	113268	PROFESSIONAL SERVICES	36,579.20
AQUARENA	113269	REAL PROGRAM	664.45
MSS LAND DEVELOPMENTS	113270	REFUND OVERPAYMENT OF TAXES	28,347.99
ELIZABETH O'REILLY	113271	RECREATION PROGRAM REFUND	30.00
HANRAHAN, MICHAEL	113272	PERFORMANCE FEE	400.00
SOBEYS ROPEWALK LANE	113273	MISCELLANEOUS SUPPLIES	99.71
GERRY SMITH	113274	HONORARIUM	200.00
ADR INSTITUTE	113275	WORKSHOP FEE	412.85
TOM CONWAY	113276	PERFORMANCE FEE	400.00
MARLIESE JANES	113277	TRANSLATOR SERVICES	150.00
JELLY BEAN ENTERTAINMENT	113278	ENTERTAINMENT	1,460.00
SOS 4 KIDS INC.	113279	MANUAL AND WALLET CARDS	862.49
MAURICE & DEBORAH DUNNE	113280	REFUND OVERPAYMENT OF TAXES	2,099.45
SHARON PORTER-TRASK	113281	HONORARIUM	200.00
ST. JOHN AMBULANCE NL COUNCIL	113282	HONORARIUM	1,000.00
KINNEY, JEANETTE	113283	HONORARIUM	200.00
BEATRICE O'REILLY	113284	RECREATION PROGRAM REFUND	37.00
CAROLA KERN	113285	TRANSLATOR SERVICES	75.00
PAUL WHITTLE	113286	REFUND SECURITY DEPOSIT	100.00
RUBY HANN	113287	RECREATION PROGRAM REFUND	72.00
DAN RUBIN	113288	PERFORMANCE FEE	400.00
THE BIG ULTIMATE SPORTS GRILL	113289	ATHLETE OF THE MONTH LUNCHEON	695.78
CLARITY CONFERENCING INC.	113290	EHSJ CONFERENCE CALLS	10.99
ROSALIND KIRBY	113291	RECREATION PROGRAM REFUND	49.00
AU, MEELING	113292	ELECTION STAFF	263.50
GRIFFITHS, GARETH	113293	VEHICLE BUSINESS INSURANCE	47.00
HUNT, EDMUND	113294	MILEAGE - CROSSING GUARD PROGRAM	69.26
ANDREA PERRY	113295	ELECTION STAFF	229.50
KEEPING, NEACHEL	113296	ELECTION STAFF	246.50
SHEPPARD, SUSAN	113297	MILEAGE - CROSSING GUARD PROGRAM	113.79
PERRY, MONA	113298	ELECTION STAFF	229.50
DEREK DUGGAN	113299	MILEAGE	108.74
SQUIRES, JESSICA	113300	TUITION	1,897.50
DARREN DODD	113301	VEHICLE BUSINESS INSURANCE	346.15
MADONNA HANLON	113302	ELECTION STAFF	263.50
MICHELLE DEVINE	113303	ELECTION STAFF	221.00
GREENE, PAUL	113304	ELECTION STAFF	263.50
ALANNA WICKS	113305	HERITAGE FORUM REGISTRATION	78.23
KINSELLA, PAULA	113306	MILEAGE - CROSSING GUARD PROGRAM	139.00
ALYSSA BRENNAN	113307	MILEAGE	214.05
DOUGLAS LAWRENCE	113308	ELECTION STAFF	178.50

NAME	CHEQUE #	DESCRIPTION	AMOUNT
KRISTOPHER CONNORS	113309	WEBINAR FEE	141.48
STACEY CORBETT	113310	ELECTION STAFF	250.00
MARIA CALLAHAN	113311	ELECTION STAFF	238.00
EILEEN MULLETT	113312	MILEAGE - CROSSING GUARD PROGRAM	139.00
VICTORIA LARKIN	113313	PERFORMANCE FEE	600.00
CARTWRIGHT DRILLING INC.	113314	PROFESSIONAL SERVICES	3,611.00
GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LTD.	113315	PROFESSIONAL SERVICES	6,174.24
ROCK SOLID CONCRETE CUTTING	113316	PROFESSIONAL SERVICES	402.50
BIRD CONSTRUCTION GROUP	113317	PROGRESS PAYMENT	446,480.58
AVALON TRIMLINE SIGNS	113318	PROFESSIONAL SERVICES	132.48
HAELYS INC	113319	PROFESSIONAL SERVICES	578.26
THE WILDS RESORT.	113320	BANQUET	1,750.13
ANTHONY TAYLOR	113321	MILEAGE - CROSSING GUARD PROGRAM	67.43
GERALD TILLEY	113322	MILEAGE - CROSSING GUARD PROGRAM	139.00
CHRISTA NORMAN	EFT000000002763	EMPLOYMENT RELATED EXPENSES	266.58
HAMLIN, DALLIS	EFT000000002764	TRAVEL REIMBURSEMENT	44.80
PINNACLE OFFICE SOLUTIONS LTD	EFT000000002765	PHOTOCOPIES	146.03
VOKEY'S JANITORIAL SERVICE	EFT000000002766	JANITORIAL SERVICES	648.14
GUNTHER MELE LIMITED	EFT000000002767	PROMOTIONAL ITEMS	395.12
NEWFOUND DISPOSAL SYSTEMS LTD.	EFT000000002768	DISPOSAL SERVICES	179.03
ORKIN CANADA	EFT000000002769	PEST CONTROL	458.30
GORDON BARNES	EFT000000002770	PROFESSIONAL SERVICES	2,400.00
SSQ INSURANCE COMPANY INC.	EFT000000002771	PAYROLL DEDUCTIONS	4,700.52
DESJARDINS FINANCIAL SECURITY	EFT000000002772	PAYROLL DEDUCTIONS	666,245.62
JONES, CHRISTINA	EFT000000002773	EMPLOYMENT RELATED EXPENSES	48.30
MELISSA MURRAY	EFT000000002774	EMPLOYMENT RELATED EXPENSES	37.38
MCLOUGHLAN SUPPLIES LTD.	EFT000000002775	ELECTRICAL SUPPLIES	2,468.57
NEWFOUNDLAND POWER	EFT000000002776	ELECTRICAL SERVICES	64,769.77
IRVING OIL MARKETING GP	EFT000000002777	GASOLINE & DIESEL PURCHASES	3,684.96
NEWFOUNDLAND POWER	EFT000000002778	ELECTRICAL SERVICES	901.65
DARLENE SHARPE	EFT000000002779	CLEANING SERVICES	750.00
PUBLIC SERVICE CREDIT UNION	EFT000000002780	PAYROLL DEDUCTIONS	4,066.42
CHRISTA NORMAN	EFT000000002781	EMPLOYMENT RELATED EXPENSES	266.58
AFONSO GROUP LIMITED	EFT000000002782	SEWER INSPECTIONS	828.00
ACTION CAR AND TRUCK ACCESSORIES	EFT000000002783	AUTO PARTS	316.91
ASHFORD SALES LTD.	EFT000000002784	REPAIR PARTS	348.57
ATLANTIC OFFSHORE MEDICAL SERV	EFT000000002785	MEDICAL SERVICES	2,828.54
ATLANTIC PURIFICATION SYSTEM LTD	EFT000000002786	WATER PURIFICATION SUPPLIES	4,700.29
AVALON FORD SALES LTD.	EFT000000002787	AUTO PARTS	156.31
KELLOWAY CONSTRUCTION LIMITED	EFT000000002788	CLEANING SERVICES	2,303.38
SMS EQUIPMENT	EFT000000002789	REPAIR PARTS	753.18
CABOT PEST CONTROL	EFT000000002790	PEST CONTROL	616.98

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CUSTOM GLASS & ACRYLICS	EFT000000002791	GLASS INSTALLATION/REPAIRS	224.25
ROCKWATER PROFESSIONAL PRODUCT	EFT000000002792	CHEMICALS	4,952.94
PRINT & SIGN SHOP	EFT000000002793	SIGNAGE	336.49
CLASS C SOLUTIONS GROUP	EFT000000002794	REPAIR PARTS	6,006.28
DBA CONSULTING ENGINEERS LTD.	EFT000000002795	PROFESSIONAL SERVICES	12,190.00
WESTERN HYDRAULIC 2000 LTD	EFT000000002796	REPAIR PARTS	2,399.04
ATLANTIC TRAILER & EQUIPMENT	EFT000000002797	REPAIR PARTS	215.78
PRACTICA LIMITED	EFT000000002798	SCOOP BAGS	2,351.75
CANADA POST CORPORATION	EFT000000002799	P.O. BOX RENEWAL	334.65
CANADIAN CORPS COMMISSIONAIRES	EFT000000002800	SECURITY SERVICES	27,168.16
AIR LIQUIDE CANADA INC.	EFT000000002801	CHEMICALS AND WELDING PRODUCTS	23,543.49
COASTAL DOOR & FRAME LTD	EFT000000002802	DOORS/FRAMES	615.25
NORTH ATLANTIC SYSTEMS	EFT000000002803	REPAIR PARTS	4,432.87
BEATTIE INDUSTRIAL	EFT000000002804	REPAIR PARTS	70.73
NORTH ATLANTIC SUPPLIES INC.	EFT000000002805	REPAIR PARTS	247.25
KENT	EFT000000002806	BUILDING SUPPLIES	423.80
DULUX PAINTS	EFT000000002807	PAINT SUPPLIES	1,077.55
COLONIAL GARAGE & DIST. LTD.	EFT000000002808	AUTO PARTS	3,428.87
CONSTRUCTION SIGNS LTD.	EFT000000002809	SIGNAGE	8,450.45
SCARLET EAST COAST SECURITY LTD	EFT000000002810	TRAFFIC CONTROL	6,195.20
J3 CONSTRUCTION LIMITED	EFT000000002811	RENTAL OF EQUIPMENT	44,762.60
CRANE SUPPLY LTD.	EFT000000002812	PLUMBING SUPPLIES	105.17
JAMES G CRAWFORD LTD.	EFT000000002813	PLUMBING SUPPLIES	2,550.17
ENVIROSYSTEMS INC.	EFT000000002814	PROFESSIONAL SERVICES	2,108.97
CUMMINS EASTERN CANADA LP	EFT000000002815	REPAIR PARTS	2,134.51
MCINNES COOPER	EFT000000002816	PROFESSIONAL SERVICES	690.00
CRAWFORD & COMPANY CANADA INC	EFT000000002817	ADJUSTING FEES	561.00
DICKS & COMPANY LIMITED	EFT000000002818	OFFICE SUPPLIES	2,770.91
EAST COAST HYDRAULICS	EFT000000002819	REPAIR PARTS	193.36
HITECH COMMUNICATIONS LIMITED	EFT000000002820	REPAIRS TO EQUIPMENT	603.75
REEFER REPAIR SERVICES (2015) LIMITED	EFT000000002821	REPAIR PARTS	573.21
DOMINION RECYCLING LTD.	EFT000000002822	PIPE	695.75
EAST COAST MARINE & INDUSTRIAL	EFT000000002823	MARINE & INDUSTRIAL SUPPLIES	6,791.43
ELECTROMEGA LTD.	EFT000000002824	REPAIR PARTS	11,472.63
ELECTRIC MOTOR & PUMP DIV.	EFT000000002825	REPAIR PARTS	364.55
NATIONAL ENERGY EQUIPMENT INC.	EFT000000002826	REPAIR PARTS	273.09
ENVIROMED ANALYTICAL INC.	EFT000000002827	REPAIR PARTS AND LABOUR	143.75
THE TELEGRAM	EFT000000002828	ADVERTISING	2,428.80
DOMINION STORE 935	EFT000000002829	MISCELLANEOUS SUPPLIES	156.90
BASIL FEARN 93 LTD.	EFT000000002830	REPAIR PARTS	64.69
EMERGENCY REPAIR LIMITED	EFT000000002831	AUTO PARTS AND LABOUR	16,273.25
REDWOOD CONSTRUCTION LIMITED	EFT000000002832	PROGRESS PAYMENT	205,915.39

NAME	CHEQUE #	DESCRIPTION	AMOUNT
FRESHWATER AUTO CENTRE LTD.	EFT000000002833	AUTO PARTS/MAINTENANCE	1,822.86
GAZE SEED 2015 INCORPORATED	EFT000000002834	FIELD MARKING POWDER	1,531.43
PRINCESS AUTO	EFT000000002835	MISCELLANEOUS ITEMS	1,139.45
IMPACT SIGNS AND GRAPHICS	EFT000000002836	SIGNAGE	442.75
QUALITY CLASSROOMS	EFT000000002837	SUPPLIES - RECREATION PROGRAMS	29.56
ENTERPRISE RENT-A-CAR	EFT000000002838	RENTAL OF VEHICLES	4,140.00
PROVINCIAL FENCE PRODUCTS	EFT000000002839	FENCING MATERIALS	2,162.00
XYLEM CANADA COMPANY	EFT000000002840	REPAIR PARTS	108.10
HARRIS & ROOME SUPPLY LIMITED	EFT000000002841	ELECTRICAL SUPPLIES	459.12
HARVEY & COMPANY LIMITED	EFT000000002842	REPAIR PARTS	4,919.36
NEWMAN'S CLEANING LTD.	EFT000000002843	CLEANING SERVICES	12,247.50
BRENNTAG CANADA INC	EFT000000002844	CHLORINE	12,271.70
RONA	EFT000000002845	BUILDING SUPPLIES	413.66
HICKMAN MOTORS LIMITED	EFT000000002846	AUTO PARTS	423.34
HOLDEN'S TRANSPORT LTD.	EFT000000002847	RENTAL OF EQUIPMENT	1,966.50
FLEET READY LTD.	EFT000000002848	REPAIR PARTS	3,647.05
HONDA ONE	EFT000000002849	REPAIR PARTS	104.93
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	EFT000000002850	REPAIR PARTS	350.18
UNIVAR CANADA	EFT000000002851	CHEMICALS	2,231.92
INFINITY CONSTRUCTION	EFT000000002852	TRIPLE MIX SOIL	448.50
RESCUE 7 INC.,	EFT000000002853	RECREATIONAL SUPPLIES	1,066.56
PENNECON ENERGY TECHNICAL SERVICE	EFT000000002854	PROFESSIONAL SERVICES	4,612.98
CH2M HILL	EFT000000002855	PROFESSIONAL SERVICES	11,357.40
ONX ENTERPRISE SOLUTIONS LIMITED	EFT000000002856	REPAIR PARTS	13,710.96
ISLAND HOSE & FITTINGS LTD	EFT000000002857	INDUSTRIAL SUPPLIES	175.17
PRINTER TECH SOLUTIONS INC.,	EFT000000002858	REPAIRS TO EQUIPMENT	917.13
KAVANAGH & ASSOCIATES	EFT000000002859	PROFESSIONAL SERVICES	12,428.63
WORK AUTHORITY	EFT000000002860	PROTECTIVE CLOTHING	258.75
KERR CONTROLS LTD.	EFT000000002861	INDUSTRIAL SUPPLIES	692.94
THE CARPET FACTORY SUPERSTORE	EFT000000002862	PROFESSIONAL SERVICES	85,181.78
CANADIAN AV INC.,	EFT000000002863	PROFESSIONAL SERVICES	509.74
J.A. LARUE	EFT000000002864	REPAIR PARTS	113.44
WSP CANADA INC.	EFT000000002865	PROFESSIONAL SERVICES	38,452.71
REXEL CANADA ELECTRICAL INC.,	EFT000000002866	REPAIR PARTS	129.45
MCCLOUGHLAN SUPPLIES LTD.	EFT000000002867	ELECTRICAL SUPPLIES	1,756.61
MIKAN INC.	EFT000000002868	LABORATORY SUPPLIES	381.51
FOUGERE MENCHENTON ARCHITECTURE	EFT000000002869	PROFESSIONAL SERVICES	18,845.63
CUTTING EDGE LAWN CARE INC.,	EFT000000002870	PROFESSIONAL SERVICES	4,127.47
PRINTERS PLUS	EFT000000002871	INK CARTRIDGE	175.95
CAPITAL AUTO CENTRE & GLASS REPAIR	EFT000000002872	REPAIR PARTS	483.00
MODERN PAVING LTD.	EFT000000002873	PROGRESS PAYMENT	645,420.81
WAJAX INDUSTRIAL COMPONENTS	EFT000000002874	REPAIR PARTS	143.13

NAME	CHEQUE #	DESCRIPTION	AMOUNT
NU-WAY EQUIPMENT RENTALS	EFT000000002875	RENTAL OF EQUIPMENT	1,848.62
NEWFOUNDLAND DISTRIBUTORS LTD.	EFT000000002876	INDUSTRIAL SUPPLIES	82.46
NL KUBOTA LIMITED	EFT000000002877	REPAIR PARTS	1,204.97
TOROMONT CAT	EFT000000002878	AUTO PARTS	4,961.51
NORTH ATLANTIC PETROLEUM	EFT000000002879	PETROLEUM PRODUCTS	77,982.70
PBA INDUSTRIAL SUPPLIES LTD.	EFT000000002880	INDUSTRIAL SUPPLIES	1,286.62
CW PARSONS LIMITED	EFT000000002881	PROFESSIONAL SERVICES	3,579.80
PARTS FOR TRUCKS INC.	EFT000000002882	REPAIR PARTS	3,628.97
THE HUB	EFT000000002883	BUSINESS CARDS	319.70
K & D PRATT LTD.	EFT000000002884	REPAIR PARTS AND CHEMICALS	1,920.52
PROFESSIONAL UNIFORMS & MATS INC.	EFT000000002885	PROTECTIVE CLOTHING	2,243.52
RIDEOUT TOOL & MACHINE INC.	EFT000000002886	TOOLS	468.80
NAPA ST. JOHN'S 371	EFT000000002887	AUTO PARTS	392.54
S & S SUPPLY LTD. CROSSTOWN RENTALS	EFT000000002888	REPAIR PARTS	1,495.17
BIG ERICS INC	EFT000000002889	SANITARY SUPPLIES	853.19
SAUNDERS EQUIPMENT LIMITED	EFT000000002890	REPAIR PARTS	100,055.31
SANSOM EQUIPMENT LTD.	EFT000000002891	REPAIR PARTS	1,980.65
SMITH'S HOME CENTRE LIMITED	EFT000000002892	HARDWARE SUPPLIES	266.01
STATE CHEMICAL LTD.	EFT000000002893	CHEMICALS	914.25
STEELFAB INDUSTRIES LTD.	EFT000000002894	STEEL	936.10
SUPERIOR OFFICE INTERIORS LTD.	EFT000000002895	OFFICE SUPPLIES	378.35
SUPERIOR PROPANE INC.	EFT000000002896	PROPANE	191.94
TOWER TECH COMMUNICATIONS & SPORTS FIELD LIGHTING	EFT000000002897	NETTING REPAIRS & INSTALLATION	1,893.85
TULKS GLASS & KEY SHOP LTD.	EFT000000002898	PROFESSIONAL SERVICES	642.26
FJ WADDEN & SONS LTD.	EFT000000002899	SANITARY SUPPLIES	429.53
WATERWORKS SUPPLIES DIV OF EMCO LTD	EFT000000002900	REPAIR PARTS	13,935.29
WEIRS CONSTRUCTION LTD.	EFT000000002901	PROGRESS PAYMENT	7,620.28
WESCO DISTRIBUTION CANADA INC.	EFT000000002902	REPAIR PARTS	613.55
WALLACE HAMMOND	EFT000000002903	PROFESSIONAL SERVICES	1,150.00
ACE CLEANING COMPANY	EFT000000002904	PROFESSIONAL SERVICES	4,140.00
CAN-AM PLATFORMS & CONSTRUCTION LTD.	EFT000000002905	PROGRESS PAYMENT	71,724.17
WENDY MUGFORD	EFT000000002906	TRAVEL REIMBURSEMENT	157.56
HARRIS, BRYANT	EFT000000002907	VEHICLE BUSINESS INSURANCE	89.76
HUNT, WILFRED	EFT000000002908	MILEAGE - CROSSING GUARD PROGRAM	104.32
PENNEY, LISA	EFT000000002909	MILEAGE - CROSSING GUARD PROGRAM	139.00
STRAIT, MARIE	EFT000000002910	MILEAGE - CROSSING GUARD PROGRAM	76.33
WELLS, SHERRY	EFT000000002911	REAL PROGRAM SUPPLIES	156.31
CINDY MCGRATH	EFT000000002912	MILEAGE	29.44
RING, MATTHEW	EFT000000002913	VEHICLE BUSINESS INSURANCE	198.32
STACEY ROBERTS	EFT000000002914	CTRS ANNUAL MAINTENANCE FEE	80.00
BENNETT, GLENN	EFT000000002915	MILEAGE - CROSSING GUARD PROGRAM	68.70
KRISTA WALSH	EFT000000002916	CLOTHING ALLOWANCE	125.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
SIMONE LILLY	EFT000000002917	MILEAGE	29.26
DAVE INNES	EFT000000002918	MILEAGE - CROSSING GUARD PROGRAM	53.43
STEPHEN KELSEY	EFT000000002919	MILEAGE - CROSSING GUARD PROGRAM	23.75
CHRIS HAYWARD	EFT000000002920	MILEAGE	171.05
CANCELLED	EFT000000002921	CANCELLED	0.00
ELLIOTT, JULIA	EFT000000002922	MILEAGE - CROSSING GUARD PROGRAM	42.27
ARMTEC LP	EFT000000002923	REPAIR PARTS	976.49
FIRST GENERAL	EFT000000002924	PROFESSIONAL SERVICES	9,194.25
IMPRINT SPECIALTY PROMOTIONS LTD	EFT000000002925	PROMOTIONAL ITEMS	6,491.08
ABERLE, TREVA	EFT000000002926	MILEAGE - CROSSING GUARD PROGRAM	139.00
Total:			<u>3,403,001.98</u>

MEMORANDUM

Date: October 19, 2017
To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley
From: John Hamilton – (Senior) Buyer
Re: Council Approval - Tender 2017195 Linegar Avenue Upgrading

This tender is to provide an upgrade to the Roadway and Water and Sewer services on Linegar Avenue.

The results of Tender 2017195 Linegar Avenue Upgrading are stated below:

Linegar Avenue Upgrading

Closing Date: Friday, October 13, 2017

<u>Vendor</u>	<u>Unofficial Value or Notes</u>
Weirs Construction Limited	\$1,751,427.58
Burse Excavating & Development Inc.	\$2,092,542.30
Dexter construction company Limited	\$2,294,198.14
Modern Paving Limited	\$2,473,188.85
Pyramid Construction Limited	\$2,898,262.20
Coady Construction & Excavating Limited	\$2,936,967.75

It is recommended to award this Tender to the lowest bidder meeting all specifications, **Weirs Construction Limited**, as per the Public Tendering Act.

Taxes (HST) extra to price quoted



John Hamilton
Buyer

ST. JOHN'S

MEMORANDUM

Date: October 19, 2017
To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley
From: Stephen Frew - Buyer
Re: Council Approval - Tender 2017161
Light Vehicle and Equipment Mechanical Repair Service

This tender is to provide mechanical repair service on a standing offer based on an hourly rate with an estimate of 7000 hours annually. This service covers repair and maintenance to our light duty vehicles. We are a heavy equipment garage and do not have the space to accommodate the light duty vehicles, therefore we must contract out this work.

The results of Tender 2017161 Light Vehicle and Equipment Mechanical Repair Service are stated below:

Light Vehicle and Equipment Mechanical Repair Service	
TENDER #2017161 – October 11, 2017 – 1:00 PM	
Emergency Repair Ltd.	\$55.50
Freshwater Auto Centre Limited	\$59.00
Turbo Tech Auto	\$59.95
Corporate Concierge Services Inc.	\$64.95
Tirecraft	\$69.00
Drive Line Machine Shop (Lee & Sons Ltd.)	\$74.00
City Tire & Auto Centre Ltd.	\$78.00

It is recommended to award this Tender to the two lowest bidders meeting all specifications, Emergency Repair Ltd. @ \$55.50 hourly rate and Freshwater Auto Centre Limited @ \$59.00 hourly rate as per the Public Tendering Act.

This contract is for a two year period, with an option for two, one year extensions.

Taxes (HST) included to total price quoted.

Stephen Frew
Buyer

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

MEMORANDUM

Date: October 16, 2017
To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley
From: Sherri Higgins– Buyer
Re: Council Approval - Tender 2017184 Sanitation Gloves

This tender is to provide gloves to the City's Sanitation workers. These gloves will be stocked in the City's Central Stores to ensure accessibility on an as required basis.

The results of Tender 2017184 Sanitation Gloves are stated below:

Cutting Edges		
TENDER #2017184 – September 26, 2017 - 2:00PM		
Staples Business Advantage Canada	Disqualified	\$8,918.25
Source Atlantic Ltd –Bid 1	Disqualified	\$12,744.88
S&S SUPPLY LTD	Disqualified	\$14,231.25
Rockwater Professional Products	Disqualified	\$14,990.25
Vallen Canada Inc.	Disqualified	\$15,306.50
North Atlantic Supplies	Disqualified	\$16,128.75
Source Atlantic Ltd. – Bid 2		\$17,298.88
BIG ERICS INC.		\$17,836.50
Fastenal Canada, Ltd.		\$17,931.38
Fastenal Canada, Ltd.		\$21,726.38
DistributionNOW		\$19,291.25
Kent Building Supplies		\$24,129.88
Acklands-Grainger Inc.		\$25,394.88
Mark's Commercial		\$35,609.75

It is recommended to award this Tender to the lowest bidder meeting all specifications, Source Atlantic (Bid 2), as per the Public Tendering Act.

This contract is for a two year period with the option to extend for two additional one year periods.

Taxes Included

Sherri Higgins - Buyer

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

MEMORANDUM

Date: Oct 19, 2017
To: Mr. Kevin Breen, Mr. Rick Squires, Ms. Elaine Henley
From: Sherri Higgins– Buyer
Re: Council Approval - Tender 2017148 Safety Supplies

This tender is to provide Safety Supplies to City employees. These supplies will be stocked in the City's Central Stores to ensure accessibility on an as required basis.

The results of Tender 2017148 Safety Supplies are stated below:

Safety Supplies	
TENDER #2017148 – Aug 16, 2017 - 12:45 PM	
Source Atlantic	\$5,257.18
Vallen Canada	\$4,361.70
McLoughlan Supplies Limited	\$3,226.71
Work Authority	\$2,923.00
Hazmasters Inc.	\$1,471.50
BDI Canada Inc.	\$1,311.55
Staples Business Advantage Canada	\$781.20

It is recommended to award this tender to the lowest bidders per section meeting the specifications for various safety supplies, as per the Public Tendering Act.

This contract is for a two year period with the option to extend for two additional one year periods.

Taxes (HST) extra to price quoted

Sherri Higgins
Buyer

ST. JOHN'S

DEPARTMENT OF CORPORATE SERVICES
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

	Campbell's Ships Supplies	HSE Integrated	Martin's Fire Safety Ltd.	Bellman's Industrial Supply	
	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>	<u>Bid 2</u>	<u>Bid 1</u>
Schedule	<u>Total</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Appendix A - Disposable Coveralls	\$ 2,276.28	Opted out of table	Opted out of table	\$ 1,640.40	\$ 1,141.17
Appendix A - Ear Protection	\$ 1,994.40	Opted out of table	Opted out of table	\$ 2,504.55	\$ 2,284.45
Appendix A - Extinguishers	Opted out of table	\$ 4,353.39	\$ 4,197.00	Opted out of table	Opted out of table
Appendix A - Eye Protection	Opted out of table	Opted out of table	Opted out of table	\$ 3,918.90	\$ 3,638.15
Appendix A - First Aid Kits	Opted out of table	Opted out of table	\$ 2,670.50	Opted out of table	\$ 1,645.90
Appendix A - Head Protection	Opted out of table	Opted out of table	Opted out of table	Opted out of table	\$ 4,432.00
Appendix A - Manual Reachers	Opted out of table	Opted out of table	Opted out of table	Opted out of table	\$ 2,139.50
Appendix A - Respirators & Filters	Opted out of table	Opted out of table	Opted out of table	Opted out of table	\$ 7,464.60
Appendix A - Spotter Lights	Opted out of table	Opted out of table	Opted out of table	Opted out of table	\$ 479.20
Appendix A - Traction Aids	Opted out of table	Opted out of table	Opted out of table	Opted out of table	Disqualified 2821.7

	S&S SUPPLY LTD	K&D Pratt	Eastern Ventures Inc	BDI Canada Inc
	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>
Schedule	<u>Total</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Appendix A - Disposable Coveralls	Disqualified 710.93	\$ 2,607.57	\$ 4,771.48	\$ 1,858.86
Appendix A - Ear Protection	Opted out of table	Opted out of table	\$ 4,776.94	\$ 2,252.52
Appendix A - Extinguishers	Opted out of table	\$ 3,911.00	Opted out of table	Opted out of table
Appendix A - Eye Protection	Opted out of table	Opted out of table	Opted out of table	\$ 4,799.16
Appendix A - First Aid Kits	\$ 3,073.80	\$ 3,264.55	\$ 2,120.05	\$ 1,873.71
Appendix A - Head Protection	Opted out of table	Opted out of table	Opted out of table	Opted out of table
Appendix A - Manual Reachers	Opted out of table	Opted out of table	Opted out of table	Opted out of table
Appendix A - Respirators & Filters	Opted out of table	Opted out of table	Opted out of table	\$ 1,311.55
Appendix A - Spotter Lights	Opted out of table	Opted out of table	Opted out of table	Opted out of table
Appendix A - Traction Aids	\$ 5,581.31	Opted out of table	Opted out of table	Opted out of table

	Work Authority	Hazmasters Inc	Source Atlantic Ltd	OMB Parts & Industrial Ltd.
	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>
Schedule	<u>Total</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Appendix A - Disposable Coveralls	\$ 1,488.00	\$ 1,236.30	\$ 1,349.34	\$ 4,765.38
Appendix A - Ear Protection	\$ 2,980.00	\$ 2,506.85	\$ 1,652.27	\$ 3,044.86
Appendix A - Extinguishers	Opted out of table	Opted out of table	Disqualified 2460.92	Opted out of table
Appendix A - Eye Protection	\$ 2,923.00	\$ 4,667.44	\$ 3,593.34	\$ 9,114.69
Appendix A - First Aid Kits	\$ 1,962.00	\$ 1,471.50	\$ 1,487.85	Opted out of table
Appendix A - Head Protection	Opted out of table	Opted out of table	\$ 3,604.91	Opted out of table
Appendix A - Manual Reachers	Opted out of table	Opted out of table	Opted out of table	Opted out of table
Appendix A - Respirators & Filters	Opted out of table	\$ 4,066.00	Opted out of table	\$ 3,152.08
Appendix A - Spotter Lights	Opted out of table	Opted out of table	\$ 264.37	Opted out of table
Appendix A - Traction Aids	\$ 3,602.00	Opted out of table	\$ 5,016.54	Opted out of table

	Acklands-Grainger Inc	McLoughlans	PBA Industrial Supplies Ltd.	Micmac Fire & Safety Source
	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>
Schedule	<u>Total</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Appendix A - Disposable Coveralls	\$ 1,918.56	\$ 1,745.94	\$ 5,115.00	\$ 2,225.30
Appendix A - Ear Protection	\$ 3,110.91	\$ 2,283.47	\$ 7,125.25	\$ 2,673.48
Appendix A - Extinguishers	\$ 4,135.56	\$ 2,967.21	Opted out of table	\$ 3,313.90
Appendix A - Eye Protection	\$ 2,990.02	\$ 3,077.84	Opted out of table	\$ 5,161.80
Appendix A - First Aid Kits	\$ 2,391.46	\$ 1,618.65	\$ 5,014.00	\$ 2,675.95
Appendix A - Head Protection	\$ 4,507.21	\$ 4,333.26	Opted out of table	\$ 5,131.65
Appendix A - Manual Reachers	Opted out of table	Opted out of table	Opted out of table	Opted out of table
Appendix A - Respirators & Filters	\$ 2,255.21	\$ 3,886.47	\$ 6,600.00	\$ 2,263.45
Appendix A - Spotter Lights	Opted out of table	\$ 259.50	Opted out of table	\$ 581.25
Appendix A - Traction Aids	Opted out of table	\$ 3,277.80	Opted out of table	Opted out of table

	Staples Business Advantage Canada	Vallen Canada	KENT BUILDING SUPPLIES	DistributionNOW
	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>	<u>Submission 1</u>
Schedule	Total	Total	Total	Total
Appendix A - Disposable Coveralls	\$ 781.20	\$ 1,456.93	\$ 2,956.73	\$ 5,377.53
Appendix A - Ear Protection	\$ 2,575.05	\$ 2,242.12	\$ 4,903.75	\$ 4,133.16
Appendix A - Extinguishers	\$ 3,889.83	\$ 3,908.89	\$ 7,898.75	\$ 6,993.19
Appendix A - Eye Protection	\$ 3,636.12	\$ 4,511.89	\$ 16,954.26	\$ 9,056.69
Appendix A - First Aid Kits	\$ 1,536.90	\$ 1,624.10	Opted out of table	\$ 4,358.91
Appendix A - Head Protection	\$ 6,751.05	\$ 4,275.05	Opted out of table	\$ 6,889.69
Appendix A - Manual Reachers	\$ 3,162.50	\$ 1,540.00	\$ 3,437.50	Opted out of table
Appendix A - Respirators & Filters	\$ 2,062.57	\$ 6,761.58	\$ 8,171.25	\$ 14,108.26
Appendix A - Spotter Lights	\$ 497.68	\$ 600.15	\$ 828.12	Opted out of table
Appendix A - Traction Aids	\$ 3,847.44	\$ 3,149.35	Opted out of table	Opted out of table

DECISION/DIRECTION NOTE

Title: Standing Committee Review Final Report

Date: Oct. 20, 2017

Report To: Mayor and Council

Councillor and Role: ALL

Ward: N/A

Decision/Direction Required: Accept and Approve the Report on Standing Committees as attached.

Discussion – Background and Current Status:

Council directed staff to undertake a review of Standing Committees (SC) as per Council Directive#: R2017-05-01/8 and to ensure it was completed prior to Election 2017. The impetus for the review came from the April, 2017 Community Services and Housing Standing Committee where there was a recommendation to create a new SC specific to Housing. After discussion, “Council agreed that staff commence a comprehensive review of City Standing Committees during the summer, similar to the recent review completed on Advisory Committees.”

The SC review endeavoured to provide perspective and recommendations on both the governance issues as well as operational matters related to the effective and efficient functioning of SCs for the City. Specifically, the review was designed to:

- Determine which SCs the City needs to align with structure and function now and into the future;
- Review existing terms of reference and make recommendations on the content for revised terms of reference;
- Consider the role of Council and staff in SCs including the role of chair.

Additionally, the review was to consider the timing of current Council meetings as part of the governance process and make recommendations on any changes.

On June 19, 2017, as part of a Council directive regarding the Board of Directors of St. John's Sports and Entertainment Ltd. (SJSEL), it was noted that the question of enshrining the City representative as the Chair of that Board be referred to the review of Council SCs.

ST. JOHN'S

Scope of Work –Research

As part of the review process, the following activities were undertaken:

- Meetings with Councillors
- Meetings with Senior Staff connected to Standing Committees
- Meetings with City Clerk Staff
- Meetings with Legal Department
- Jurisdictional Scan
- Review of existing process and practices,
- Review of documentation including minutes, agendas, departmental mandates

The research and analysis phases were completed between May and July, 2017.

Key Considerations/Implications:

1. Budget/Financial Implications

Implementation of some aspects of the recommendations have financial implications, specifically, streaming and live broadcast for committee and Council meetings.

2. Partners or Other Stakeholders

St. John's Sports and Entertainment; staff at all levels who prepare materials for and/or participate in standing committees.

3. Alignment with Strategic Directions/Adopted Plans

While there is nothing overt in the Strategic plan regarding undertaking a review of this nature, outcomes from the review could support the City's efforts to be an effective organization as good governance is tied directly to this strategic direction.

4. Legal or Policy Implications

Existing city legislation and policy was reviewed for any implications resulting from changes/recommendations in this report. Several recommendations note the need for additional review and adjustments to certain bylaws.

5. Engagement and Communications Considerations

Council and staff involved in standing committees were consulted through the review process. Ongoing communications around the changes recommended and revised process for meetings are required to ensure the public, staff and Council understand the changes.

6. Human Resource Implications

Organizational Performance and Strategy led the review process. With the change in approach to standing committees, the City Clerk's office will need to align staff with the new approach.

7. Procurement Implications

Implications as it relates to live streaming and appropriate technology purchases.

8. Information Technology Implications

Implications as it relates to live streaming and appropriate technology purchases.

9. Other Implications

N/A

Recommendation: Accept and approve the report as presented and specifically, the seven recommendations which are outlined in detail in the report. Develop a draft terms of reference to guide the Committee of the Whole (COTW) approach. Develop a pilot project evaluation plan. These items should be brought forward to the first COTW meeting.

Prepared by: Victoria Etchegary, Manager, Organizational Performance and Strategy

Reviewed by: Derek Coffey, Deputy City Manager, Finance and Administration and Elaine Henley, City Clerk

Approved by: Kevin Breen, City Manager

Standing Committee Review

October 2017

Prepared by the Division of Organizational
Performance and Strategy, Department of
Finance and Administration, City of St. John's



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Definitions

Governance: “The process, or the power, of governing; government or administration.”

Standing committee: “Refers to the fact that the committee “stands” or continues to exist for the life of the parent body. In municipal practice, this generally means for the life of a particular council.”

Committee of the whole: “A committee comprising all the members of a legislative body, etc. under more informal rules than those used in a regular session. In the City of St. John’s this means the entire Council.”

Consent Agenda: “A consent agenda is a meeting practice which packages routine committee reports, Board meeting minutes, and other non-controversial items not requiring discussion or independent action as one agenda item.”

Bylaw: “A rule adopted by an organization chiefly for the government of its members and the regulation of its affairs; a local ordinance”

Executive Summary

Scope of Work

As per Council directive, a review was undertaken to provide perspective and recommendations on both the governance issues as well as operational matters related to the effective and efficient functioning of Standing Committees (SC) for the City of St. John's. Additionally, the review considered the timing of Regular Council meetings.

On June 19, 2017, as part of a Council directive regarding the Board of Directors of St. John's Sports and Entertainment Ltd. (SJSEL), it was noted that the question of enshrining the City representative as the Chair of that Board be referred to the review of Council SCs.

Research

To ensure a comprehensive review, research was undertaken both internally and externally and included a combination of one-on-one interviews, group meetings, and a jurisdictional scan. Research was conducted between May and July, 2017.

Current State

The current structure of SCs does not align with departmental structure. Additionally, the Rules of Procedure bylaw for the St. John's Municipal Council references committees in terms of procedure i.e. where they fit on the agenda, but does not provide clear direction on the role of SCs.

SCs do not have decision making authority. SCs are currently chaired by Councillors and report to Council as a whole. Some committees meet very regularly whereas others do not have cause to meet more than three to four times per year.

SCs provide an opportunity for staff and Councillors to discuss and debate issues and bring recommendations forward to Council for its consideration.

The Findings

Overall, through both the internal and external research, it is clear that the current SC structure and Rules of Procedure Bylaw at the City of St. John's require adjustments to better meet the existing and emerging needs of Council and improve overall governance. The use of Committee of the Whole (COTW), a consent agenda, establishing clear alignment for committees with departmental mandates and strategic priorities, and providing clearer reporting mechanisms and better access to the public were all raised as issues. Other jurisdictions have comprehensive and regularly updated bylaws, terms of reference or policies related to their governance structures.

Recommendations

Seven recommendations are made in this report. One of the recommendations entails a pilot of a new approach to committee meetings generally which requires an evaluation at the end of the pilot to determine its overall effectiveness as a governance tool before final decisions are made on whether to continue with this approach.

Conclusion

Undertaking a review such as this highlights key areas around governance that can be improved upon. With the recommendations contained within this report, Council's SC structure would better meet the needs of Council today and into the future, provide improved and timely access to committees for discussion and recommendations, and more easily make information available to the public related to the decision-making process.

Scope of Work

Council directed staff to undertake a review of Standing Committees (SC) as per Council Directive#: R2017-05-01/8 and to ensure it was completed prior to Election 2017. The impetus for the review came from the April, 2017 Community Services and Housing Standing Committee where there was a recommendation to create a new SC specific to Housing. After discussion, “Council agreed that staff commence a comprehensive review of City Standing Committees during the summer, similar to the recent review completed on Advisory Committees.”

The SC review endeavours to provide perspective and recommendations on both the governance issues as well as operational matters related to the effective and efficient functioning of SC for the City. Specifically, the review was designed to:

- Determine which SCs the City needs to align with structure and function now and into the future;
- Review existing terms of reference and make recommendations on the content for revised terms of reference;
- Consider the role of Council and staff in SC including the role of chair.

Additionally, the review was to consider the timing of current Council meetings as part of the governance process and make recommendations on any changes.

On June 19, 2017, as part of a Council directive regarding the Board of Directors of St. John’s Sports and Entertainment Ltd. (SJSEL), it was noted that the question of enshrining the City representative as the Chair of that Board be referred to the review of Council SCs. This review has made recommendations in this area as well.

Research

Council was provided with an outline of the scope of work for the project and type of research to be undertaken for this review in May, 2017 ([Appendix I](#)). To ensure a comprehensive review, research was undertaken both internally and externally and included a combination of one-on-one interviews, group meetings, and a jurisdictional review. Research was conducted between May and July, 2017. Specifically, the following research activities were undertaken:

Meetings with Councillors

All councillors were invited to participate in the research. Interviews took place with six councillors; four of whom are on the current Council.

Meetings with Senior Staff

One meeting was held with the Senior Executive Committee (SEC) and one-on-one meetings were held with lead staff affiliated with SCs that are currently not departmentally focused, i.e. Police and Traffic; Economic Development, Tourism and Public Engagement; and Audit and Accountability.

Meetings with City Clerk’s Office

Meetings were held with the staff of the City Clerk’s Office to review current scope and breadth of SCs, any existing terms of reference, identification of history of changes to standing committees, scheduling of meetings, range and scope of topics covered and participation in meetings.

Meeting with City Solicitor

A meeting was held with the City Solicitor to determine any legislative requirements regarding SCs.

Jurisdictional Scan

Other cities were reviewed for structure, form and reporting relationships around governance. This was carried out through a combination of online governance bylaw review, interviews and an online survey with their staff.

Reviewed Existing Documentation

Reviewed type and function of briefing notes used in the City's SC meetings for 2016, i.e. information notes, decision notes, types of reports going to SC, number of meetings per year, cancellations and overall participation and connection to departmental reporting structure.

Current State

Evolution of SC

Currently, the City of St. John's has seven SCs:

- Public Works;
- Finance and Administration;
- Planning and Development;
- Audit and Accountability;
- Economic Development, Tourism and Public Engagement;
- Community Services and Housing;
- Police and Traffic.

When SCs were first established, there were four of them. As City departments evolved over time, the four core committees remained but their names changed and additional committees were added. With changes to the city structure in 2013 and the subsequent election that year, Public Engagement was added to title of the Economic Development and Tourism SC. Audit was added as an SC in 2006 with the Accountability aspect added several years later. Police and Traffic was an operational committee until Council made it an SC late in 2015. Housing was added to the title of Community Services SC in 2015.

With departmental changes in 2016 following the City's program review, standing committee titles remained status quo. The current organizational structure does not align with the SC and this results in the work of some divisions being spread across SCs. For example, Events, Services and Culture which are components of the Division of Economic Development, Culture and Partnerships fall under the Community Services and Housing Standing Committee while Economic Development and Tourism are covered under Economic Development, Tourism and Public Engagement. As well, Public Engagement as a support function now rests in the Department of Finance and Administration. Police and Traffic Standing Committee does not capture transportation studies and the like which are a key component of the city's transportation engineering division's work. Some items originating from the Division of Engineering related to road construction, water and sewer replacement, etc. currently go to Public Works SC even though engineering as a function falls under Planning, Engineering and Regulatory Services. There are currently some divisions within departments that do not fall under an existing

standing committee at all and therefore this may lead to confusion about where an item from a division should go.

Role of SC in Governance

Standing Committees do not have decision making authority. In the majority of jurisdictions SCs are always subordinate to Council. At the City of St. John's there is currently no bylaw that deals specifically with the role of SC. The Rules of Procedure for the St. John's Municipal Council references committees in terms of procedure i.e. where they fit on the agenda but does not provide clear direction on the role of SCs. It is the consensus of staff and Council that SCs currently exist at the pleasure of Council and that they provide an opportunity for staff and Councillors to discuss and debate issues and bring recommendations forward to Council as a whole for its consideration. SCs are open to the public, meaning anyone can attend and observe.

Role of Council

All Councillors are currently members of all SCs and SCs are chaired by one member of Council. However, the Rules of Procedure bylaw requires that only two members of Council are required for a quorum for specific Standing Committees named in the bylaw (Executive Committee; Finance and Administration Committee; Public Works, Environment and Protection Committee; Planning and Development Committee; and Parks, Recreation, Tourism, and Economic Development Committee). For all other Committees a majority of members constitutes a quorum. The SC chair tables the report of the SC in Council chambers and acts as spokesperson to that SC's agenda/outcomes. Council currently determines who chairs SC every two years through an expression of interest and voting process organized by the City Clerk's office. This is currently undertaken in a Special Meeting and ratified at a Regular Meeting.

Role of Staff

The City Clerk's office coordinates all administrative aspects of SCs including logistics, agendas, liaison with lead staff and Councillors. They also prepare reports from committees to be used in public agendas for Council and minutes of meetings to be posted on the city's website. Senior staff, in consultation with the Council chair, determine agenda relative to the mandate of the committees they are accountable for and prepare appropriate briefing materials. SEC reviews all standing committee agendas prior to the agenda being published.

Terms of reference

None of the existing standing committees have detailed terms of references. Existing objectives of each standing committee are noted in [Appendix II](#). Police and Traffic Standing Committee does not have any written stated objectives.

Briefing Notes

The City adopted a briefing note process late in 2015 replacing the former memo template. The City uses two types of briefing notes: information notes and decision/direction notes. The former are used to provide Council with updates or information related to initiatives that do not require Council decision. The second requires a recommendation from the SC to go to Council in public chamber for decision.

Schedules

For the most part, the City Clerk's office schedules SC meetings on a monthly basis at the beginning of the year to ensure meeting space and staff/Councillors needed for meetings are available. These are scheduled to take place over the lunch hour, usually between 12 and 2 p.m. The dates are posted on the city's calendar of events as well. However, committees meet only when there are agenda items to be brought forward. Some committees meet on a near monthly basis whereas others may meet only three times a year. In some cases, agendas are comprised primarily of information notes which do not require decision of Council whereas other agendas are comprised primarily of decision notes. A breakdown of the number of times SCs met in 2016 as well as the approximate percentage of decision notes to information notes is included in [Appendix III](#). There were 47 standing committee meetings in 2016 with about half of the agenda items requiring a decision and recommendation at Regular meeting of Council.

Legislation

The City's current legislation, the City of St. John's Act, RSNL 1990 c. C-17, as amended (the "Act") makes no mention of standing committees. However, the [Rules of Procedure for the St. John's Municipal Council By-Law](#) notes that:

"90. The Council may from time to time appoint committees.

91. The Mayor shall be an ex-officio voting member of all Committees, except the Senior Advisory Committee which shall be comprised solely of employee officials of Council. (Amended 02/03/92; #1274)

92.(1) A majority of the members of any committee shall constitute a quorum.

(2) Notwithstanding subsection (1) hereof the quorum for the following standing committees of Council shall be two members of Council:

1. Executive Committee
2. Finance and Administration Committee
3. Public Works, Environment and Protection Committee
4. Planning and Development Committee
5. Parks, Recreation, Tourism and Economic Development Committee."

The bylaw was last updated in 2012. The By-Law is not reflective of current SC structure and does not clearly define and distinguish between SC and other types of committees.

Reporting

Agendas for SCs comprise information and decision notes related to the topics of the meeting, i.e. business of Public Works or Community Services. Additionally, minutes from advisory committees, experts' panels and working groups are tabled at relevant SC meetings and any items requiring recommendation to Council are forwarded on within a report of the SC to Council for discussion and decision at a public meeting. Only those items requiring a decision are included in the report to Council. Minutes from SC are posted on the relevant committee page on the City's [website](#).

The Findings

Internal perspective

Meetings with internal staff, including City Clerk's Office, SEC, City Solicitor and other lead staff involved in SCs, as well as Council members, focused on the key elements of the review as outlined in the scope of work. Given that the jurisdictional scan had been completed prior to these meetings, items of interest from other jurisdictions were also discussed for their applicability to the City of St. John's. A copy of the various questions used in the discussions is included in [Appendix IV](#).

Key observations from these discussions included governance overall, terms of reference and accountability for standing committees, reporting process, structure of departments and relationship to standing committees, frequency of meetings, and process for establishing SCs.

Governance and process

The Rules of Procedure By-Law does not reflect the current state of governance. This review demonstrates that more councillors need to participate in SCs to ensure healthy and comprehensive discussion of items prior to recommendations going to the public chamber for vote. The absence of clearly defined terms of reference that relate to accountability/purpose of each SC including Council and staff role confuses the decision making process. In some cases, staff may have the authority to make a decision on an item but it may go forward with a decision note to a SC. Additionally, there is a need to find the balance between operations and higher level policy and strategy discussions to ensure SCs are not primarily operational in nature or getting "too much in the weeds."

The current process to determine who chairs committees has challenges given that there are more Councillors than current SCs. This results in some councillors not chairing a SC during their term on Council.

There was a view among Councillors that there needs to be better use of "committee of the whole" as a governance tool and that there should be a defined process to allow more focus on governance and strategic initiatives overall. Councillors discussed the idea of having "portfolios" or key areas which they can focus on during their term on Council.

There is currently no defined and approved process for the establishment of a SC or its discontinuance, or other committees of Council for that matter.

Role of the public

There is a lack of clarity around the role that members of the public should play in SC; for example Audit and Accountability and Police and Traffic have public representatives whereas none of the other SCs have a defined role for the public.

Governance and structure

Some items on SC agendas may not line up with the role of the standing committee. This appears to be the result of a misalignment of SCs with current organizational structure and/or outdated scoping documents for SCs. Some departments/divisions report to multiple SCs which can create confusion about where items should go and potentially create a disconnect between items of a strategic nature. This can also lead to a lack of transparency as it may not always be clear where an item is recorded.

Special or closed meetings

Currently, Council has the legislative authority to hold Special Meetings that are closed to the public and where minutes of that meeting are not subject to disclosure. The Act does not state what can be discussed in those meetings. Council enacted a Freedom of Information By-Law that gives it authority to only discuss certain matters in the Special Meeting: personnel, legal or intergovernmental. There is no clear legislative authority for other types of private meetings. However, there is a desire for better use of an “in camera” proceeding to allow for discussion of items that are not yet ready for public discourse while maintaining open and transparent decision making. Many cities clearly outline how they manage special or in-camera proceedings in their governance or procedural bylaws. A need to have options for meetings to discuss other matters/topics that are in their infancy and require brainstorming or private conversation was noted through the research. Currently there is no mechanism to do so. The Access to Information and Protection of Privacy, 2015 provides rules regarding what information can and cannot be disclosed to the public such as draft legislation and proposals/policy that are not yet implemented.

Reporting and meeting frequency

The use of decision and information notes has improved information sharing at SCs but they need to include more information around such things as communications/engagement implications to ensure clear understanding of requirements in these areas. It is important that all key considerations and implications in these documents be addressed prior to the notes going to Council.

There is some inconsistency in what is included in reports to Council from SC, i.e. some information notes are included if Council requests them to be included in the public report whereas others are not. This creates inconsistency in reporting and can be perceived as a significant lack of transparency.

Given that committees only meet when there are agenda items, there is sometimes a perception that SCs are not meeting frequently enough and that there is a lag in public reporting if committees do not meet. Additionally, there was some discussion suggesting that information notes could be shared outside of the scope of a meeting, perhaps in an information package format.

While this review only considered the role of SC within governance, there is a perceived gap in reporting from separate commissions and corporations such as SJSEL and the St. John’s Transportation Commission.

Some committees do not need the same frequency of meetings given that they may not need to bring items forward for Council decision or that the departmental work involves longer planning/implementation times, i.e. Audit and Accountability.

Other items

The City has other committees that fall outside the standing or advisory scope that could use clarity in purpose as well, such as the Taxi Committee, Cruise Committee.

Jurisdictional Scan

The jurisdictional scan provided a good overview of how cities across the country handle governance. Cities of a variety of sizes and Council compositions were reviewed. Items reviewed elsewhere included frequency of both Council and SC meetings, use of COTW and the administrative procedures used in these meetings as well as the process for establishing committees. A detailed overview is attached in [Appendix V.](#)

Online Scan	Follow up survey/calls
<ul style="list-style-type: none"> ○ Regina ○ Saskatoon ○ Calgary ○ Edmonton ○ Burlington ○ London ○ Guelph ○ Kelowna ○ Victoria ○ Fredericton 	<ul style="list-style-type: none"> ○ Vancouver ○ Calgary ○ Regina ○ Guelph ○ Saskatoon ○ Fredericton

Governance

Most cities have governance or procedural by laws that specify the type of committees (SC and others) they have in place including their mandates, policy areas and delegated authorities. In addition, many cities that have SCs also have some type of governance and priorities SC, which consists of all members of Council and functions as a COTW requiring majority participation. This COTW’s mandate, policy areas and delegated authority are also appended to the bylaw. Audit is almost always a stand-alone committee to allow it to maintain its arms-length nature from the day-to-day business of Council and often includes oversight for risk management.

Governance and priorities committees often include a focus on such topics as structure, governance, intergovernmental affairs, corporate policy, strategic plans, legal, citizen appointments and some city departments report to that type of committee – i.e. office of the city manager, legal.

Some councils have a specific role for the Mayor or Deputy Mayor on governance and priorities committees whereas others simply treat both as ex officio members with voting rights for all SCs. Some cities have specific committees that oversee regional services – these meet less frequently than other SCs. Some SCs have a vice-chair role; this is not frequent. Some councils have an assigned number of Councillors on SCs, usually between four and seven but all members can attend. In some cases, only those who are official members can vote while others can participate in discussion but do not vote. Some cities set mandatory participation for SCs and report annually on attendance. A few cities delegate more authority to their SCs but ensure majority number of Councillors on them. Some cities rotate councillor lead for SCs every year whereas others do so every two years or maintain the leads for the term of Council.

Most cities hold an organizational meeting of Council annually as part of the governance discussion and some also do this for SCs. These meetings set the parameters for how Council will be organized for the term of Council or for the year/two-year period for SC appointments, including the process for selection of chairs of committees and the voting process for chair positions itself as well as a review of the focus areas for Council and the SCs for the year.

Some items/business of Council have other means of discussion rather than a SC such as task forces, commissions, boards, etc. In the case of commissions and boards they may have a regional lens and be structured as a corporation. This was particularly true for such items as housing, economic development, fire, and police where other municipalities or partners are involved.

Cities have processes in place to establish a committee, for example in Edmonton:

“When a Council Committee is established, by bylaw, Council must: Name it; Establish Terms of Reference; Establish the term of appointment, or direct that the committee exists at the pleasure of Council; Establish requirements for reporting to Council or a Standing Committee; and allocate any necessary budget or other resources.”

SC and City structure

In most cases, where SCs are still used, there is an alignment with the organizational structure of the city. This means that all items related to a department align with the appropriately named SC. The exceptions would be for the governance/strategic priorities and audit committees. In cases where there are SCs, some cities have a senior staff person i.e. a deputy manager level position, the city clerk and a city solicitor assigned to each committee along with the council chair and appointed councillors. Many cities have separate operational committees for items such as traffic but include transportation planning and other types of planning under the broader planning and development banner.

Agendas and frequency of meetings

Many cities have moved to less frequent meetings of Council, for example twice a month or monthly.

Cities are more frequently using consent agendas to streamline meeting time. Consent agendas are used to expedite approval of non-controversial business that comes before a committee. The use of a consent agenda is an effective tool to take care of agenda items that need formal approval but are routine in nature or have been thoroughly discussed during previous meetings. Typically the following items are considered for grouping in consent agenda.

- Committee meeting minutes
- Committee and staff reports
- Updates or background reports provided for information only
- Correspondence requiring no action
- Staff/public appointment to a committee requiring committee confirmation
- Final approval of proposals or reports that staff have been dealing with for some time and are familiar with the implications
- Routine contracts that fall within policies and guidelines
- Confirmation of documents or items that need no discussion but are required by the bylaws.

Council retains the ability to pull something from the consent agenda prior to the meeting if it is deemed discussion worthy and the governance bylaw addresses the process by which to do this.

Committee of the whole

Several cities use the committee of the whole (COTW) process instead of SCs or in combination with SCs. COTW is a committee of all Councillors that functions similar to a SC and is used to describe meetings whereby items are discussed in a more informal way but decisions are not made. Using COTW allows for participation of all Councillors, requires a majority for quorum, and ensures items are dealt with in a timely manner because COTW generally meets more frequently than individual SC. Cities that have moved to this approach hold at least one COTW meeting per month. Several cities carried out a pilot project of this approach before moving to a full time system. Following the pilot, they moved forward with this approach on an ongoing basis. According to a decision note at the City of Guelph: “Potential

benefits of the Committee-of-the-Whole system for City Council, in conjunction with the procedural changes, include:

- Full Council participation on all matters at the committee level; reducing duplication and items which move back and forth from Council to Committee of-the-Whole
- Fewer total number of meetings (exclusive of special meetings)
- Reduced duplication of debate and discussion between committee and Council
- Streamlined and simplified decision making processes resulting in more timely decisions
- Focused public delegation input at Committee-of-the-Whole and receipt of correspondence at Council

Potential benefits of the Committee-of-the-Whole system for the public and administration include:

- Predictable and simplified meeting schedule (Committee-of-the-Whole)
- Delegates only have to attend one meeting of Council to address all members of Council.”

To successfully implement the COTW structure in this way, some councils allocate a portion of the COTW agenda to a specific city department/theme and rotate on a meeting-by-meeting basis, for example, one meeting might see Public Works and Planning items and the next meeting might see two different topics. In some cases, the agendas are dictated by the items that need to be brought forward for that meeting. In all cases, the mayor chairs the COTW and Councillors have lead items they speak to in COTW as well as in public meetings and with the media.

[Terms of reference](#)

Cities use a combination of terms of reference/bylaw to articulate the role/scope of their committees. These documents usually outline a combination of large items the committee has oversight on, outline any plans or strategic directions the committee has accountability for providing direction to, and speak to the roles and responsibilities of Council and staff.

[External boards/sports related organizations](#)

There are very few cities with organizations such as SJSEL, which is a corporation with a City appointed Board of Directors who direct and manage the affairs of Mile One and the Convention Centre. That being said, many cities own facilities such as Mile One and the St. John’s Convention Centre. Three organizational structures seem to be common in operation of sports/convention facilities:

- Cities operate the facility as a City unit;
- Facility is managed/governed by a board or commission which includes city representatives;
- Facility is managed/operated by a 3rd party private operator.

It is not the common practice that the boards or commissions are chaired by Council members. Rather, most municipalities have adequate staff and elected official representation on these boards/commissions and regular reporting is built in to their governance model. Some examples are included in [Appendix VI](#).

Recommendations

Recommendation # 1

Use Consent Agenda and Information Packages

Move to a consent agenda for a portion of public meetings of Council as well as for any COTW or SCs that will streamline meeting process and ensure that Council focuses its time on items requiring discussion and debate.

Establish a regular information package. The scope of the information package and frequency of same such be discussed to ensure it best meets the information needs while not becoming an administrative burden.

Recommendation # 2

Pilot COTW to replace standing committees

Other cities that have piloted the use of COTW have found that it reduced overall meeting time, increased participation in committee level work amongst all council members and provided timeliness, and more transparency for the work of Council.

Council should pilot this approach starting with the new Council, and evaluate whether it is working against a set of criteria to be established prior to the pilot. It is recommended that the pilot run from November 2017 to June 2018. During summer 2018 the pilot would be evaluated against its objectives and a recommendation made to Council for consideration of whether to retain the COTW structure or move back to a SC structure. Should the latter be the case, it is recommended that standing committees would be aligned with structure.

COTW meetings should be chaired by the Mayor and take place in the Foran/Greene Room to allow for increased public access and be scheduled to span the lunch break as is current practice but include additional time (three hours in total) at the beginning of the pilot. Two COTW meetings per month should be scheduled to start the pilot. Length and frequency of meetings should be monitored and adjustments made throughout the pilot to ensure efficiency of meetings while allowing for good debate and discussion of topics. Use of the consent agenda should ensure meetings stay on time. As is best practice elsewhere, assigned Councillors would have departments/topics they would speak to on the agendas, similar to a SC chair role and as Council spokespersons. Governance and Strategic Priorities should be a regular topic as well for which the mayor would lead discussion.

Governance/strategic priorities agenda items would be added to the COTW agenda on an as needed basis and be determined by the Mayor, in consultation with the City Manager, City Clerk and City Solicitor. Sample COTW agendas from the City of Guelph can be found on their [website](#).

The process for determining Council lead for a department/topic would remain unchanged with an expression of interest and voting process as part of the annual governance/committee establishment meeting. The City Manager, City Clerk, and the Mayor should lead the process which should take place in the appropriate COTW meeting.

It is recommended that Audit maintain its SC status and focus solely on its Audit role with terms of reference to match (see sample terms of reference for Audit Standing Committees in [Appendix VII](#)) and

consider adding risk management to its mandate. It is recommended that public persons with an audit background continue to serve on this SC. Best practice is two public persons.

It is recommended that Audit meet on a quarterly basis.

Recommendation # 3

Make changes to other committees impacted by the recommendations above

It is recommended that Police and Traffic revert to its function prior to 2015 which was as an operational committee with public representatives and staff to provide advice to staff. Items discussed from the operational committee could be used to inform decision notes or information notes that go forward to the COTW where transportation matters would be discussed more fully.

It is recommended that the City consider reestablishing the Economic Roadmap 2021 Liaison Committee or establish an economic development task force or advisory committee to advise on the advancement of the Economic Roadmap 2021 and that this committee be chaired by an external person as is best practice in other cities.

Recommendation # 4

Use of Decision and Information Notes and reporting of Boards/Commissions

Reinforce the practice of developing comprehensive briefing notes where all key considerations and implications are fully developed and alignment with strategic and other plans is clearly articulated with documentation from the plans.

Ensure that the governance documents from commissions and boards clearly articulate the type and frequency of reporting from these bodies and to which Council committee they report.

Recommendation # 5

General governance

Review the Rules of Procedure Bylaw and determine the legislative mechanism to address procedural, governance, and SC matters considering the following:

- All aspects of the city's governance including the administration of meetings and committees including types of reports and frequency of reports to come forward to committees and Council as well as sample agendas; this should consider whether all reports include information notes and decision notes or whether these sit only on agendas.
- The mandate/scope of committees which aligns with strategic plans and priorities;
- Guidelines around the establishment and dissolution of committees generally;
- Council and staff's role in committees;
- Organizational establishment requirements for committees.
- Process and guidelines for special/in camera meetings.

A number of best practice bylaws and terms of reference from other municipalities is included as a guide in [Appendix VIII](#). However, it is important to note that each jurisdiction has different legislative authority to enact regulations and sometimes best practices in other municipalities are not permitted by our legislation. This review would need to include the Legal Department and the office of the City Clerk. The review should result in a new approach to coincide with the conclusion of the pilot of COTW in June 2018.

Recommendation # 6

Weekly public council meetings

The Act specifies that Council will meet at least on a weekly basis. Council meetings have been taking place at 4:30 p.m. on Mondays for many years now. To date, there has been no issue with this time of day or day of the week. While it is the view of some Councillors that weekly meetings may not be required, and that Council should move to a bi-weekly format, the Act does not allow for this change. Therefore, it is not recommended that any changes to frequency or time of weekly meetings take place at this time. However, should there be an appetite to move to bi-weekly meetings, Council could provide direction to have the City Act adjusted. It is the view of the author, as well as many Councillors, that it is necessary that meetings take place after normal working hours to maintain access for the public and transparency. Recommendation on meeting time: Status Quo. That being said, Council should consider means by which to live stream/broadcast and make available to the public all public meetings of Council whether they be Regular meetings or SC/COTW meetings to enhance access and transparency.

Recommendation # 7

Chairmanship of St. John's Sports and Entertainment

SJSEL is a separate corporate entity governed by the Corporations Act and its own corporate bylaw. The best practice in similar organizations is to have a public person chair its board, therefore, status quo is recommended at this time. Additionally, given that the corporate bylaw needs updating to ensure clarity of the roles of the City and the Board of Directors, it is recommended that a more thorough review of the Corporation's governance be undertaken. This may have implications for other City commissions and boards. ([See Appendix IX](#))

Conclusion

Much of the City's governance documentation is not reflective of current practice. Further, the bylaw and legislation does not have clear processes for the establishment of Committees. With a new Council elected in Sept. 2017, the City is in a unique position to establish good governance practice and protocols to coincide with the start of a new Council. It is important that the recommendations in this report be taken in whole to ensure they become enshrined in the organizational culture and help shape the organization's governance for the future. An outline of the criteria to be evaluated to determine the effectiveness of the COTW pilot recommended in this report will need to be developed and approved by Council as well.

Appendices

Appendix I Scope of Work

INFORMATION NOTE

Title: Standing Committee Review - Scope of Work and Timelines

Date: Prepared: May 5, 2017

Report To: Mayor and Council

Councillor and Role: ALL

Ward: N/A

Issue: Council has directed staff to undertake a review of Standing Committees as per Council Directive#:R2017-05-01/8. This note outlines the process and timelines to be undertaken to ensure the review is completed prior to Election 2017.

Discussion – Background and Current Status:

At the April Community Services and Housing Standing Committee there was a recommendation to create a new Standing Committee specific to Housing. After discussion “Council agreed that staff commence a comprehensive review of City Standing Committees during the summer, similar to the recent review completed on Advisory Committees. This review will be completed before the new Council is inducted. All committees will remain the same until the review is completed.”

With an election upcoming in September, 2017, it is imperative that the review be completed in a timely manner, recommendations be brought forward to Council for approval and the new processes be in place prior to the swearing in of the new Council in October, 2017.

Scope of Work – Standing Committee Review

The Standing Committee review will endeavor to review both the governance issues as well as operational matters related to the effective and efficient functioning of the Standing Committees for the City’s governance. Specifically, the review will:

- Determine which standing committees the City needs to align with structure and function now and into the future
- Review existing Terms of Reference and make recommendations on the content for revised Terms of Reference
- Consider the role of Council and Staff in Standing Committees including the role of Chair.

Additionally, the review will consider the timing of current Council meetings as part of the governance process and make recommendations on any changes.

As part of the review process, the following activities will be undertaken:

ST. JOHN'S

- Meetings with Councillors
- Meetings with Senior Staff connected to Standing Committees
- Meetings with City Clerk Staff
- Meetings with Legal Department
- Jurisdictional Scan
- Review of existing Process and Practices,
- Review of documentation including minutes, agendas, departmental mandates

The research and analysis phases will be completed between May-July, 2017. Recommendations will be brought forward in August, 2017 with a goal to have the new structure approved in September and operational in time for the new Council which will be sworn in in Oct. 2017.

Key Considerations/Implications:

1. Budget/Financial Implications

Review being undertaken has no financial implications at this time.

2. Partners or Other Stakeholders

N/A

3. Alignment with Strategic Directions/Adopted Plans

While there is nothing overt in the Strategic plan regarding undertaking a review of this nature, outcomes from the review could support the City's efforts to be an effective organization as good governance is tied directly to this strategic direction.

4. Legal or Policy Implications

Existing City legislation and policy will be reviewed for any implications resulting from changes/recommendations.

5. Engagement and Communications Considerations

Council and staff involved in standing committees will be consulted through the review process. Once recommendations are approved, communications will be required to ensure staff are aware of changes and the new Council is oriented to the changes.

6. Human Resource Implications

Organizational Performance and Strategy staff will be leading the review process with support from the City Clerk's Office.

7. Procurement Implications

None at this time.

8. Information Technology Implications

None at this time.

9. Other Implications

Changes will need to be implemented prior to the new Council coming on board after the election to ensure a smooth transition and clear roles and responsibilities. As the City begins the process for its next strategic plan, key strategic directions should also be considered in the context of where they fit and align with Standing Committees. Changes to Standing Committee structure could result in reporting relationship changes with Advisory Committees or other committees of Council.

Conclusions/Next Steps:

Staff will proceed with the review as per the scope of work and timelines as outlined.

Prepared by/Signature: Victoria Etchegary, Manager, Organizational Performance and Strategy

Approved by/Date/Signature: Derek Coffey, Deputy City Manager, Finance and Administration

Appendix II Terms of Reference/Objectives of Existing Committees

Audit and Accountability Standing Committee:

- Overseeing the City's financial reporting process including internal control processes, procedures for financial reporting and the monitoring of the integrity and appropriateness of the City's financial statements;
- Ensuring and monitoring the adequacy of financial, operational and compliance internal controls and risk management processes designed to manage significant business risk exposures;
- The selection, compensation, independence and performance of the external auditors; and
- Monitoring of compliance against corporate business and strategic plans and budgetary objectives.

Community Services and Housing Committee:

- To provide policy direction for facilitating community access to inclusive and accessible housing, arts, culture, and recreation programs and services that promote an active, engaged and supported community;
- To provide policy direction for the enforcement of the Standard Parking and Animal Control Regulations in the City of St. John's.

Economic Development, Tourism and Public Engagement Standing Committee:

- Overseeing the administration of staff initiatives including the Strategic Economic Roadmap and the Municipal Arts Plan;
- Reviewing tourism and cultural development initiatives and providing direction on such.

Finance and Administration Standing Committee:

- Reviewing financial reports relevant to the operational and capital works of the City;
- Making recommendations to Council on financial policies and strategies;
- Making recommendations to Council respecting policies and procedures relating to human resource management, materials management and information technology;
- Coordinating the preparation of the annual budgets and making recommendations to Council on budget and taxes;
- Undertaking any other policy recommendations on financial matters

Planning and Development Standing Committee:

- Review short and long plans for the sustainable growth of the City through the use of zoning principals which benefit the community, protect the integrity of neighbourhoods, promote commercial and industrial development which support the economy and provide a wide variety of amenities to support a healthy, active lifestyle across the demographic spectrum;
 - Policy review dealing with the administration of the St. John's Municipal Plan, as well as the interpretation and enforcement of the St. John's Development Regulations that flow from the Plan. Staff provide advice and planning support to the committee;
 - Protection of the City's built heritage through the promotion of heritage values and encouragement of planned urban design through consultation with owners and developers;
 - Forming part of the Planning and Development process the City promotes and enables the production and maintenance of Affordable Housing. The Planning and Development Committee
-

ensures affordable housing opportunities exist through enabling zoning legislation and through the support of Council through research on current and future trends in housing sustainability.

Public Works Standing Committee:

- Overseeing the implementation of council policy with regard to such things as garbage collection and disposal, water and sewerage facilities, street repair and maintenance, snow clearing and ice control;
- Making policy recommendations on the above-mentioned matters.

Police and Traffic – no current terms of reference

Appendix III Overview of Committee Meetings and Type of Notes Used

Overall, there is approximately a 50/50 split between information and decision notes at standing committees. However, this changes depending on which standing committee is being looked at.

Planning and Development

- Met 12 times in 2016
- Approximately 50/50 split between information and decision notes.

Public Works

- Met six times in 2016
- There are more decision notes than information notes. Approximately a 60/40 split.

Economic Development, Tourism, and Public Engagement

- Met five times in 2016.
- Majority of the notes are information notes, about a 70/30 split.

Finance and Administration

- Met 10 times in 2016.
- Majority of notes are decision notes.

Audit and Accountability

- Met four times in 2016.
- They use a standard audit template.
- Some IN and DN related to strategic plan/accountability framework in 2017

Community Services and Housing

- Met seven times in 2016.
- Tends to be a 50/50 split between information and decision notes.

Police and Traffic

- Met three times in 2016
 - There tends to be a 60/40 split between information and decision notes.
-

Appendix IV Discussion Questions for Staff and Council

Questions for City Clerk's office

1. How is it determined what standing committees are needed? When does this happen?
2. How often does the name/focus of a SC change?
3. Who drafts T of R? Do all committees have T of R? What is connection between T of R and strategic plan? If any?
4. What is the process to become chair? Ever been any Vice-chairs?
5. What is the rationale to rotate chairs every 2 years?
6. What role do mayor and DM play in Standing Committees?
7. How are items determined for the agenda? Who drives the agenda?
8. How is the briefing note/information note process working?
9. How many Councillors sit on each SC? Is there a cap? Minimum?
10. How much time between SC meeting and Council meeting? When Council votes on something, what is the process to inform staff? Is this working?
11. How are recommendations coming from SC currently tracked for progress? Outstanding items for follow up? Etc..?
12. How are councilors prepared to take on role of Chair? Orientation? Training?
13. Anything else you want to add about the current functioning of Standing Committees?

Questions for SEC

1. What is working effectively with the current Standing Committee structure?
 2. What do you feel may not be working effectively?
 3. When you think of our standing committees, what do you think is their primary purpose as it relates to governance? Why do we need them?
 4. Has the DN/IN process improved functioning of SC? How? What could still be improved?
 5. Some cities have moved away from Standing Committees to committee of the whole. What do you think of that approach? Conversely, some Cities have invested more authority to their SCs. Do you feel that standing committees should have more authority? How would this work?
 6. Currently any councilors can sit at a standing committee which means all SCs are in theory committees of the whole, however only two members are required for quorum. Do you think this is effective? What would work best?
 7. Some cities have a minimum number of councillors at SC and require majority for quorum. Do you feel this could work for St. John's? Should we have assigned Councillors to committees? Minimum numbers?
 8. What role should the mayor or deputy mayor play in standing committees? Are there specific types of SC or committees of the whole that mayor and DM should play more of a role in?
 9. Some cities have adopted a consent portion of an agenda which means all items of an information nature are bundled. Could this work for St. John's and allow SCs to cover broader accountabilities.
 10. What process should the city put in place to determine a) whether a standing committee is required b) who chairs or sits on a SC c) whether a SC continues to be needed?
 11. How frequently do SCs need to meet? In the absence of SC, what other means does or should Council have to discuss City matters?
 12. Most cities align their SCs with their structure. We have not. Should this be the approach?
 13. Most cities have strategic deliverables built in to the accountability of the standing committee. We have not done this? What are your thoughts on this?
 14. Some cities have, at the first meeting of the year, a review of all outstanding items – i.e. directive, updates etc. and determine status, next steps? What are your thoughts on this?
-

15. Some Councils have an executive committee or “strategic” or “governance” or “intergovernmental” type of committee. How does St. John’s currently address items of this nature? Could a committee add focus? Clarity
16. Any other comments?

Questions for City Solicitor

1. What legislation currently governs Council committees? What would need to change if adjustments were made to committee structure?
2. What could be clarified or cleaned up through this review process?
3. Anything else I need to know to guide this review process?

Questions for lead staff for other SCs not departmental

1. How is your current standing committee working? How did the SC work prior to 2013?
2. How often does your SC meet? Why do you meet? Who requests the meetings?
3. What types of items typically go to this SC? IN? DN?
4. What role does SC have in directing work of any plans? What role should it have?
5. If there was only one SC for the department, how would this impact your SC items? Do you have any concerns about this approach?
6. If there was only committee of the whole? How do you think your departmental items would need to be addressed?
7. What role should advisory or other public committees play in advancing strategies and plans impacting your work?
8. What are your main concerns as it relates to your area and standing committee?

Questions for Council members

1. Regular council meetings – current time – should this change? Delegations continue? Does Council need to meet every week?
 2. Why would Council need to change the time of current special and public? What should be considered before the decision is made?
 3. What role should the public play in informing that decision?
 4. When you think of our standing committees, what do you think is their primary purpose? Why do we have standing committees? Why are they needed? What role do they play in governance?
 5. Has the DN/IN process improved functioning of SC? How? What could still be improved?
 6. Some cities have moved to committee of the whole and away from SC. What do you think of that approach? Some Cities have invested more authority to their SCs. Do you feel that standing committees should have more authority? How would this work?
 7. Currently any councillors can sit at a standing committee which means all SC’s are actually committees of the whole, however only two members are required for quorum. Do you think this is effective? What would work best?
 8. Some cities have a minimum number of councillors at SC and require majority for quorum. Do you feel this could work for St. John’s?
 9. Some cities ensure Councillors serve on all SCs during the term of their Council – i.e. one year per committee and no more than 2 committees at a time. What do you think of this?
-

10. Some cities allow Councillors not serving on a committee to attend but they cannot participate and/or vote. Thoughts?
 11. What role should the mayor or deputy mayor play in standing committees? Are there specific types of SC or committees of the whole that mayor and DM should play more of a role in?
 12. Some cities have adopted a consent portion of an agenda which means all items of an information nature are bundled. Could this work for St. John's and allow SCs to cover broader
 13. What process should the city put in place to determine a) whether a standing committee is required b) who chairs or sits on a SC c) whether a SC continues to be needed?
 14. How frequently do SCs need to meet? In the absence of SC, what other means does or should Council have to discuss City matters?
-

Appendix V Jurisdictional Scan Overview

	St John's	Regina	Saskatoon	Calgary	Edmonton	London	Fredricton	Burlington	Vancouver	Guelph	York Region	Victoria
Number of councillors	Mayor, deputy and 9 councillors	Mayor and 10 councillors	Mayor and 10 councillors	Mayor and 14 councillors	Mayor and 12 councillors	Mayor and 14 councillors	Mayor and 12 councillors	Mayor and 6 councillors	Mayor and 10 councillors	Mayor and 12 councillors	21	Mayor and 8 councillors
Is council full time/part time/combination of both	Part-time, mayor FT	Combination	Combination	Full-time	Full-time	Combination	Part-time	part-time	Combination	Part-time	Combination	Part-time
Number of standing committees	7	4	4	4	5	5	6	3 - two are committee of the whole	2	up until 2016 they had 6 - now have none	0	0
Frequency of Council meetings*	weekly	bi-weekly	monthly	twice per month	weekly	twice monthly	every two weeks	monthly	every two weeks	every two weeks - one meeting focused on planning matters and the other to deal with committee of the whole items	monthly	bi-monthly
Standing committee/committee of the whole meeting fequency	Varies by committee	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Bi-weekly	bi-monthly	Bi-weekly	weekly
Number of councilors sitting on each standing committee?	11	5	5	7	4	5	5	all except for audit which has 4	6	-	-	-
Standing committees align with city departments	x	✓	✓	✓	✓	✓	✓	✓	✓	-	-	-
Size of quorum	2	5	Majority of councillors (3)	Majority of councillors (4)	Majority of councillors (3)	Majority of councillors(3)	2 + the chair	4	Majority of councillors (4)	Majority of councillors	Majority of councillors	Majority of councillors
Terms of reference for each standing committee	objectives for some	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Have executive/goverance committee	x	✓	✓	✓	✓	x	✓	x	x	✓	x	x
Committee of the whole	x	x	x	x	x	x	x	✓	✓	✓	✓	✓
Number of councilors sitting on committee of the whole	-	-	-	-	-	-	-	All councillors	All councillors	All councillors	All councillors	All councillors
Use consent agenda	x	x	✓	✓	x	✓	x	✓	✓	✓	✓	✓
Population	~110,000	~215,000	~245,000	~1.2 million	~930,000	~510,000	~60,000	~175,000	~630,000	~130,000	~1 million	~85,000

1. What city are you from?	2. How many councillors does your city have?	3. Which best describes your Council?	4. Which best describes the meeting frequency of your standing committees?	5. What processes do you have to determine which councillor is selected for each standing committee?	6. What processes do you have to determine which committees become standing committees?	7. How many councillors sit on each standing committee?	8. How many councillors are required to make up a quorum in standing committees?	9. How often do your standing committees change?
Vancouver	8-10.	Some combination of full time and part time	Bi-weekly	Selection done by the Mayor's office (at large system)	Define in the procedure by-law	More than 9	The majority of councillors on the standing committee	They have never changed
Calgary	More than 10	All full time	Monthly	Each year Councillors provide a listing of their Board, Commission and Committee appointment preferences to the City Clerk's Office. These preferences are be summarized and presented for Council's consideration for appointment at the annual Organizational Meeting of Council (CP2016-03, sec. 5.6.3).		7-9.	The majority of councillors on the standing committee	Other (please specify) Membership is appointed annually (at the Organizational Meeting of Council). The Standing Committees have changed over time after a review of Committees
Regina	8-10.	Some combination of full time and part time	Monthly	After the appointment of a new Council members put their names forward for the committee and then again each year following for the four year term. It usually is cooperative that they get to sit on the committee that they want. If there are more members then seats, we do a ballot.	It is part of our procedure bylaw review.	4-6.	The majority of councillors on the standing committee	Other (please specify) It has been a number of years since our standing committees have changed.

1. What city are you from?	2. How many councillors does your city have?	3. Which best describes your Council?	4. Which best describes the meeting frequency of your standing committees?	5. What processes do you have to determine which councillor is selected for each standing committee?	6. What processes do you have to determine which committees become standing committees?	7. How many councillors sit on each standing committee?	8. How many councillors are required to make up a quorum in standing committees?	9. How often do your standing committees change?
Guelph	More than 10	All part time	Monthly	We only have Committee of the Whole now, but when we had standing committees we had a committee meeting at which council members would have provided clerk's with expressed interest in serving as chair then, those names were provided to all of Council and it was up to a member of council to put a motion on the floor to appoint someone as Chair and the vote would be held same as all other motions at a Council meeting.	We had Standing Committees reflect our Service Areas: Infrastructure, Development & Enterprise; Corporate Services; Public Services; then we had an Audit Committee and Governance Committee and the Governance Committee consisted of the Mayor and the Standing Committee Chairs	4-6.	The majority of councillors on the standing committee	Other (please specify) every two years
Saskatoon	8-10.	Some combination of full time and part time	Monthly	We are reviewing the process but what has been used is that they indicate their preferences and then there is a vote taken if more than the required apply. Each Councillor MUST sit on two (of four) standing policy committees	We have four standing policy committees set out in the Procedures and Committees Bylaw. Appended to the Bylaw is a summary of each SPC's Mandate, Policy Areas and delegated authority. In addition, we have a Governance and Priorities Committee, which consists of all members of Council. Its mandate, policy areas and delegated authority is also appended to said Bylaw.	4-6.	The majority of councillors on the standing committee	Other (please specify) If you are asking, do we change the name, mandate, policy area and delegated authority of the standing committees on a regular basis, we do not. If you are asking if the membership changes, we do look at the membership annually during the annual organizational meeting in November
Fredricton	More than 10	All part time	Monthly	On a two year basis, the Mayor selects the Committee members, including the Chairs and Vice Chairs. In some instances, certain members of Council ask to be on specific committees and they are never denied.	Our Standing Committees align with our Corporate Departments and consist of the following Standing Committees: Public Safety & Environment Community Services Development Finance Transportation Strategic & External Relations	4-6.	Other (please specify) 2 plus the chair	When departments/divisions change

1. What city are you from?	10. What do your guidelines say in regard to attendance of councillors at standing committees? (E.g. are they mandatory?)	11. Is it mandatory for councillors to serve on a certain number of standing committees? If so, what is that number?	12. What roles do your mayor and deputy mayor serve on standing committees?	13. What roles and responsibilities do staff serve on standing committees? (E.g. prepare material? do they attend?)	14. What is your current process for items to get on the agenda for standing committees?
Vancouver	Standing Committees are made up of all Council members and are mandatory. Motion for Leave of Absences required if not attending.	See #10	The Mayor's office selects the Chair for each Standing Committee (we have 2). Both Mayor and Deputy Mayor are voting members.	Standing Committees are no different from Council meetings which require agenda preparation and meeting attendance.	Agenda items are approved by the City Manager and City Clerk in consultation with the Mayor. Any items likely resulting in requests to speak will be on the Standing Committee agenda.
Calgary	No guidelines. The City of Calgary Procedure Bylaw 44M2006, as amended, will be submitted for your reference via e-mail.	Yes; Council shall appoint seven (7) Councillors to each SPC ensuring that each Councillor sits on two (2) Standing Policy Committees.	The Mayor is a full voting Member with all the rights and privileges of other Members and, if present, is counted to determine if the number of Members required for Quorum is present.	City Clerk's Legislative staff prepare all meeting agendas, collate materials from the BUs who are preparing reports to the Standing Committees, and attend the meetings to provide legislative guidance on meeting procedures. They also ensure notice of meetings to Council, Administration and the public	A schedule of due dates is available to all members of administration. They submit reports to published meeting dates, and our staff coordinate finalization of agenda order, and close off the submission period prior to collating a draft agenda. There are a number of items placed on Standing Committee agendas which are placed by City Clerk's staff, such as reports which were tabled from prior meetings and Minutes of past meetings.
Regina	No, but we do report at the end of the year on their attendance and they have to take responsibility for it.	There is only one mandatory standing committee and that is Executive Committee (Committee of the Whole)	Deputy Mayor serves as Chair for Executive Committee. Mayor serves as Chair for Mayor's Housing Commission.	Prepare material and attend.	The Executive Directors of the organization sign off on any reports and then they are provided to the Office of the City Clerk.

1. What city are you from?	10. What do your guidelines say in regard to attendance of councillors at standing committees? (E.g. are they mandatory?)	11. Is it mandatory for councillors to serve on a certain number of standing committees? If so, what is that number?	12. What roles do your mayor and deputy mayor serve on standing committees?	13. What roles and responsibilities do staff serve on standing committees? (E.g. prepare material? do they attend?)	14. What is your current process for items to get on the agenda for standing committees?
Guelph	Committee Members were expected to attend under same regulations as a Council meeting, Council members not on the Standing Committee were optional	At least one. We had a policy that all Standing Committees and outside boards and agencies appointments should be done to balance out the work load; this prevented one councilor from either taking a large number of positions to build a portfolio or from avoiding duties	We do not have a Deputy Mayor. The Mayor was a member of all Standing Committees and Chair of the Governance committee	Clerk's staff prepared agendas. The council committee coordinator also acted in the capacity of clerk for standing committees	Service Area Deputy CAOs work with the Chair of the Standing Committee to determine the items
Saskatoon	Councillors appointed to Standing Policy Committees are expected to attend all meetings. Those Councillors not appointed are welcome to attend and participate in the discussion, but they cannot vote.	We have four standing Policy Committees and one Governance and Priorities Committee. All members of Council serve on the GPC and each member of Council must serve on two of the four SPCs	The Mayor is the Chair of the Governance and Priorities Committee and he sits as an ex-officio member of the SPCs. Our deputy mayor rotates monthly and the only role would be to fill in for the Mayor as Chair if he was absent from the GPC meeting	The staff assigned to the Governance and Priorities Committee are the City Manager, City Solicitor and City Clerk. Each of the four SPCs have a General Manager assigned, a solicitor assigned and a Clerk assigned. They attend the assigned meetings, present reports, prepare minutes, provide procedural rulings and review the agenda in advance with the Chair	Items are submitted by the Administration to the Clerk. Upcoming agenda items with their designated meeting date are logged in a central repository for Admin to view at any time. The Clerk prepares the agenda and reviews the agenda with the Chair, appropriate GM and solicitor. For some committees this happens prior to publishing the agenda, for others it happens prior to the meeting after the agenda has been published. The clerk will consult with the Chair, GM, Solicitor if questions arise in the preparation of the agenda. Our Admin monitors the ongoing list of items regularly and for the most part once an item is on the list, the Clerk is confident a report is forthcoming to be added to the specified meeting agenda.
Fredricton	No they are not mandatory, however we do ask that Committee members let us know when they are unable to attend to ensure there is quorum in their absence.	No, we have a few councilors (retired) that are members on all committees and a few that only serve on a couple of committees due to work commitments. It's convenient for quorum purposes, to ensure that some of the retired Councillors are members on the Committees as sometimes attendance at lunch time Standing Committee meetings can be lacking.	The Deputy Mayor is Chair of the Strategic and External Relations Committee. At all other meetings, they are Ex-Officio members. However if both the Mayor and the Deputy Mayor are in attendance at the same meeting, only the Mayor is the Ex-Officio member.	Staff feed the agendas and if they have items on the agenda, they attend to present. Senior Staff of the departments are invited to the meetings which relate to their departments and Directors, Assistant Directors, and Chiefs are invited to all meetings	We use escribe for staff to submit their items and we have timelines for same. We also have a request to appear before Council form for outside presenters.

1. What city are you from?	15. What does an agenda for a standing committee typically look like? (E.g. information sharing/updates? Or recommendations/decisions?)	16. What is the role of the city clerk's office with respect to standing committees?	17. Do your standing committees align with your organizational structure?	18. Are there any departments/divisions that do not report to a standing committee?	19. If you said yes to the question above, could you provide an example of a department/division?	20. How do the objectives of your strategic plan fit into work of standing committees?
Vancouver	Same as Council. http://council.vancouver.ca/20170614/cfsc20170614ag.htm	Same as Council meetings - agenda preparation, minute taking, providing procedural advice.	Yes	No	Finance Standing Committees are: City Finance and Services, Policy and Strategic Priorities any reports could land on the Council or Standing Committees' agendas. The agendas are drafted at least 2	Guiding principles
Calgary	The Committee Meeting Agenda is prescribed in the Procedure Bylaw: 1. Confirmation of Agenda; 2. Confirmation of Minutes; 3. Consent Agenda (SPCs only); 4. Unfinished business; 5. Tabled reports; 6. Items from Administration and Committees; 7. Urgent business; 8. In Camera items; 9. Urgent business In Camera; and 10. Adjournment.	Carrying out the duties of Corporate Secretary, which is a designated officer position. Recording the decisions of Council and its committees. Ensuring security and maintenance of the corporate record. Providing procedural advice in the meetings.	Yes	Yes	Law and Legislative Services, Chief Financial Office	Objectives of our Leadership Strategic Plan and their connection to the work of Committees: 'Provide a comprehensive strategy for citizen engagement and customer service delivery, including a philosophy of trust, communication, and participation'; Standing Committees must hear from citizens on reports placed on an agenda. Effort is made to ensure that reports are published as part of the agenda.
Regina	The majority are recommendations/decisions.	Our office provides the Secretary to each of the committees and compiles the agendas, attends meetings and provides the minutes.	Yes	No		This is a work in progress. We have a heading for this within the reports, but flushing out the information is sometimes challenging.

1. What city are you from?	15. What does an agenda for a standing committee typically look like? (E.g. information sharing/updates? Or recommendations/decisions?)	16. What is the role of the city clerk's office with respect to standing committees?	17. Do your standing committees align with your organizational structure?	18. Are there any departments/divisions that do not report to a standing committee?	19. If you said yes to the question above, could you provide an example of a department/division?	20. How do the objectives of your strategic plan fit into work of standing committees?
Guelph	Follows the council agenda formatting. we start with awards/presentations, then have a Consent Agenda and pull items that have presentations/public delegations for discussion Items for information are placed on a weekly information item package that gets emailed out every Friday	Same as for Council. We prepare and distribute agendas, minutes and coordinate. Take minutes and the Clerk or designate are there as clerk	Yes	No		the Service area work plans are based on the strategic plan and items are brought forward according to work plans and scheduling
Saskatoon	Refer to our Bylaw 9170. The appendices set out templates. There are information items and delegated authority items, along with delegations and letters from the public. If a matter is not a delegated authority it is typically forwarded on to Council with a recommendation. When Admin submits reports the recommendations of Admin are incorporated into the agenda. Our agendas can be viewed online at www.saskatoon.ca	I think I have answered this in previous questions.	Yes	No		All administrative reports on Committee agendas must include a statement as to how it aligns with the strategic plan.
Fredricton	We try to push as many items as possible through the standing committees to keep the CIC and City Council meetings lighter. Items are both for information purposes and for direction. No decisions of Council are made at a standing committee, the City clerk's office prepares a summary report for all decision items that is sent to City Council for ratification.	The City Clerk's Office prepares the agenda, sends out the meeting invites, prepares the minutes, orders the food. Standing Committees are the same type of preparation for the City Clerk's Office as all other meetings of Council.	Yes	No		

Appendix VI Sports/Convention Centre Board Jurisdictional Scan Overview

SAINT JOHN - HARBOUR STATION COMMISSION

The Saint John Regional Exhibition Centre Commission was established by the City of Saint John to operate the Regional Exhibition centre known as Harbour Station by SNB 1992, c.102. The rules on membership and appointments were amended by SNB 1999, c.46. The City has the obligation under the legislation to finance all net operating and capital expenditures. All capital assets acquired and held for use of the Commission are vested in the City. Harbour Station commenced operations October 2, 1993.

Size: 4 Members (from City of Saint John)

Term Length: 3 Years

Term Limit: 2 Terms

Board Make-Up

4 members appointed by council; 3 members appointed (1 each) by Rothesay, Quispamsis and Grand Bay-Westfield,

Ex Officio: Mayor, City Manager and Commissioner of Finance

Time Commitment: Meetings held 3 to 4 times per year (Approximately 2 hours)

Remuneration: None

Note: Saint John also has a Greater Saint John Regional Facilities Commission

Regional facility refers to: the facility under the control and management of The Saint John Arts Center Inc., the facility under the control and management of The Saint John Aquatic Center, the facility under the control and management of The Harbor Station Commission called Harbor Station, the facility under the control and management of Imperial Theater Inc.

The purpose of the Regional Commission is to determine:

(A) the annual amount of the total municipal contribution to be made to the operation of regional facilities in accordance with section 10, and (B) the amount of the contribution of each participating municipality in accordance with section 11

Membership

4 (1) A person is not eligible to be a member of the Commission unless the person is a member of council of a participating municipality

The council of the City of Saint John shall appoint two members to the Commission, and the councils of Grand Bay-Westfield, Quispamsis and Rothesay shall each member of the Commission. The council of each participating municipality shall make an alternate member.

The members shall choose from among themselves a chairman.

MONCTON COLISEUM – currently operated by City

New facility under development - Building a new multi-use sports and entertainment centre in downtown Moncton slated to open in 2018. SMG Canada will operate and maintain the facility once it is operational. The City will enter into an Operations and Maintenance Agreement with the Preferred Proponent or the Operator for the operations and maintenance of the Downtown Centre.

HALIFAX CONVENTION CENTRE – Board of Directors

The Halifax Convention Centre Act, which came into effect on April 1 2017, requires the two levels of government to jointly appoint the board of directors. The 10-member board consists of eight appointed

members, in addition to the deputy minister of the Department of Business and the chief administrative officer of Halifax Regional Municipality.

Legislation requires the board to report to the provincial and municipal governments, including annual audited financial statements, a report on the effectiveness and competitiveness of the centre's operations and a five-year strategic plan.

Events East is responsible for the management and operations of the new Halifax Convention Centre, Scotiabank Centre and Ticket Atlantic. Events East was created as part of a joint partnership between the province of Nova Scotia and the Halifax Regional Municipality.

Halifax Convention centre Act <http://nslegislature.ca/legc/statutes/halifax%20convention%20centre.pdf>

LONDON – CONVENTION CENTRE - Board of Directors

The London Convention Centre is a multi-purpose convention facility, incorporated in 1993, and owned by the City of London. Governed by a Board of Directors, appointed by Municipal Council. This volunteer Board is responsible for the strategic direction of the London Convention Centre Corporation. Two Councillors sit on this board.

KITCHENER - KITCHENER MEMORIAL AUDITORIUM COMPLEX (THE AUD) - operated by City

BARRIE – MOLSON CENTRE- operated by City

GUELPH – SLEEMAN CENTRE – operated by the City

Appendix VII Sample Terms of Reference for Audit Committees

Audit Committee Terms of Reference

NAME:	Audit Committee		
CLERK:	Committee Clerk		
MOST RECENT AMENDMENT:	By-law No.	Date	Report / Item No.
		June	CL-13-16

OTHER ITEMS OF REFERENCE:

PURPOSE

The Audit Committee has responsibility to Council to assist Council in fulfilling its due diligence, fiduciary, financial reporting and audit responsibilities and to approve, monitor, evaluate and provide advice on matters affecting the external audit, internal audit, risk management and the financial reporting and accounting control policies and practices of the City.

COMMITTEE RESPONSIBILITIES

The Audit Committee shall be responsible for making recommendations directly to Council regarding the following:

- i. Financial Statements
- ii. External Audit Function
- iii. Internal Audit Function (City Auditor)
- iv. Corporate Control Framework
- v. Risk Management
- vi. General and Administrative

i. Financial Statements

- Review and recommend for approval the annual audited consolidated financial statements
- Review quarterly actual financial performance.
- Review and discuss with management:
 - the appropriateness of accounting or other financial policies and financial reporting practices
 - any significant proposed changes in financial reporting and accounting policies and practices to be adopted by the City
 - any new or pending developments in accounting and reporting standards that may affect the City and
 - Management's key estimates and judgments that may be material to financial reporting.

ii. External Audit Function

- Confirm and assure the independence of the external auditor, including the approval and review of all additional audit, management consulting and other fees of the external auditor.
- Recommend the selection and/or dismissal of the external auditor to Council as required including participation in the selection committee with staff, approval of the selection process and annual evaluation of the external auditor's performance
- Review the terms of engagement, scope and performance of the external audit services provided.
- Approve the fees for the audit.
- Review any matters brought to the committee's attention by the external auditor and determine the appropriate disposition thereof.
- Review and discuss with the external auditor the Management Letter, agree with Management on the appropriate course of action, and make recommendations to Council, where necessary.
- Discuss with the external auditor the annual evaluation of the internal control systems, if appropriate, together with any related recommendations for improvement.
- Meet with the external auditor to discuss all material issues and ensure any matter the external auditor brings forth has been given adequate attention, including any appropriate action.
- Meet regularly with the external auditors to build an effective reporting relationship. Provide an open avenue of communication between the external auditor and Committee including ability to meet in closed session, in the absence of City management, at Audit Committee meetings regarding matters deemed allowable under the Municipal Act 2001, c.25.

iii. Internal Audit Function (City Auditor)

- Confirm and assure the independence of the City Auditor
- Review and approve the annual audit work plan, and subsequent significant changes, as recommended by the City Auditor.
- Monitor and annually evaluate the performance of the City Auditor in carrying out the approved audit work plan and other established goals. When the Chair or Vice-Chair is an elected member of Council, they will be responsible for facilitating the annual performance evaluation. When the Chair and Vice-Chair are citizen representatives, then a Council member will be selected to facilitate this process
- Review audit reports issued and, where required, recommend the acceptance, amendment or rejection of the report recommendations.
- Review the adequacy of management responses to audit concerns in relation to the risks and costs involved.
- Review reports from the City Auditor on the status and implementation of approved audit recommendations.
- Bi-annually review the mandate for the City Auditor position and ensure that the position is adequately meeting the City's internal audit needs.
- Provide an open avenue of communication between the City Auditor and Committee including ability to meet in closed session, in the absence of City management, at Audit

Committee meetings regarding matters deemed allowable under the Municipal Act 2001, c.25.

iv. **Corporate Control Framework**

- Review and discuss with management their responsibility for:
 - Reliability and integrity of financial and operating information and the processes to identify, measure, classify and report such information.
 - Internal control processes and systems to ensure compliance with policies, plans, procedures, laws and regulations.
 - Safeguarding City assets and, as appropriate, verifying the existence of those assets.
- Obtain reasonable assurance on an annual basis, the information technology (IT) systems are reliable and secure and the systems of internal controls are properly designed and effectively implemented through discussions with and reports from management.
- Review and discuss reports related to the investigation of significant non-compliance, conflicts of interest, misconduct, or fraud and their resolution and make recommendations to Council thereon. Receive from the City Manager on an annual basis, a listing of matters investigated or being investigated, or a nil report if appropriate.
- Review and discuss by-laws and policies specifically regulating the conduct of members of council and committees, staff, and suppliers (e.g. purchasing by-law, code of conduct, etc.)

v. **Risk Management**

- Review and discuss with management their responsibility for assessing and managing the City's exposure to risk
- Review policies governing risk management
- Review and discuss with management the City's major emerging risk exposures

vi. **General and Administrative**

- Review and update the Audit Committee Terms of Reference bi-annually.
- Participate in the selection of a City Auditor and, pursuant to by-law 132-1991, City Council would consider recommendations for disciplinary suspension or dismissal of the City Auditor.
- Review any other matter within the scope of the auditors, either internal or external.
- Review and recommend the scope, terms of reference and fees of professional services retained for purposes related to the Audit Committee's responsibilities.
- Bi-annually conduct an evaluation of the Audit Committee's effectiveness.
- Develop an annual committee calendar to reflect the responsibilities of the committee, the staff area responsible for providing information or materials to the committee, and the specific meeting of the committee at which the topic will be reviewed.

COMMITTEE COMPOSITION

The Committee is comprised of up to eight members, casting one vote per member:

- Three members of council
- A minimum of two and up to four citizen representatives (community volunteers)
- Mayor, an ex-officio voting member of the Committee.

The Chair and Vice-Chair will be elected from the committee's membership for a 2-year term commencing as soon as possible after the day of the inaugural meeting of Council and/or in November of the second year for the remaining two years of the Council term. When possible, the Committee would benefit from returning council members for first 2-year term.

It is the responsibility of Council to ensure that audit committee members are independent, financially literate, and have the skills to serve as effective audit committee members:

- a general understanding of the City's major economic, operating, and financial risks,
- a broad awareness of the interrelationship of the City's operations and its financial reporting,
- understand the difference between the oversight function of the Committee and the decision-making function of management, and
- a willingness to challenge management, when necessary.

TERM OF OFFICE

Council stipulates the appointment of Council members for a two to four year term, or until their successors are appointed, with consideration given to the member's stated interest or desire to be on the committee.

Citizen Representatives shall be appointed at the discretion of Council, based on the term of office for council (four years), or until their successors are appointed. Where a member ceases to be a member before the expiration of their term, Council will appoint another eligible person for the remainder of the term.

MEETINGS

The Committee is expected to meet at least four times per year. Committee meetings will be held as required.

Audit Committee minutes will be shared with Council and Audit Committee's citizen members through Council agendas and minutes.

The Committee Clerk will prepare the Order of Business, in keeping with the City's Procedure By-law.

Closed Session items will be considered in accordance with the City's Procedure By-law and with the Municipal Act 2001. The City Manager may act as Clerk during closed session portions of Audit Committee meetings upon the request of the Audit Committee, as outlined in the Procedure By-law.

QUORUM

Quorum is constituted by the attendance of four members, at least one of whom is a citizen member and at least one of whom is an elected member of Council other than the Mayor (who sits ex-officio).

BUDGET CONSIDERATIONS

The fiscal year of the Committee will be January 1 to December 31 annually. Any budget request will be presented within the relevant capital or current budget submission.

COMMUNICATIONS

The Committee Clerk will work with Finance Department staff and the City Auditor to complete the necessary advertising. Community Relations staff will provide the necessary support to meet the Committee's needs.

REQUIREMENTS AND CRITERIA FOR CITIZEN APPOINTEES TO THE AUDIT COMMITTEE

- Satisfactory police check paid for by the City
- Be independent
- Be a resident of the City of Burlington
- Be financially literate (the ability to read and understand basic financial statements)
- Have an aptitude for complex organizational effectiveness and governance
- Have a general understanding of the City's major economic, operating, and financial risks
- Have a broad awareness of the interrelationship of the City's operations and its financial reporting
- Have an understanding of the difference between the oversight function of the Committee and the decision-making function of management
- Be willing to challenge management when necessary
- Preferably a member of a professional accounting association.

TERMS OF REFERENCE REVIEW DATE: June 2016

Next review by June 2017.

City of St. John's Proposed Audit Committee Terms of Reference

Purpose

The Audit Committee is appointed by Council to assist Council in fulfilling its oversight responsibilities with respect to internal audit, the external audit process, the City's internal controls and procedures and the preparation of the City's annual financial statements.

Membership

Membership shall be comprised of a minimum of four members of Council and **at least two** citizen representative. The Chair shall be elected by Council. The term of the Committee shall coincide with the term of Council.

Qualifications

The citizen representatives shall have an accounting and/or auditing designation and have experience in the public sector, either directly or indirectly as a consultant or auditor. The Citizen Representative must be independent of the City and the City's **Internal and External auditors.**

Meetings

The Committee should aim to meet four times a year but meet at least twice annually. Additional meetings may be authorized at the request of management, any member of the Committee, or at the request of the external or internal auditors.

Reporting

Minutes shall be kept of each meeting and supplied to Council at its next meeting.

RESPONSIBILITIES

The Committee is responsible for the following:

Financial Statements

- **Obtain and review the annual audited financial statements, and consider whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles through discussions with the Director of Finance and the City's external auditors and make recommendations for approval to Council.**
- **Review the City of St. John's annual report before release and consider the accuracy and completeness of the information through discussion with City staff**
- **Understand how management develops interim financial information, and the nature and extent of internal and external auditor involvement through**

presentations on the preparation process to be conducted once during the Audit Committee's term (i.e. every four years)

Internal Control

- Obtain and review reports from the City's internal and external auditors focusing on significant findings and recommendations, together with management's response, related to the City's key internal controls.

Internal Audit

- Review annually with management and the City Internal Auditor the Audit Charter, activities, staffing, and organizational structure of the internal audit function.
- Review and recommend approval of the annual audit plan and all major changes to the plan.
- Ensure there are no unjustified restrictions or limitations, and review and concur in the appointment, replacement, or dismissal of the City Internal Auditor.
- At least once per year, review the performance of the City Internal Auditor through completion by the Chair of performance evaluation forms provided by the City's Human Resources Department.
- On a regular basis, meet separately with the City Internal Auditor to discuss any matters that the committee or internal audit believes should be discussed privately.

External Audit

- Annually obtain and review the Engagement Letter from the external auditors.
- Meet annually with the external auditor to discuss the audit scope and planned approach for the upcoming audit of the City's financial statements.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review with the Director of Finance the performance of the external auditors, and recommend approval on the appointment or discharge of the auditors.
- Obtain and review the annual independence letter from the external auditors.
- Obtain and review the external auditors' management letter together with the implementation plans as advised by management.
- On a regular basis, meet separately with the external auditors to discuss any matters that the committee or auditors believe should be discussed privately.

Compliance

- **Through reports from the City Manager and/or the Internal Audit division, evaluate effectiveness of the system for monitoring compliance with laws, regulations and internal controls as well as management's response for any issues identified.**
- **Through reports prepared and presented by Internal Audit, review the findings of any reviews by outside regulatory or other agencies along with management responses and planned courses of action.**
- **Regularly confirm with the Director of Human Resources the process for communicating the code of conduct to City personnel, and for monitoring compliance therewith.**

Reporting Responsibilities

- **Regularly report to Council about committee activities, issues, and related recommendations.**
- **Provide an open avenue of communication between internal audit, the external auditors, the senior management team and Council.**

Other Responsibilities

- **Perform other activities related to this mandate as requested from time to time by Council.**
- **Through the City's Internal Audit division, institute and oversee investigations of alleged fraud as required from time to time.**
- **Confirm annually that all responsibilities outlined in this mandate have been carried out.**

Appendix VIII Governance Bylaws/COTW Terms of Reference Best Practices

[City of Guelph, Committee of the Whole Terms of Reference](#)

[City of Victoria, Council Procedure Bylaw](#)

[City of Saskatoon, Procedures and Committee Bylaw](#)

[City of London, Council Procedure Bylaw](#)

[City of Regina, Committee Bylaw](#)

Appendix IX St. John's Sports and Entertainment Bylaw

ST. JOHN'S SPORTS & ENTERTAINMENT LTD.

GENERAL OPERATING BY-LAW

Revised and Restated March 31, 2007

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BY-LAW NO. 1

A by-law relating generally to the transaction of the business and affairs of

THE ST. JOHN'S SPORTS & ENTERTAINMENT LTD.

BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of St. John's Sports & Entertainment Ltd. as follows:

ARTICLE 1 - INTERPRETATION

1.1 Meanings

In this by-law and all other by-laws and resolutions of the Corporation unless the context otherwise requires:

"Act" means the *Corporations Act*, Newfoundland, as amended from time to time, and any statute enacted in substitution therefor from time to time;

"Articles" means the Articles of Incorporation of the Corporation together with amendments thereto;

"Authorized Representative" means the person entitled to act on behalf of and represent a Nominator and who is identified in section 4.4;

"Board" means the board of directors of the Corporation;

"Business Day" means any day, other than a Saturday, Sunday or statutory holiday in the City;

"Chairman" means the chairman of a meeting of the Board, the Members or a committee of the Corporation, as the case may be;

"Chairman of the Board" or **"Vice-Chairman of the Board"** means the Chairman or Vice-Chairman of the Board of the Corporation;

"City" means the City of St. John's;

"Claims" means claims, losses, damages (direct, indirect, consequential or otherwise), suits, judgments, causes of action, legal proceedings, executions, demands, penalties or other sanctions of every nature and kind whatsoever, whether accrued, actual, contingent or otherwise and any and all costs arising in connection therewith, including without limitation, legal fees and disbursements on a solicitor and his own client basis (including

without limitation, all such legal fees and disbursements in connection with any and all appeals);

“**Corporation**” means St. John’s Sports & Entertainment Ltd.;

“**Director**” means a Director of the Corporation;

“**Documents**” includes deeds, mortgages, leases, sub-leases, easements, licenses, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, immovable or moveable, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignments of shares, bonds, debentures or other securities and all paper writings;

“**Guidelines**” means the Conflict of Interest Guidelines identified in section 6.12;

“**Member**” means a member of the Corporation, and “**Members**” shall have a corresponding meaning;

“**Nominees**” means the persons nominated from time to time in accordance with Article 4;

“**Province**” means the Province of Newfoundland, and “**Provincial**” shall have a corresponding meaning;

“**Secretary**” means the Secretary of the Corporation;

“**Treasurer**” means the Treasurer of the Corporation.

1.2 Interpretation

In this by-law and in all other by-laws of the Corporation, unless the context otherwise requires, words importing the singular number or the masculine gender shall include the plural number or the neuter and feminine gender, as the case may be, and *vice versa*, and references to persons shall include firms and corporations.

ARTICLE 2 - HEAD OFFICE

2.1 Location

The head office of the Corporation shall be situate in the location set out in the Articles and at such address within such location as may be determined by the Board from time to time.

ARTICLE 3 - SEAL

3.1 Impression

The Seal, an impression of which shall be stamped on a certificate of the Secretary immediately following the issuance of the Certificate of Incorporation for the Corporation and the passage of this by-law, shall be the seal of the Corporation.

ARTICLE 4 - MEMBERSHIP

4.1 Membership

- (a) Membership in the Corporation shall consist of the Members. Each person admitted as a Member shall be promptly informed of his admission as a Member.
- (b) Members are those persons appointed as Members in accordance with section 4.3. Each Member shall be entitled to one vote at all meetings of Members and shall have identical rights and obligations.

4.2 Qualifications of a Member

- (a) Each Member shall be at least 19 years of age and shall not be:
 - (i) a corporation, firm or any other entity;
 - (ii) a person who has the legal status of a bankrupt or is insolvent;
 - (iii) a person who is found by a court to be a mentally incompetent person or of unsound mind;
 - (iv) a person who has been convicted of a criminal offence related to the employment of that person.
- (b) Members shall be Canadian citizens;
- (c) As a condition precedent to becoming a Member and notwithstanding any other provision of this By-Law, a person must consent to becoming a Member;
- (d) Members shall at all times meet the requirements of the Guidelines.

4.3 Appointment of Members

Members, save and except the City Manager, the Director of Finance for the City and those representing Destination St. John's, shall be appointed by the City to serve for a maximum term of two years. The appointment of the Member shall be made by the City forwarding a letter of appointment to the appointee and a Notice of Appointment to the secretary of the Corporation advising the Corporation of the appointment. Members, save and except the City Manager, the Director of Finance for the City and the members representing Destination St. John's, shall be eligible for a maximum of two consecutive terms. Two members shall be from Destination St. John's; one member shall be a member of the St. John's Municipal Council; six members shall be from the community at large. The City Manager and the Director of Finance for the City shall be ex-officio, non-voting members and shall not have their terms limited in any way.

4.4 Transfer of Membership

Membership in the Corporation is not transferable.

4.5 City Manager, Director of Finance and Destination St. John's

- (a) Sections 4.6 and 4.7 shall not apply to the City Manager and the Director of Finance for the City who shall remain Members for the term of their employment in their respective capacities.
- (b) Sections 4.6 and 4.7 shall not apply to the members representing Destination St. John's.

4.6 Termination of Membership

The membership of a Member automatically terminates upon the happening of any one of the following events:

- (a) the Member, in writing, resigns as a Member of the Corporation;
- (b) the Member dies;
- (c) the Member ceases to have all of the qualifications referred to in section 4.2; or
- (d) the Member's membership is terminated in accordance with section 4.6.

Upon a Member's membership terminating under paragraphs (a), (b) and (c), the Secretary shall forthwith provide written notice to the City.

4.7 Removal of a Member

A Member may be removed by the City at any time by forwarding a Notice of Termination in writing, to the Member and to the Secretary of the Corporation advising of such removal and the Member's membership shall terminate effective the date of such Notice of Termination.

4.8 Membership Dues

There shall be no membership fees, dues or levies.

ARTICLE 5 - ELECTION/APPOINTMENT OF BOARD

5.1 Size of the Board

The size of the Board shall be not less than 7 nor more than twenty.

5.2 Directors

Every person who is a Member shall be a Director with the exception of the City Manager and the Director of Finance for the City who shall be ex officio Directors. Upon a person ceasing to be a Member, such person shall automatically cease to be a Director of the Corporation.

ARTICLE 6 - BOARD OF DIRECTORS

6.1 Powers of the Board

The Board shall have the power to and shall administer the affairs of the Corporation in all things and make or cause to be made for the Corporation, in its name, any kind of contract which the Corporation may lawfully enter into and save as hereinafter provided, generally, may exercise all other powers and do all other acts and things as the Corporation is by its constating documents or otherwise authorized to exercise and do. Without limiting the generality of the foregoing, the Board shall have the power to:

- (a) appoint and replace the officers of the Corporation, including the Chairman
- (b) approve annual operating and capital budgets for the Corporation;

- (c) authorize expenditures on behalf of the Corporation from time to time and may delegate by resolution to an officer or officers of the Corporation the right to employ and pay salaries to employees of the Corporation;
- (d) raise funds in any manner;
- (e) make expenditures of funds for the purpose of furthering the objects of the Corporation;
- (f) enter into a trust arrangement with a trust company for the purpose of creating a trust fund in which the capital and interest may be made available for the purpose of establishing a reserve for the benefit of the Corporation, in accordance with such terms as the Board may prescribe;
- (g) constitute such committees of the Corporation as the Board, from time to time, considers necessary to assist in carrying out the objects of the Corporation, and to appoint the chairman and members of such committees to serve during the pleasure of the Board, and to fix the remuneration, if any, to be paid to such committee members;
- (h) appoint such agents as it deems necessary from time to time and those agents shall have such authority and shall perform such duties as are prescribed by the Board at the time of their appointment; and
- (i) delegate any of its powers to committees consisting of such number of Directors as the Board thinks fit. Any committee so formed shall, in the exercise of powers so delegated, conform to any regulations that may be imposed on them by the Board.

6.2 Quorum and Meetings

- (a) A majority of the Directors in office shall form a quorum for the transaction of business. No business, other than the election of a Chairman and the adjournment of the meeting, shall be transacted at any meeting of the Board unless a quorum is present at the meeting and, unless adjourned, a meeting at which a quorum is not present shall be dissolved.
- (b) Except as otherwise required by law, the Board may hold its meetings at such place or places as it may from time to time determine.
- (c) If all of the Directors consent thereto, either generally or in respect of a particular meeting, a Director may participate in a meeting of the Board or a committee of the Board by means of a conference telephone or other communications facility as permits all persons participating in the meeting to hear and speak to each other,

and a Director participating in a meeting by such means shall be deemed for all purposes to be present at the meeting.

- (d) No formal notice of any meeting of the Board shall be necessary if all of the Directors are present, or if those absent have signified their consent to the meeting being held in their absence. Such consent may be given before, during or after the meeting.
- (e) Meetings of the Board may be formally called by the Chairman of the Board or by the Secretary on direction of the Chairman of the Board, or by the Secretary at the request in writing by two Directors. Notice of such meetings shall be delivered or sent by facsimile transmission to each Director not less than 2 days before the meeting is to take place or shall be mailed to each Director not less than 14 days before the meeting is to take place. The statement of the Secretary or Chairman of the Board that notice has been validly given pursuant to this by-law shall be sufficient and conclusive evidence of the giving of such notice.
- (f) The Board may select a day or days in any month or months for regular meetings at an hour to be named and no notice need be sent for such regular meetings.
- (g) A meeting of the Board may be held, without notice, immediately following the annual meeting of Members.
- (h) The Directors may consider or transact any business either special or general at any meeting of the Board.
- (i) A meeting of the Board may be adjourned from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. Where a meeting is adjourned for 45 days or more, notice of the adjourned meeting shall be given as in the case of the original meeting. Except as provided in this subsection, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

6.3 Errors and Notice

No error or accidental omission in giving notice for a meeting of the Board shall invalidate such meeting or invalidate or make void any proceedings taken or held at such meeting and any Director may at any time waive notice of any such meeting and may ratify and approve of any or all of the proceedings taken at such meeting.

6.4 Voting

- (a) Questions arising at any meeting of Directors shall be decided by a majority of votes unless otherwise specifically provided by the Act or by the by-laws of the Corporation.
- (b) In case of an equality of votes, the Chairman shall not have a second or casting vote.
- (c) All votes at Directors' meetings shall be taken by ballot if demanded by any Director present, and if no demand is made, the vote shall be taken in the usual way by assent or dissent. A declaration by the Chairman that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as *prima facie* proof of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.
- (d) In the absence of the Chairman of the Board at a Directors' meeting, his duties may be performed by the Vice-Chairman or such other Director as the Board may from time to time appoint for the purpose.

6.5 Resolution in Writing

A resolution in writing signed by all of the Directors then in office shall be as valid and effectual as if it had been passed at a duly called and constituted meeting of the Board.

6.6 Indemnities to Directors and Others

The Corporation shall indemnify and save harmless every:

- (a) Director and former Director;
- (b) officer and former officer of the Corporation,

and their respective heirs, executors and administrators, from and against:

- (i) all costs, charges and expenses (including, without limitation, an amount paid to settle an action or satisfy a judgment) which such person sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him to be done in or about the execution of the duties of his office; and

(ii) all other costs, charges and expenses which such person sustains or incurs in or about or in relation to the affairs of the Corporation, except the costs, charges or expenses occasioned by his own wilful neglect or default.

The indemnity authorized by this section shall be applicable only to the extent that such indemnity shall not duplicate any indemnity or reimbursement which the person seeking indemnity hereunder has received or shall receive otherwise than by virtue of this section.

6.7 Contracts of Indemnity

The Board may from time to time cause the Corporation to enter into a contract or contracts to indemnify any Director, officer, employee, agent or other person who has undertaken or is about to undertake any liability on behalf of the Corporation or any authority, corporation, partnership, joint venture, trust or other enterprise controlled by the Corporation or in which the Corporation has had an interest.

6.8 Insurance

The Board may cause funds to be expended by the Corporation for the purchase and maintenance of insurance for the benefit of any person who is or was a Director, officer, employee or agent of the Corporation or is or was serving at the request of the Board as a Director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise in which the Corporation has had an interest, against any claims arising out of such person acting in such capacity.

6.9 Protection of Directors and Officers

The Directors and officers of the Corporation shall not be liable for the acts, receipts, neglects or defaults of any other Director or officer or employee or for joining in any receipt or act for conformity or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by the Corporation or for or on behalf of the Corporation or for the insufficiency of any security in or upon which any of the money of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person, firm or corporation with whom or which any monies, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in the execution of the duties of his respective office or trust or in relation thereto unless the same shall happen by or through his own wrongful and wilful act or through his own wrongful or wilful neglect or default.

6.10 Responsibilities for Acts

The Directors for the time being of the Corporation shall not be under any duty or responsibility in respect of any contract, act or transaction whether or not made, done or entered into in the name of or on behalf of the Corporation, except such as shall have been submitted to and authorized and approved by the Board.

6.11 Reimbursement of Expenses

Directors may receive reimbursement for all reasonable expenses necessarily incurred in fulfillment of their duties. A Director may serve the Corporation as an officer or in any other capacity and receive compensation therefor.

6.12 Conflicts of Interest and Guidelines

No Member, save and except the City Manager and the Director of Finance for the City, shall directly or indirectly receive any profit from his position as such; provided that any Member who is engaged in or is a member of a firm or corporation engaged in any business or profession may, subject to the Act and the Conflict of Interest Guidelines appended hereto as Appendix "A" (the "Guidelines") act in and be paid the usual professional fees and business charges for any professional work or other business required to be done in connection with the administration of the affairs of the Corporation. Prior to the appointment of any person as a Member, such person shall complete a conflict of interest questionnaire meeting the Guidelines and shall notify the Board and the City of any business activity by the Member or any associate (as that term is defined in the Act), which would pose an actual or perceived conflict of interest in his capacity as a Member or Director. The Board, with the person concerned not taking part in the consideration thereof or voting thereon, shall decide whether the Nominee should be disqualified from appointment as a Member. If a change or anticipated change in circumstances creates for a Member a continuing conflict of interest, such Member shall inform the Board and the City. The Board shall then decide whether the appointment of that Member should be revoked.

The Board shall ensure that all Members (and, where appropriate, officers and employees of the Corporation) adhere to the Guidelines designed to prevent real and perceived conflicts of interest. As a member of the Board of the Corporation, each Director holds a fiduciary duty to the Corporation notwithstanding the relationship that exists with the City.

6.13 Report of the Board

The Board shall give a full and complete report of its activities for the preceding fiscal year at the annual meeting of the Members of the Corporation.

ARTICLE 7 - OFFICERS OF THE CORPORATION

7.1 Officers

- (a) There shall be a Chairman of the Board, a Vice-Chairman of the Board, a Secretary and a Treasurer (or in lieu of a Secretary and Treasurer, a Secretary-Treasurer) and such other officers, including without limitation, a President, one or more Vice-Presidents and honorary officers, as the Board may determine from time to time.
- (b) The officers of the Corporation shall be appointed by resolution of the Board (with the exception of the Chairman of the Board and the Vice-Chairman of the Board who shall be appointed by the City). In the absence of a written agreement to the contrary, the terms of engagement of all officers (including, without limitation, the remuneration of such officers, if any, and removal from office) shall be determined from time to time by the Board.
- (c) No officer of the Corporation need also be a Director, save and except for the Chairman of the Board and the Vice-Chairman of the Board each of whom shall be a Director.

7.2 Chairman and Vice-Chairman of the Board

The Chairman of the Board or, in his absence, the Vice-Chairman of the Board shall:

- (a) preside as Chairman at all meetings of the Board and Members, when present; and
- (b) have the other powers and duties from time to time prescribed by the Board or which are incidental to the office of Chairman of the Board.

7.3 Secretary

The Secretary shall:

- (a) be *ex officio* secretary of the Corporation, the Board and all committees of the Corporation;
- (b) attend all meetings of the Corporation, the Board and all committees of the Corporation to record all facts and minutes of those proceedings in the books kept for that purpose;
- (c) give all notices required to be given to Members and to Directors;
- (d) be the custodian of the corporate seal of the Corporation and of all books, papers, records, correspondence and documents belonging to the Corporation; and
- (e) perform the other duties from time to time prescribed by the Board which are incidental to the office of Secretary.

7.4 Treasurer

The Treasurer shall:

- (a) keep full and accurate accounts of all receipts and disbursements of the Corporation in proper books of accounts;
- (b) deposit all monies or other valuable effects in the name and to the credit of the Corporation in the bank or banks from time to time designated by the Board; or
- (c) disburse the funds of the Corporation under the direction of the Board or whenever required of him, prepare an account of all such transactions as Treasurer and of the financial position of the Corporation;
- (d) cooperate with the auditors of the Corporation during any audit of the accounts of the Corporation; and
- (e) perform the other duties from time to time prescribed by the Board or which are incidental to the office of Treasurer.

7.5 Other Officers

The duties of all other officers of the Corporation shall be those which the terms of their engagement call for or which may be otherwise specified by the Board.

ARTICLE 8 - CITY APPROVAL

8.1 Approval by the City of St. John's

Notwithstanding any other provision of this By-Law each of the following actions must be approved by or receive the consent of the city:

- (a) The appointment and replacement of the officers of the Corporation, pursuant to Section 6.1(a);
- (b) The approval of the annual operating and capital budgets for the Corporation pursuant to Section 6.1(b);
- (c) The approval of any remuneration to be paid to the Directors pursuant to Section 6.11;
- (d) The approval of any borrowing by the Corporation pursuant to Section 14.1;
- (e) The repeal, amendment, alteration, addition to or re-enactment of any by-laws of the Corporation, including this General Operating By-Law, pursuant to Section 16.1.

ARTICLE 9 - MEMBERS' MEETING

9.1 Annual Meeting

The annual meeting of the Members shall be held each year within Newfoundland, at a time, place and date determined by the Board, for the purpose of:

- (a) presenting the report of the Directors, the financial statements and the report of the Corporation's auditors;
- (b) appointing the Corporation's auditors and fixing or authorizing the Board to fix their remuneration; and
- (c) transacting any other business properly brought before the meeting.

9.2 Special Meeting

The Board may at any time call a special meeting of Members for the transaction of any business, the nature of which is specified in the notice calling the meeting. A special

meeting of Members shall be called by the Board on written requisition signed by at least one-half of the Members.

9.3 Notice of Meetings

Notice of the time, place and date of meetings of Members and the general nature of the business to be transacted shall be given at least 14 days before the date of the meeting to each Member (and in the case of an annual meeting to the auditors of the Corporation) by prepaid mail to the most recent address of the addresses shown on the Corporation's records. Where special business will be conducted at a Members' meeting (being business other than that which is required by the Act or section 9.1 hereof to be carried out at an annual Members' meeting), the notice shall contain sufficient information to allow a Member to make a reasoned decision in respect of such special business.

9.4 Error or Omission in Notice

No error or accidental omission in giving notice of any annual or special meeting or any adjourned meeting, whether annual or special, of the Members of the Corporation shall invalidate such meeting or make void any proceedings taken thereat and any Member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken at such meeting. For the purpose of sending notice to any Member, Director or officer for any meeting or otherwise, the address of any Member, Director or officer shall be his most recent address recorded on the books of the Corporation.

9.5 Quorum

A quorum for the transaction of business of any meeting of Members shall consist of a majority of the Members, present in person or represented by proxy.

9.6 Voting by Members

Unless otherwise required by the provisions of the Act or this By-Law, all questions proposed for consideration at a meeting of Members shall be determined by a majority of the votes cast by Members entitled to vote at such meeting. Notwithstanding any other provision of this By-Law a Member shall not be entitled to hold and vote in excess of 2 proxies in respect of any matter coming before a meeting of Members. In the case of an equality of votes, the Chairman presiding at the meeting shall not have a second or casting vote.

9.7 Proxies

Every Member entitled to vote at meetings of Members may, by means of a proxy, appoint a person, who must be a Member, as his nominee, to attend and act at the meeting in the manner, to the extent and with the power confirmed by the proxy. A proxy shall be in writing, shall be executed by the Member entitled to vote or by his attorney authorized in writing and shall only be valid in respect of the meeting for which the proxy is appointed, including any adjournment thereof. The proxy may be in such form as the Board may from time to time prescribe or such other form as the Chairman of the meeting may accept as sufficient, and shall be deposited with the Secretary of the meeting before any vote is called under its authority, or at such earlier time and in such manner as the Board may prescribe. Every notice of a Members' meeting shall:

- (a) contain a statement to the effect that a Member may grant a proxy to another Member; and
- (b) be accompanied by a form of proxy which may be used by a Member.

9.8 Show of Hands

At all meetings of Members every question shall be decided by a show of hands unless otherwise required by a by-law of the Corporation or unless a poll is required by the Chairman or requested by any Member entitled to vote. Upon a show of hands, every Member entitled to vote, or proxy holder for a Member entitled to vote, present in person shall have one vote. Whenever a vote by a show of hands has been taken upon a question, unless a poll is requested, a declaration by the Chairman that a resolution has been carried or lost by a particular majority and an entry to that effect in the minutes of the Corporation is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the motion.

9.9 Chairman

The Chairman of the Board shall act as the Chairman at every Members' meeting. In the absence of the Chairman of the Board, the Vice-Chairman of the Board shall act as Chairman and in the absence of the Vice-Chairman of the Board, the Members present at a meeting of Members shall choose another Director as Chairman.

9.10 Adjournments

Any meeting of the Members may be adjourned at any time, and any business may be transacted at any adjourned meeting that might have been transacted at the original meeting from which the adjournment took place. No notice is required of any adjourned meeting.

9.11 Polls

If at any meeting a poll is requested on the election of a Chairman or on a question of any adjournment, it must be taken forthwith without adjournment. If a poll is requested on any other question, it shall be taken in the manner and either at once or later at the meeting or after adjournment as the Chairman directs. The result of a poll shall be deemed to be the resolution of the meeting at which the poll was requested. A request for a poll may be withdrawn at any time prior to taking the poll.

9.12 Resolution in Writing

A resolution in writing signed by all of the Members entitled to vote on that resolution at a meeting of Members shall be as valid and effectual as if it had been passed at a duly called and constituted meeting of Members.

ARTICLE 10 - FISCAL YEAR

10.1 Fiscal Year

The fiscal year end of the Corporation shall be as determined by the Board from time to time.

ARTICLE 11 - EXECUTION OF DOCUMENTS

11.1 Execution of Documents

Documents requiring execution by the Corporation shall be signed by any two Directors or any two officers or any Director together with any officer. The corporate seal of the Corporation shall, when required, be affixed to documents executed in accordance with the foregoing.

11.2 Securities

Any two Directors or any two officers or any Director together with any officer (or such other person or persons as the Board may otherwise direct from time to time) may transfer any and all shares, bonds or other securities from time to time standing in the name of the Corporation in its individual or any other capacity or as trustee or otherwise and may accept in the name and on behalf of the Corporation transfers of shares, bonds or other securities from time to time transferred to the Corporation and may affix the corporate seal to any such transfers or acceptances of transfers, and may make, execute

and deliver under the corporate seal any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds or other securities on the books of any corporation.

11.3 Power of Board

Notwithstanding any provisions to the contrary contained in the Corporation's by-laws, the Board may at any time by resolution direct the manner in which, and the person or persons by whom, any particular document, instrument, contract, cheque, negotiable instrument or obligation of the Corporation may or shall be executed.

ARTICLE 12 - BOOKS AND RECORDS, AUDIT AND ACCOUNTING

12.1 Books and Records

The Board shall cause to be kept at the head office of the Corporation all necessary and proper books and records of the Corporation, including, without limitation, those required by the Act.

12.2 Inspection

The books and records of the Corporation shall be available for the inspection of any Director at any pre-arranged time during normal business hours.

12.3 Financial Statements

The Board shall, at least once in every fiscal year, cause financial statements of the Corporation to be prepared and audited. The financial statements shall be prepared in accordance with generally accepted accounting principles.

12.4 Audit Committee

The Board shall appoint an audit committee consisting of not less than three Directors, none of whom shall be officers or employees of the Corporation.

12.5 Auditors

- (a) At the first general meeting of the Members, the Members shall appoint an auditor or firm of auditors. No Director, officer or employee of the Corporation shall be entitled to be appointed as the Corporation's auditor.
- (b) The Board shall fill any vacancy occurring in the office of auditor within a reasonable period of time following the occurrence of the vacancy.
- (c) The auditor shall receive notice of all Members' meetings and shall be entitled to attend such meetings.
- (d) The auditor shall audit the accounts of the Corporation in accordance with generally accepted auditing practices and shall report to the Members at the annual general meeting of Members.

ARTICLE 13 - BANKING ARRANGEMENTS

13.1 Banking

The Board shall designate by resolution the officers and other persons authorized to transact the banking business of the Corporation, or any part thereof, with a bank, trust company or other corporation carrying on a banking business that the Board has designated as the Corporation's banker, which persons shall have the authority set out in the resolution including, unless otherwise restricted, the power to:

- (a) operate the Corporation's accounts with the bankers;
- (b) make, sign, draw, accept, endorse, negotiate, lodge, deposit or transfer any of the Corporation's cheques, promissory notes, drafts, acceptances, bills of exchange or orders for the payment of money;
- (c) issue receipts for and orders relating to any property of the Corporation;
- (d) execute any agreement relating to any banking business and defining the rights and powers of the parties thereto; and
- (e) authorize any officer of the bank to do any act or thing on the Corporation's behalf to facilitate the banking business.

13.2 Deposit of Securities

The securities of the Corporation shall be deposited for safe keeping with one or more bankers, trust companies or other financial institutions to be selected by the Board. Any and all securities so deposited may be withdrawn from time to time only upon the written order of the Corporation signed by such officer or officers, agent or agents of the Corporation, and in such manner, as shall from time to time be determined by resolution of the Board and such authority may be general or confined to specific instances.

ARTICLE 14 - BORROWING BY THE CORPORATION

14.1 Borrowing

The Directors of the Corporation may from time to time:

- (a) borrow money on the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) issue debentures or other securities of the Corporation;
- (d) pledge or sell such debentures or other securities for such sums and at such prices as may be deemed expedient; and
- (e) secure any such debentures, securities or any other present or future borrowing or liability of the Corporation, by mortgage, hypothec, charge or pledge of all or any currently owned or subsequently acquired real and personal, moveable and immoveable, property of the Corporation, and the undertaking and rights of the Corporation.

Nothing herein limits or restricts the borrowing of money by the Corporation on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Corporation.

14.2 Authorization

From time to time the Board may authorize any Director or officer of the Corporation to make arrangements with respect to the money borrowed or to be borrowed on behalf of the Corporation, and as to the terms and conditions of a loan thereof, and as to the security to be given therefore, with power to vary or modify such arrangements, terms and conditions and to give such additional security for any monies borrowed or

remaining due by the Corporation as the Board may authorize, and generally to manage, transact and settle the borrowing of money by the Corporation.

14.3 Deeming Provision

The powers hereby conferred shall be deemed to be in supplement of and not in substitution for any powers to borrow money for the purposes of the Corporation possessed by its Directors or officers independently of a borrowing by-law, including by virtue of the Act or the Articles.

ARTICLE 15 - NOTICE

15.1 Computation of Time

In computing the date when notice must be given under any provision of this By-Law requiring a specified number of days' notice of any meeting or other event, the date of giving the notice is, unless otherwise provided, included.

15.2 Omissions and Errors

The accidental omission to give notice of any meeting of the Board or the Members or the non-receipt of any notice by any Director or Member or by the auditor of the Corporation or any error in any notice not affecting its substance does not invalidate any resolution passed or any proceedings taken at such meeting. Any Director, Member or the auditor of the Corporation may at any time waive notice of any meeting and may ratify and approve any or all proceedings taken thereat.

ARTICLE 16 - BY-LAWS AND AMENDMENTS ETC.

16.1 Enactment/Repeal Amendment

By-laws of the Corporation may be enacted, repealed, amended, altered, added to or re-enacted by a resolution of the Board confirmed by a resolution of the Members and shall only become effective upon such confirmation by the Members. The foregoing resolutions shall be passed by not less than two-thirds of the votes cast at a meeting of the Board or the Members as the case may be.

ARTICLE 17 - MISCELLANEOUS MATTERS

17.1 Annual Report

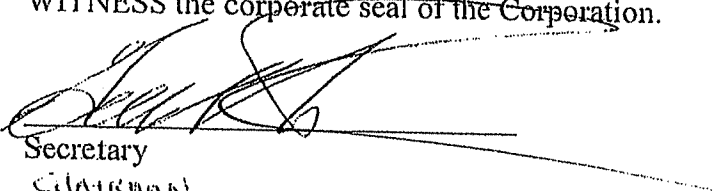
The Directors shall produce an annual written report containing, among other things:

- (a) the Corporation's financial statements and annual auditor's report for the Corporation's previous fiscal year;
- (b) a summary of the Corporation's affairs during the Corporation's previous fiscal year;
- (c) a report on the performance of the Corporation relating to the Corporation's business plan and objectives for the Corporation's previous fiscal year and, as applicable, the Corporation's previous five fiscal years, with an explanation of any significant variances between such performance and the Corporation's business plan and objectives and any corrective action taken by the Corporation to address such variances; and
- (d) a summary of the Corporation's business plan for the Corporation's forthcoming fiscal year and forthcoming five-year period, including specific objectives (measurable where feasible), relating to the objects of the Corporation in the Articles.

Notwithstanding the foregoing the annual written report shall respect the need for confidentiality of commercially competitive information.

ENACTED this 31st day of March, 2007.

WITNESS the corporate seal of the Corporation.


Secretary
CHAIRMAN

APPENDIX A

to

The St. John's Sports & Entertainment Ltd.

General Operating By-Law

THE ST. JOHN'S SPORTS & ENTERTAINMENT LTD.

CONFLICT OF INTEREST GUIDELINES

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The St. John's Sports & Entertainment Ltd.

**CONFLICT OF INTEREST GUIDELINES
FOR DIRECTORS, MEMBERS, OFFICERS AND EMPLOYEES**

PART 1

GENERAL

- 1.1 Directors shall avoid and refrain from involvement in or situations of conflict of interest.
- 1.2 The Corporation depends on the integrity of each Director to complete his assessment of his individual conflicts of interest, if any, and assurance in writing may be required from time to time that no conflicts of interest or other breaches of these Guidelines exist.
- 1.3 Where in the opinion of the Chairman, a conflict may exist in principle but would not as a practical matter have any significant impact on the Corporation, he may, after consultation with the Authority's solicitor, in writing permit such condition to continue.
- 1.4 Directors are not to offer, provide nor accept gifts or excessive entertainment or benefits to or from clients or potential clients of the Corporation. In some cases, exceptions are recognized, for example modest gifts, favours and entertainment which meet the following tests:
 - a) such as are not intended to be and are neither in such form nor of sufficient value to be taken as a bribe or other improper payment; the value of entertainment being no greater than what is appropriate in the circumstances;
 - b) such as are of general and accepted business practice; and
 - c) such as are lawful and in accordance with local ethical practice and standards.
- 1.5 Any Director engaging in any other business activity directly or indirectly affecting activities of the Corporation or which is in competition with the Corporation or its clients or which in any other manner may be construed as in conflict with the Corporation's interest, shall make full disclosure of such activity to the Chairman, who will rule on the conflict after consultation with the Authority's solicitor and may require discontinuation of the activity or consent to it in writing.

- 1.6 It shall be deemed a conflict of interest if without prior written consent of the Chairman:
- a) a Director, a member of his household, or a trust in which he is involved, has significant, direct or indirect financial interest in, or obligation to, an actual or potential client of the Corporation;
 - b) a Director conducts business on behalf of the Corporation with a client of which a relative by blood or marriage is a principal officer or representative; and
 - c) a Director misuses information obtained in the course of his duties as a Director of the Corporation.
- 1.7 A Director shall not engage in activities or accept appointments or election to office in any organization or association the activities of which are likely to be, in conflict with activities of the Corporation or an embarrassment to the Corporation, without the prior written consent of the Chairman who shall consult with the Authority's counsel in making such determination.
- 1.8 A Director shall not use information obtained as a result of his duties as a director with the Corporation for personal profit or as the basis for a tip to others unless such information has been made generally available to the public.
- 1.9 Directors shall obtain the approval of the Chairman before accepting other directorships in companies that might benefit from the policies of or be in conflict with the Corporation.
- 1.10 A Director shall not use inside information for personal gain. Material inside information must not be disclosed to anyone, except persons with the Corporation whose positions require them to know it, until it has been publicly released. A Director must not purchase or sell assets the value of which might be affected by the Corporation's actions or plans, when he has knowledge or material inside information which has not been disclosed to the public.
- 1.11 A Director should at all times maintain the confidentiality of all information and records that are the property of the Corporation and shall not make use of or reveal such information until such time as it becomes a matter of general public knowledge.
- 1.12 Plans for any media appearance, interview or presentation involving the Corporation shall be discussed with the Chairman prior to the event.
- 1.13 No official announcement of a policy nature involving the Corporation shall be made except with the prior approval of the Chairman.

- 1.14 Wherever the approval, consent or direction of the Chairman is required or permitted by these Guidelines: (a) in the absence of the Chairman, such provisions shall be deemed to apply to the Vice-Chairman; and (b) the Chairman or Vice-Chairman shall consult with the Corporation's counsel prior to making any such approval, consent or direction.

PART 2

DISCLOSURE OF CONFLICT OF OFFICE OR PROPERTY

- 2.1 Every Director of the Corporation who holds any office, or possesses any property, whereby, whether directly or indirectly, a duty or interest might be created in conflict with his duty or interest as a Director of the Corporation, shall declare at a meeting of the Directors of the Corporation the fact, and the nature and extent of the conflict.
- 2.2 The declaration to be made by a Director referred to in section 2.1 shall be made at the first meeting of the Directors held:
- a) after he becomes a Director; or
 - b) if he is already a Director, after he commenced to hold the office or possess the property.
- 2.3 The declaration of a conflicting duty or interest by a Director under section 2.1 shall be recorded in, or annexed to, the minutes of the meeting of the Directors at which such declaration is made.
- 2.4 For the purposes of this Part, any declaration required to be made pursuant to section 1.1 by an Officer or employee of the Corporation is deemed to be made when written notice of the conflict is given to the Chairman within the time specified in section 2.2.

PART 3

DISCLOSURE OF INTEREST AND PARTICIPATION BY DIRECTORS IN DECISIONS CONCERNING PROPOSED CONTRACTS OR TRANSACTIONS COMING BEFORE THE BOARD OF DIRECTORS

- 3.1 Every Director who:
- a) is, in any way, directly or indirectly, interested in a proposed or existing contract or transaction with the Corporation; or
 - b) is interested in the result of any other proposed resolution of the Directors,

shall disclose the nature and extent of his interest at a meeting of the Directors and shall not participate in any decision of the Directors regarding the proposed or existing contract, transaction or resolution.

- 3.2 Without restricting the generality of section 3.1, a Director shall be deemed to be interested in a proposed or existing contract, transaction, or resolution where he knows that any associate of his has an interest in the proposed or existing contract, transaction or resolution.
- 3.3 The disclosure required where an interest exists pursuant to section 3.1 shall be made:
 - a) at the meeting of the Directors at which the proposed or existing contract, transaction or resolution is first considered;
 - b) if the Director was not, at the time of the meeting referred to in section 3.3(a), interested in the proposed or existing contract, transaction or resolution, at the first meeting after he becomes interested; or
 - c) at the first meeting after the relevant facts have come to his knowledge.
- 3.4 Where an interest exists pursuant to section 3.1(a) a general notice in writing given by a Director to the other Directors (which for this purpose shall not include Officers and employees of the Corporation) to the effect that he is a member, director or officer of a specified company, or that he is a partner in, or owner of, a specified firm, and that he has an interest in a specified company or firm, and given the nature and extent of his interest, is a sufficient disclosure of interest.
- 3.5 A Director who is interested pursuant to section 3.1(a), shall be prohibited from participating in any decision of the Directors with respect to the particular contract, transaction or resolution.
- 3.6 The disclosure required by section 3.1 on the part of any Director shall be recorded in, or annexed to, the minutes of the meeting of the Board of Directors of the Corporation at which such disclosure was made.
- 3.7 If a contract or transaction has been approved at a meeting of the Directors of the Corporation at which a Director who is interested therein in any way, directly or indirectly, was not present and that Director subsequently discloses his interest at a meeting of the Directors, then that Director will be deemed to have complied with the disclosure requirements arising from section 3.1(a):
 - a) where the contract or transaction was approved by the Directors but not entered into by the Corporation, if, after disclosure of the Director's

interest, the Board subsequently ratifies or confirms the contract or transaction by a decision in which that Director does not participate; or

- b) where the contract or transaction has been approved by the Directors and entered into by the Corporation, if, in the opinion of the Board, or alternatively in the opinion of the Contractor's accountants where the Directors in their discretion have referred the matter to them, the contract or transaction was reasonable and fair to the Corporation at the time it was entered into.

PART 4

DISCLOSURE OF INTEREST IN CONTRACTS OR TRANSACTIONS NOT BROUGHT BEFORE THE BOARD OF DIRECTORS

- 4.1 Where the Corporation proposes to enter into a contract of which a Director has knowledge and in which such Director has an interest but which is not, to the Director's knowledge, to be brought before the Board for its approval, the Director shall immediately disclose the nature and extent of his interest in the proposed contract or transaction to the Secretary of the Corporation (who shall convey the nature of that interest to the officer of the Corporation responsible for the proposed contract or transaction) and thereafter to the Board at the next ensuing meeting of the Directors and that Director shall not participate in any decision of the Directors in respect of such proposed contract or transaction.
- 4.2 Where the Corporation has entered into a contract in which a Director has an interest, either directly or indirectly, without the contract having first been approved by the Board and prior to the Director having knowledge of that contract, the Director shall disclose the nature and extent of his interest in the contract or transaction at the first meeting of the Directors after the relevant facts have come to his knowledge.
- 4.3 In the case of similar contracts or transactions that are, or may be expected to be of a recurring nature and which are made, or will be made, in the ordinary course of the operations of the Corporation (and which are not concession contracts), a Director who is interested therein shall be deemed to have complied with the disclosure requirements of sections 4.1 and 4.2 if annually, on each January 31st, he makes a single full disclosure of the nature and extent of his interests in such contracts or transactions, at a meeting of the Directors.

PART 5

PROFESSIONAL ADVISORS

- 5.1 Any Director individually, or the Board by resolution, may at any time ask the Secretary to appoint counsel for an opinion as to the application of these Guidelines (and their amendments) to any particular situation.
- 5.2 The Corporation's accountants may be requested to perform such duties in connection with these Guidelines (and their amendments) as the Directors decide from time to time.

PART 6

INTERPRETATION

- 6.1 For the purposes of these Guidelines:
- a) **"affiliate"** shall have the meaning attributed to it by the *Corporations Act*, Newfoundland;
 - b) **"associate"** when used to indicate a relationship with any person, means:
 - (i) a body corporate of which that person beneficially owns or controls, directly or indirectly, shares or securities currently convertible into shares carrying more than ten percent (10%) of the voting rights under all circumstances or by reason of the occurrence of an event that has occurred and is continuing, or a currently exercisable option or right to purchase such shares or such convertible securities;
 - (ii) a partner of that person acting on behalf of the partnership of which they are partners;
 - (iii) a trust or estate in which that person has a substantial beneficial interest or in respect of which he serves as a trustee or in a similar capacity;
 - (iv) a spouse or child of that person; and
 - (v) a relative of that person or of his spouse if that relative has the same residence as that person.
 - c) **"Board"** means the Board of Directors of the Corporation;

- d) **“business activity”** means the ownership, participation in decision-making as a member of the board, engagement as an advisor or consultant, or as an active member of staff in any position;
- e) **“business enterprise”** includes any profession, calling, trade, manufacturer or undertaking of any kind, and an adventure or concern in the nature of trade, whether incorporated or not;
- f) **“Chairman”** or **“Vice-Chairman”** means the Chairman or Vice-Chairman of the Board;
- g) **“Corporation”** means St. John’s Sports & Entertainment Ltd.;
- h) **“decision”** includes any determination, grant, payment, award, license, permit, contract, franchise, concession, and any decision in connection with an offer, proposal or request with respect to any of the foregoing;
- i) **“Director”** or **“Directors”** means a person or the persons appointed as a Director, or as the Directors, of the Corporation and shall include Officers and employees of the Corporation;
- j) **“interest”** includes:
 - (i) a personal or business benefit or advantage;
 - (ii) an increase or decrease in the value of real or personal property;
 - (iii) an advantage, gain, profit, reward or prerequisite of any kind, whether pecuniary or otherwise, and whether direct or indirect; or
 - (iv) a duty owed as a director, officer, partner or employee of a business enterprise contracting or transacting with, proposing to contract or transact with, or engage in a dispute with, the Corporation;

but an interest does not arise out of a proposed or existing contract or transaction:

- (v) where the contract or transaction relates to a loan to the Corporation, solely because the Director or a specified corporation or specified firm in which he has an interest has guaranteed or joined in guaranteeing the repayment of the loan or any part of the loan;
- (vi) where the contract or transaction has been or will be made with or for the benefit of an affiliated company of the Corporation, solely because a Director is a Director or officer of that company; or

(viii) where the contract or transaction relates to the remuneration of a Director in his or her capacity as a Director,

provided that the Director discloses any matter known to him as set out in subsection 6.1(j)(v), (vi) and (vii) and does not participate thereon.

k) **“participate”** with respect to a decision of the Directors means to participate personally and substantially as a Director, whether through approval, disapproval, decision, recommendation, the giving of advice, voting, or otherwise, but does not include the discussion by an interested director of a proposed contract, transaction or resolution at a meeting of the Directors where a majority of the remaining directors have approved the discussion of that subject by the interested Director.

l) **“subsidiary”** shall have the same meaning attributed to it by the *Corporations Act*, Newfoundland.

6.2 Reference herein to the masculine gender shall include the feminine.

6.3 Reference herein to sections and Parts are references to the sections and Parts of these Guidelines unless clearly identified as being otherwise.